

JERUSALEM HOME DEMOLITIONS FACT SHEET

From *Separate and Unequal: the Inside Story of Israeli Rule in East Jerusalem* by Amir Cheshin et al (Cheshin was Teddy Kollek's advisor on Arab affairs and also served Ehud Olmert)

"(In 1967), Israel's leaders adopted two basic principles in their rule of East Jerusalem. The first was to rapidly increase the Jewish population in East Jerusalem. The second was to hinder growth of the Arab population and to force Arab residents to make their homes elsewhere. It is policy that has translated into a miserable life for the majority of East Jerusalem Arabs." P. 10

"In Jerusalem, Israel turned urban planning into a tool of the government, to be used to help prevent the expansion of the city's non-Jewish population. It was a ruthless policy, if only for the fact that the needs (to say nothing of the rights) of Palestinian residents were ignored. Israel saw the adoption of strict zoning plans as a way of limiting the number of new homes built in Arab neighborhoods, and thereby ensuring that the Arab percentage of the city's population – 28.8 in 1967 – did not grow beyond this level. Allowing "too many" new homes in Arab neighborhoods would mean "too many" Arab residents in the city. The idea was to move as many Jews as possible into East Jerusalem, and move as many Arabs as possible out of the city entirely. Israeli housing policy in East Jerusalem was all about this numbers game." Pp. 31-32

"Planners with the city engineer's office, when drawing the zoning boundaries for the Arab neighborhoods, limited them to already built-up areas. Adjoining open areas were either zoned "green," to signify they were off-limits to development, or left unzoned until they were needed for the construction of Jewish housing projects. The 1970 Kolleck plan contains the principles upon which Israeli housing policy is based to this day – expropriation of Arab-owned land, development of large Jewish neighborhoods in East Jerusalem, and limitations on development in Arab neighborhoods." p. 37

From *The Official Summation of the Or Commission Report on the events of October 2000* headed by High Court Justice Theodore Or:

"25. In the matter of land, the committee determined that it is the state's obligation to act toward its Arab citizens with equality and justice with regard to land use. The Arab sector has legitimate needs that stem from natural growth, among other things. The state must allocate land to this sector according to the same egalitarian principles it uses with other sectors. The committee added that suitable planning should be carried out as soon as possible to prevent illegal construction caused by lack of existing town planning that make it difficult to obtain a building permit. In this regard, the committee noted that a real response must be made by the government to the issue of the destruction of houses and the expropriation of land. On the other hand, wherever a way cannot be found to legalize existing construction, the law must be enforced unstintingly. "

Perhaps the most fundamental -- and bitter -- struggle between the Israelis and Palestinians since 1967 has been over land. Here, where national conflict intersects with personal lives and Palestinian families try to carve a semi-normal existence under occupation, human suffering is the greatest. For people impoverished, humiliated and living under conditions of extreme instability, owning a parcel of land and a family home assumes an importance far beyond mere shelter; they represent the one place in the world where security and dignity are assured. Since the signing of the Oslo accords this struggle has intensified, as both Israelis and Palestinians looked forward to final status negotiations. They wished to create facts on the ground and keep the other side from doing so.

The effort to contain Palestinian housing takes place both in Area C (That portion of the Occupied Territories still under Israel's exclusive control) and East Jerusalem, where the vast majority of the city's Palestinian residents live. Of the 17,600 acres of land that comprise East Jerusalem (including the Old City and the commercial downtown of East Jerusalem), Palestinian *citizens* of Jerusalem have today the right to use and develop less than 9% of it. According to the 1995 *Statistical Yearbook of Jerusalem*, 35% (6,250 acres) of the lands were expropriated for Israeli neighborhoods, roads and other facilities. While **80%** of land expropriated since 1967 comes from Palestinians, the vast majority of that land has been designated for Jewish housing and other needs. Close to **0%** of expropriated land has been designated for Arab use.

Of the remaining land, 6,957 acres (39.5% of East Jerusalem, 61.3% of the not expropriated land) have not yet been planned, (Of this, some 3,025 acres are in some stage of planning). Of the 4,400 planned acres, 2,543 acres (40%) are forbidden to build upon for different "zoning" reasons (security, planned "open spaces," planned roads, and in particular new Jewish neighborhoods) It is very difficult for Palestinian neighborhoods to create more resident friendly master plans. Many Jewish neighborhoods have been zoned with extensive financial and other support from the Municipality, while Palestinians are largely left to their own devices;

Of the between 1,850 – 1,525 acres currently zoned for building, 250 acres need to be "reparcelized" (Combined and redivided, taking 40% for public purposes. There is no indication that this will take place in the near future. Finally, of the land that is theoretically available immediately for building, there is a significant percentage (We have no exact figure) for which the Municipality will not grant permits because there is no infrastructure (Water, sewage, roads, etc.) in place. Some 80% of the existing buildings in East Jerusalem are not connected to the sewage system. In 2000, it was estimated that NIS 20 million would be needed for completing infrastructure in East

Jerusalem. NIS 1 million was raised that year. Thus, less than 9 % of East Jerusalem is available for building, and most of this is already built up. Zoning also limits multistory buildings in Palestinian areas, meaning that fewer housing units can be built per dunam. Palestinians are often allowed to build on only some 25% - 50% of a plot, while Jewish neighborhoods are much more likely to be allowed to build on 120% -150% of the size of the property.

The claims that there are up to 36,000 building units that can be built according to current zoning includes land for which permits can not be issued because a general plan but not a detailed land has been approved, the land must be re-parcelized and/or the land currently lacks infrastructure. According to a 2000 Municipal estimate, completing infrastructure in would require an expenditure of NIS 20 million. The Municipality succeeded in raising NIS 1 million for this in 2000. Less than 5,000 units could actually be built currently. The 36,000 figure includes all of the units that perhaps can be built in the coming 20 years. Because land that can not be utilized has a very low value, it is not an option for generally poor families to sell inherited land in one area and buy in another.

All of the above has led to a tremendous housing shortage in East Jerusalem. In 1999 the average Jewish population density was 1 person per room, the average Palestinian population density 1.8. To meet only existing needs many experts believe that an additional 21,000 units must be built. The Municipality grants an average of 150 - 200 permits a year for Arab housing and demolishes 25-50 units a year. Between 1967-2001, 80,800 units were built in Jerusalem for Jews, most of them with government subsidies and 44,000 of them on land expropriated in East Jerusalem. Some 19,900 homes were built for Palestinians. Only 500 were subsidized. Some 7,000 are deemed illegal by the Municipality. Individual Palestinian families are forced to go through the permit bureaucracy on their own while in the Jewish sector experienced contractors apply for permits for large blocs of houses at one time.

The fact often touted by Israeli officials that Palestinians ask the Municipality to demolish the homes of other Palestinians who have built on their land or areas zoned for schools, etc., is also directly related to the lack of housing solutions. Palestinians are put in a box and forced to fight among themselves.

In recent years changes in the laws for proof of land ownership have also made it increasingly difficult for Palestinians to obtain permits.

While Israeli officials claim that Palestinians are unwilling to pay the costs of permits which are equal for all, this is misleading. For example, it is true that all pay for water and sewage hookups according to set rates per meter from a main, this is never more than a few meters in Jewish neighborhoods and can be up to two kilometers in many Arab neighborhoods. Hookups alone can cost as much as NIS 70,000.

Israeli officials also cite statistics stating that an equal or higher percentage of Palestinian applicants than Jewish applicants receive permits. Palestinians in areas where they know that they have no chance of receiving a permit don't bother applying. While it is difficult to prove, it is common wisdom that the way to get a permit in these areas is to pay a bribe or agree to be an informer.

Arab neighborhoods, already suffering from an egregious lack of "legal" building over the past 30 years, are being steadily strangled as thousands of acres of their land are expropriated for massive new Jewish satellite cities and the roads needed to serve them, as well as to provide the city with "open spaces." Planned confiscations in the Arab neighborhood of Shu'afat, for example, will link the Jewish suburb of French Hill to that of Pisgat Ze'ev, thus creating a contiguous area of Jewish building that effectively halts any development of the Arab north-eastern part of the city. Denial of residency to Arab Jerusalemites (known as "The Quiet Transfer") and stepped-up house demolition are part of this campaign to squeeze the Palestinians out of the city, or at least confine them to isolated pockets.

Demolitions

"I don't sign demolition orders for Jewish homes, only for Arabs." Deputy Mayor Haim Miller – Yediot Aharanot newspaper February 7th, 1998

Since 1967, some 2000 Palestinian homes were destroyed in Jerusalem and the West Bank, leaving more than 16,000 people homeless, destitute and living in fear and trauma.

While approximately 55% of the building violations detected each year are in Jewish neighborhoods, 72% of the Jerusalem demolitions are of Palestinian homes. Most Jewish demolitions are a room or a porch, as opposed to entire Palestinian homes. While the Municipality claims that violations in Arab neighborhoods are more serious, there are very serious violations in Jewish neighborhoods as well. The Versailles wedding hall collapse is but one example. Because the Municipality and Ministry of Interior do not release statistics about structures demolished, it is very hard to analyze what violations are identified, prosecuted and demolished.

In a number of recent cases security forces at the site of demolitions prevented or delayed the presentation of court restraining orders or officials refused to accept oral notification of such orders, resulting in partial or total destruction of homes protected by these orders. In other cases courts were falsely told that homes had no chance of receiving a legal permit or proceedings were carried out without the notification of home owners or their lawyers, resulting in demolitions.