

# EU HOMS REPORT ON JERUSALEM 2014

## COVER NOTE

2014 has been one of the most troubled years in Jerusalem since the end of the Second Intifada. While the trends described in this report are not new, and have been the subject of reporting and recommendations by EU HOMS on an annual basis, the tensions, mistrust and violence which have accompanied developments in the city in the course of the year have reached extremely high levels. These developments are increasingly threatening the viability of the two-state solution and, in turn, risk precipitating further levels of polarization and violence.

Considering the EU's long standing commitment to the two state solution with an independent, democratic, contiguous and viable Palestinian state, comprising Gaza and the West Bank including East Jerusalem, living side by side in peace and security with the State of Israel;

Considering that the developments in East Jerusalem, in particular the systematic increase in settlement activity, tensions over the Haram al Sharif / Temple Mount and rising levels of tensions and acts of violence on both sides, are increasingly undermining the two-state solution;

Considering the urgent need to address the situation in conformity with the EU's established position including all relevant EU Council Conclusions, most recently those of 22nd July and 17th

November 2014, and in accordance with relevant UNSC resolutions (in particular UNSC Resolution 476 (1980), as well as in accordance with International law saying that the acquisition of territory by force or the threat of the use of force is inadmissible;

**The Heads of Mission in Jerusalem and Ramallah herewith submit to the Political and Security Committee the Jerusalem Report 2014 (Annex 1) and for a discussion a series of recommendations to reinforce EU policy on East Jerusalem (Annex 2). Annex 3 contains additional facts and figures on Jerusalem.**

In view of the above and the rapidly deteriorating situation on the ground, the Heads of Mission in Jerusalem and Ramallah recommend :

- More active, systematic and visible implementation of EU policy in East Jerusalem
- Using all opportunities with the Israeli authorities to call for urgent policy changes on Jerusalem
- Appropriate follow up to the submissions set out in annex.

# ANNEX 1 – EU HOMs REPORT ON JERUSALEM

## 1. JERUSALEM AND THE PEACE PROCESS

1. Jerusalem remains one of the most emotive and problematic issues within the Middle East Peace Process. As long as the status of the city is unresolved, a comprehensive agreement between Israelis and Palestinians will not be possible. This point has never been more relevant than this year - one of the most difficult Jerusalem has witnessed since the end of the second intifada in 2005. EU Heads of Missions in Jerusalem and Ramallah have regularly provided their assessments of the situation in Jerusalem in the form of HoMs' reports which have also contained clear recommendations to the EU and its Member States with the aim of preserving the vision of a two-state solution to the Middle East conflict with Jerusalem as future capital of both states, and also giving visibility to EU action and position. While continuing to provide a comprehensive assessment of the situation, this report also describes some of the most recent worrying trends.

2. In the course of 2014 there has been a serious deterioration in the situation in Jerusalem on nearly all matters covered by previous EU HoMs' reports. The expansion of settlements has continued including in highly sensitive areas; highly restrictive policies regarding Palestinian construction in Jerusalem have continued in force and have been followed by waves of demolitions and evictions; education for Palestinians is still inequitable; Palestinians continue to face difficulties in accessing health care; East Jerusalem's economy shows no signs of improving. In addition, Israel has resumed punitive measures such as the revocation of residency rights and the resumption of demolitions of the properties of Palestinians involved in violent attacks.

3. Yet, over and above these all too familiar negative trends, 2014 has been distinguished by a number of specific, disturbing, and often violent developments which are rapidly threatening the viability of the two-state solution and which are also creating extremely high levels of friction within the city itself. In the course of the year a vicious cycle of violence has emerged (ranging from terror attacks, stone-throwing, daily clashes in and around Palestinian neighbourhoods, heavy-handed tactics from the Israeli police) which has affected all communities living in Jerusalem, has contributed to an atmosphere of mutual mistrust and deepened the de facto division of the city. These incidents have occurred against a background of increased settlement activity, demolitions, provocations and tension at the Haram Al-Sharif/Temple Mount and the lack of economic and political prospects for 38 percent of Jerusalem's inhabitants. If root causes of the recent violence are not addressed, the likely outcome is a further escalation and the extreme polarisation from which Jerusalem has suffered during the second half of 2014.

4. There has been a serious radicalisation around the Haram Al-Sharif / Temple Mount. The increasing concerns about the status-quo, the lack of trust on the part of Palestinians concerning the sincerity of Prime Minister Netanyahu's statements of position on the matter in combination with restrictions on access for Muslim worshippers and provocations from radical and extremist camps have not only fuelled violence around and at the site, but threatened to add a religious component of the conflict - a serious and sensitive shift. Only after intervention by Jordan, were concrete steps taken to defuse the situation. These initial steps will now need to be consolidated in order to restore trust and to avoid a resurgence of violence at the site with all its potential for further spill-over.

5. Similarly Israeli settlement activity has continued unabatedly in and around East Jerusalem during 2014. Such activity has included plans in some of the more sensitive areas in Jerusalem where construction would seriously threaten the viability of the two-state solution, as it would

split East Jerusalem from the rest of any future Palestinian state. These include Har Homa, Givat Hamatos, Gush Etzion as well as Bedouin relocation plans from E1. Regardless of the implications for the viability of the two-state solution, settlements are part of a range of Israeli policies towards Jerusalem which are having a severe psycho-social impact on Palestinian daily life. A case in point is Silwan, a densely populated Palestinian neighbourhood, severely disrupted by the presence of ideological settlers.

6. For many Palestinians in Jerusalem, a combination of long-standing Israeli policies cementing Israel's illegal annexation of East Jerusalem and contributing to the isolation and impoverishment of Palestinians living there as well as the more recent negative developments have created a sense of an existential threat to any future Palestinian presence in the city. This has been exacerbated by Israel's refusal to allow the Palestinian leadership to exercise any meaningful authority in East Jerusalem.

7. The position of the EU on Jerusalem has remained consistent: an agreement on the borders of the two states, based on 4 June 1967 lines with equivalent land swaps as may be agreed between the parties. The EU will recognise changes to the pre-1967 borders, including with regard to Jerusalem, only when agreed by the parties. However, and in view of the points made above, the EU has a responsibility to step up its engagement on Jerusalem together with international partners in dialogue with Israel and with the Palestinians. There is, in particular, a pressing need today to redouble diplomatic efforts with the aim of stabilising the situation and preserving the universal character of this unique city.

8. Unless action is taken urgently to address these issues, 2014 may prove to be a water-shed moment in a process leading to the loss of the unique character of the city and of the perspectives for peace based on the two-state vision.

## 2. SETTLEMENTS

### 2.1. SETTLEMENT ACTIVITY IN AND AROUND JERUSALEM

9. The EU has the long-standing position that settlements are illegal under international law and constitute an obstacle to peace. The EU will not recognise any changes to the pre-1967 borders including with regard to Jerusalem, other than those agreed by the parties. Today, more than 815,000 people live within the Jerusalem municipal boundaries (as unilaterally defined by Israel after 1967). An estimated 200,000 out of 540,000 Israeli settlers currently live in East Jerusalem, alongside more than 300,000 Palestinians. In 2014 decisions were made by Israeli authorities to advance 3,110 settler structures in East Jerusalem. Meanwhile construction continued in settlements all over East Jerusalem, including in areas such as Givat Hamatos and Har Homa C, which have been highlighted in EU Council Conclusions as particularly sensitive.

10. **January until June 2014:** As further elaborated in chapter 11, the Supreme Court of Israel issued a ruling on 26 January regarding the extension of the Begin Highway through Beit Safafa. On 12 March, it transpired that the settler organisation Ataret Cohanim had been granted the right to set up a yeshiva on the upper floors of the government-owned post office building on Salaheddin Street, opposite Herod's Gate, in the middle of the main commercial centre in East-Jerusalem. At the beginning of June, simultaneously with the swearing-in ceremony of the National Consensus Government, the Israeli Ministry of Housing and Construction issued tenders for almost 1,700 new housing units. Of these, 500 units were to expand the already existing settlement in Ramat Shlomo in East Jerusalem and 1,298 for units in the rest of the West Bank, mostly in settlements linked to Jerusalem's periphery. On 19 March, at a sensitive moment for the

peace talks, the Jerusalem Local Planning Committee approved building permits for 186 housing units in East-Jerusalem (40 in Pisgat Zeev and 146 in Har Homa C) . On 1 April the Israel Land Authority (ILA) re-published tenders for 708 housing units in Gilo at the same time as emergency meetings were taking place with the US administration on the continuation of the peace talks, including on a possible settlement freeze.

11. **June until August:** from late June until the end of August, a period of heightened tensions in the West Bank and East Jerusalem, no plans were deposited for public review, no hearings were held on pending plans, no approvals issued and no tenders published. However, construction of approved units continued.

12. **August until December:** However, since the 26 August Gaza cease-fire, another surge in settlement activity (planning and tendering) has taken place:

### In Jerusalem

- On August 25th, the Israel Land Authority awarded tenders for 708 units in the settlement of Gilo. This coincided with the conclusion of a cease-fire agreement for Gaza.
- On 27th August, the plan for the Glassman Campus, a new 12-story yeshiva at the entrance of Sheikh Jarrah was put to a special vote in the City Council and approved for recommendation to the District Planning and Building Committee.
- On 24th September a plan of 2,610 units for Givat Hamatos received its final approval. Since the objection period of 15 days has passed, the respective tender can be published any time. If these plans are implemented, along with the plans for the extension of Har Homa, they will form a belt of settlements, effectively cutting off East Jerusalem from Bethlehem and the southern part of the West Bank. Furthermore, Givat Hamatos will be the first new Israeli settlement neighborhood in East-Jerusalem since construction commenced at Har Homa in the late 1990s. The EU has repeatedly expressed its concern about the development of the Givat Hamatos settlement plan, most recently in Council Conclusions of 17 November 2014.
- On 30th September settlers affiliated with the Israeli El'ad settler organisation took possession of seven buildings through deeds of sale, which are controversial given the unresolved status of Jerusalem. The take-over comprised 25 housing units in the Silwan neighbourhood of Wadi Hilweh in East Jerusalem, representing the largest single settler take-over in the area since the creation of the first settlements in Silwan in October 1991. The establishment of settlement enclaves in Silwan is a highly sensitive matter, first as it is a settlement expansion within an existing Palestinian neighbourhood thus fuelling tension, but also as it aims to extend the Jewish Quarter of the Old City. There are currently approximately 20,000 Palestinians living in Silwan, and approximately 500 settlers who live in enclaves under heavy security protection.
- On 19th October settlers affiliated to the Israeli settler organisation Ateret Cohanim took possession of two additional buildings in central Silwan, comprising nine housing units again through similar deeds of sale. In the light of the recent house take-overs in Silwan, it is estimated that the settler population of the area will increase substantially. As further elaborated in Chapter 3, this has also intensified the already tense situation in Jerusalem and led to violent clashes between

Palestinians and settlers as well as between Palestinians and Israeli police forces. Israeli Minister of Housing Uri Ariel's offices issued a statement released on 25 October 2014 mentioning that the minister and his wife were considering leasing an apartment in Silwan and living there in addition to their permanent residence in Kfar Adumim, a settlement located in the West Bank north-east of Jerusalem.

- On 3rd November the Jerusalem Regional Planning Board approved the construction plan of 500 new settlement units in Ramat Shlomo for public review.
- On 5<sup>th</sup> November, building permits for 306 housing units were approved in neighbourhoods over the Green Line. 28 were new submissions, while 216 had previously been approved and were being renewed. All of these concerned units in the neighbourhood of Ramot, most of which lies over the Green Line. Another 62 previously approved permits were renewed for Har Homa.
- On 19th November, permits were issued for 78 new settlement units in East Jerusalem (under already awarded tenders). 28 on the eastern flank of Ramot and 50 in Har Homa C.

#### **In the Jerusalem periphery:**

- Regarding the E1 area between Jerusalem and the Israeli settlement Ma'ale Adumim, no formal planning has been advanced so far since Prime Minister Netanyahu froze tenders for 1,250 units in November 2013. However, other measures have recently been taken by the Israeli authorities in order to pursue settlement expansion in the area:

Notably, on 25th August, the Israeli Civil Administration deposited six plans for public review regarding the construction of a Bedouin township in Nuweima north of Jericho, to which Bedouin communities from the E1 area would be displaced. If carried out, these displacements would most likely amount to forced transfer. As stated by the UNRWA Commissioner-General "if such a plan were implemented, this would not only give rise to concerns that it amounts to a "forcible transfer" in contravention of the Fourth Geneva Convention, it might also make way for further Israeli settlement expansion, further compromising the viability of the two-state solution". In the past, forced transfer of Bedouin communities has been closely linked to settlement expansion in the Ma'ale Adumim area.

If the E1 plan is carried out, it would effectively cut off East Jerusalem from the rest of the West Bank and divide it into separate northern and southern parts, thus impacting severely on the contiguity of a future Palestinian state and Jerusalem's potential as a future capital of two states.

- On 31st August, the Israel Civil Administration designated approximately 4 km<sup>2</sup> of Palestinian land as "state land" in the Gush Etzion settlement block which separates East-Jerusalem from its southern hinterland. Despite strong international pressure to reverse the decision of this de facto expropriation, the Israeli government maintained its position.

## 2.2. NATIONAL PARKS AND ARCHAEOLOGY

13. The above-mentioned developments must be seen in a context of other non-residential settlement activities in the area which are part of a wider Israeli effort to strengthen the Jewish historical narrative of Jerusalem.
14. The process of creating a green belt of national parks in East Jerusalem around the so-called Holy Basin began almost 40 years ago and was concluded by the adoption of the plan for the Mount Scopus Slopes National Park in November 2013. The national parks create a geographical contiguity from Abu Tor to Ma'ale Adumin and E1, preventing the Palestinian population in Silwan, A-Tur (Mount of Olives) and Issawiyeh from carrying out badly needed expansion. The parks surrounding the Old City of Jerusalem also create a green belt that prevent Palestinians from expanding and building on their own private land. In the last few decades the Nature and Parks Authority and the Israel Antiquities Authority (IAA) have advanced the development, preservation and excavation of the antiquities located on park lands. Through tourism and archaeology they have sought to establish a narrative based on historic continuity of Jewish presence in the area to the detriment of other religions and cultures. The Israeli government has continuously invested in the development of the parks, both directly and indirectly. Most of the financing has gone to the archaeological sites.
15. In the course of last year, efforts were made to render the existing national parks more attractive rather than expand them through land confiscation as has previously been the case. Efforts to embellish these sites have however involved promoting an exclusive Israeli-Jewish narrative on those parts of the city. After legal and planning rights on these lands were secured, efforts to excavate and develop further archaeological sites have been accelerated.
16. The main archaeological project City of David, part of the Jerusalem Walls National Park, in the Palestinian neighbourhood of Silwan right outside the Old City walls, next to the Western Wall Plaza and Haram al-Sharif/Temple Mount receives around 400,000 visitors per year. The archaeological site is operated by the settlers' organisation El'ad, which is also promoting settlements in Silwan. At the City of David tourism site, El'ad is promoting an exclusively Jewish narrative, while detaching the place from its Palestinian surroundings. Since 2012, the Government of Israel's budget for these projects has increased, with El'ad one of the main beneficiaries. The Government of Israel's contribution to El'ad, covering El'ad debts to the Israeli Antiquities Authority, is at least 26.3 million ILS (5,4 million EUR), for the period from December 2011 to February 2014.
17. In 2014 El'ad promoted tourism projects at the northern entrance of Silwan, such as the Kedem Compound and the Spring House. The large investments and archaeological excavation, together with the presentation of a selection of antiquities as proof of the historical right of the people of Israel to these sites, create a new historical basin. Parts of the neighbourhood of Silwan are thus increasingly being referred to as "City of David". The recently dug tunnels that connect Silwan with the Old City create a physical contiguity and promote a uniform historical narrative that ignores the Palestinian one.
18. In January 2014, the El'ad organisation deposited plans for construction of the tourist compound above the Spring House in Silwan. The plans include approval for the existing construction, and preparation of an area that will serve visitors to the City of David site, including joining the excavation areas, which are currently not connected, into a contiguous entity. The Spring house/"Gihon Spring" tourism centre is planned to be built among residential homes in a strategic area of the village, on the main path between the Kidron Valley pedestrian path and the

Mount of Olives in the east, and al-Bustan neighbourhood in the west. As a result, this tourism centre will deepen El'ad's hold on the Kidron Valley.

19. On April 2014, the Regional Committee approved, with some adjustments, the plan for the Kedem Compound, a decision which is now being appealed before Appeals Committee of the National Council for Planning and Construction. The 'Kedem Compound' is central to other plans of the settlers in Silwan and the Old City of Jerusalem. In addition to promoting the compound and the 'Shrine of the Bible' within it, the settlers are promoting a development and construction plan around the village spring, and continue to dig tunnels under the village, the Old City and beyond. If constructed, the Kedem Compound will alter the skyline of the Old City, the walls of which have been recognised as UNESCO World Heritage. Moreover, archaeologists fear the construction risks damage to the archaeological site over which the compound is to be built.

### 3. POLARISATION AND VIOLENCE

20. While the last few years have been characterised by a relatively low level of violence in Jerusalem, 2014 saw a significant increase in the number and severity of violent incidents perpetrated by Palestinians and Israelis in Jerusalem. The abduction and the assassination of a Palestinian teenager from the East-Jerusalem neighbourhood of Shu'afat on 2<sup>nd</sup> of July 2014, in an act of revenge for the murder of three Israeli teenagers near Hebron, led to an escalation of violence in Jerusalem which lasted throughout the year. This violence resulted in deaths of Palestinians and Israelis, injuries, arrests and punitive home demolitions in response to violent attacks. Some of the key incidents that have triggered additional waves of unrest and clashes in Jerusalem were:

- On 24 July, wide scale protests broke out in East Jerusalem over Israel's offensive in Gaza. Palestinian demonstrators clashed with the Israeli border police after they were prevented from reaching Al-Aqsa mosque. Only a few thousand were allowed to pray in comparison to 400,000 on the same night of Ramadan last year. The Border Police reported that protestors in East Jerusalem hurled Molotov cocktails and rocks at them. The Israeli police said that 40 protesters were arrested. Around 200 Palestinians were injured, mostly because of tear gas inhalation.
- On 4 August, two violent incidents took place in Jerusalem. An industrial digger ran over a Israeli, killing him and injuring five others, and overturned an empty bus in Musrara, bordering the the Sheikh Jarrah area. The Palestinian driver was shot and killed by Israeli police. In the second incident, an Israeli army officer was shot by a man on a motorbike French Hill in East Jerusalem.
- On 31 August, a 16-year old Palestinian was killed in Wadi Joz in clashes with Israeli police.
- On 22 October, a Palestinian drove his car into a light rail stop at Ammunition Hill in East Jerusalem. Two people were killed and six injured. The driver, a Palestinian from Silwan, was shot and killed by Israeli police. His flat in Silwan was demolished [as a punitive measure] on 19 November.
- On 29 October, Yehuda Glick (a leading activist in the Israeli "Temple Mount Movement"), was shot by a masked man on a motorbike in West Jerusalem. On 30 October, Israeli police shot and killed the Palestinian suspect in Abu Tor.

- On 30 October, the Israeli Government decided to close the Haram al Sharif/Temple Mount to all visitors for 24 hours as a security measure. This was the first time that Israel unilaterally took this step since 1967. Clashes broke out between Palestinians and Israeli police in East Jerusalem neighbourhoods. At least 31 Palestinians were injured and 17 detained that weekend, and one Jewish Israeli man was arrested and a further four detained for allegedly disturbing public order at the Temple Mount.
- On 5 November, a car drove into pedestrians on Route 60, the main road in Jerusalem dividing East and West of the city. An Israeli Border Police official and a Palestinian were killed and 13 people injured. Israeli Police shot and killed the Palestinian driver, a Shuafat Refugee Camp resident.
- On 15 November, a 10 year old Palestinian girl from Shu'afat in East Jerusalem was blinded after Israeli forces shot at the car she was travelling in.
- On 17 November a Palestinian bus driver was found hanged in his bus at the bus-depot, triggering clashes following doubts about the motives behind his death.
- On 18 November, five Israelis were killed and seven injured in an attack in a synagogue in the West Jerusalem neighbourhood of Har Nof, West Jerusalem. The two Palestinian attackers, residents of Jabal al-Mukaber were killed by Israeli police.
- On 24 November, two Israelis were stabbed by two Palestinians in East Jerusalem.

21. This violence has been a matter of serious concern for Israeli authorities. Already on June 29th, the Israeli cabinet approved a 295 million ILS (60 million EUR) investment plan (2014-2018) with the stated aim of "strengthening the municipal governance in the city's eastern neighborhoods and improve the security situation". The report furthermore mentions that the situation in East Jerusalem has led to a "real impact on Israel's ability to effectively govern the area under its sovereignty". It was prepared following a political-security cabinet discussion in December 2013 about the increase in stone-throwing and violent incidents in East Jerusalem. The recommendations aimed to "empower the East Jerusalem population" and illustrated the stated intention of the Israeli authorities, to not only enhance the security measures but also to tackle a possible further deterioration in the security situation through improved living conditions for Palestinian residents of Jerusalem.

22. As a consequence, the number of police officers on duty in Jerusalem has increased significantly. Already important during Operations "Brother's Keeper" in the West Bank (June) and "Protective Edge" in Gaza (July, August), the number of police forces in Jerusalem increased following the attacks that took place in the city since October, when the Government of Israel announced the deployment of 1,000 additional police forces throughout the city in an effort to quell the violence. Aimed at enhancing the level of deterrence throughout the Palestinian neighbourhoods, these forces have been engaged in recurrent violent confrontations with Palestinian youth that led to more than 1,300 arrests (with 40% of the detainees being minors) from the beginning of July to the end of November. This raises serious concern for the protection of the affected population.

23. Beyond the deployment of police officers, there was also an increased resort to aerial surveillance in the second half of 2014. In addition to the frequent helicopter patrols over East-Jerusalem neighbourhoods, the Mayor of Jerusalem announced on 17 July the signing of a contract with an aeronautics company specialising in UAV (unmanned aerial vehicles, i.e. drones) aerial photography. Furthermore, the municipality announced in October the deployment of a



municipal unit of aerial surveillance composed of three surveillance balloons dedicated to hovering high above East Jerusalem. These balloons have the stated aim of aiding the police and security forces in real time by locating violations in an rapid, efficient manner. They transmit their footage to a "situation room" as well as to a unit to be established in the Municipality's Emergency Defence Department.

24. Furthermore, various additional severe and restrictive measures have also been implemented in a more frequent and systematic manner during the last months of 2014 in the Old City as well as in other neighbourhoods of East-Jerusalem : flying checkpoints, summonses to police interrogations, temporary prohibition of vehicular traffic in main arteries, the frequent use of "skunk water"<sup>1</sup>, disconnection of East Jerusalem neighbourhoods from the rest of the city by installing temporary concrete blocks (Abu-Tor, Issawiyya and Jabal Mukabar). As mentioned in more detail in Chapter 7, these have disrupted freedom of movement, commerce and cultural and economic activities in East Jerusalem.

25. Other measures aiming at improving the security around settlement enclaves in Palestinian neighbourhoods have also followed. Settlement enclaves were already heavily secured before the beginning of the unrest in Jerusalem. The Israeli Housing ministry employs 370 private security guards to secure East Jerusalem settlers enclaves, at a cost exceeding 100 million ILS (20.5 million EUR) in 2014, i.e. more than 30,000 ILS (6,100 EUR) per Jewish resident of East Jerusalem settlement enclaves, according to the Israeli Ministry of Finance. Following the violent events permanent paramilitary border patrol posts have been installed near these enclaves and armed convoys have been organised for settlers. This trend has raised concerns among Palestinians about a worsening of the living conditions of Palestinians living next to settlement enclaves, fearing it might lead to a situation similar to the current situation in Hebron.

26. As further elaborated in chapter 5, Israeli authorities have also resumed the practice of punitive home demolitions in response to violent attacks, as an attempt to dissuade Palestinians from violent acts. Its reinstatement also reinvigorated Palestinian accusations of double-standards as such a measure was not used following the assassination of the Palestinian teenager by three Israeli citizens on 2 July 2014.

27. In parallel to these measures, the Israeli municipal authorities decided at the end of October to enforce strict regulations and penalties against residents of Palestinian neighbourhoods in an effort to compel residents of East Jerusalem to act against Palestinian youth involved in daily clashes. These penalties cover a wide range of actions (increased number of traffic citations, parking fines, fines for unlicensed businesses or other minor offences such as ..., property confiscation related to fiscal or private debts, disconnection of indebted homes from the water supply, animal confiscations, house demolitions etc...). This policy has been condemned by various Israeli and Palestinian NGOs as being part of a "collective punishment" policy targeting Palestinian residents of East Jerusalem.

28. In November 2014 Prime Minister Netanyahu reiterated his view that the growing insecurity needed to be dealt with an "iron fist" in order not to let "extremists and fanatics ignite Jerusalem". The Israeli forces then continued to handle the situation through a massive use of police forces and a "zero tolerance" policy.

29. One of the most obvious consequences of the extremely high levels of tension and violence is an increased polarisation of the city which has been recently described by various observers and media as "more divided" than at any time since 1967. While mutual suspicion has been a

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<sup>1</sup> "Skunk water" is a malodorant, non-lethal weapon for crowd control. The material used is dispersed as a form of mist, fired from a water cannon, which leaves a terrible odor of rot or sewage on whatever it touches.

longstanding characteristic of the city, the latest developments significantly increased the symptoms of mutual hatred. This trend is borne out in both sides of the city with growing hostility and mistrust between the two sides (clashes between Palestinian youth and Israeli police, stone-throwing against Israeli cars in and around East Jerusalem neighbourhoods, growing hostility towards Palestinians in the Western part of the city and close to settlements, including raids by self-declared vigilantes in West Jerusalem, openly anti-Arab demonstrations, harassment of Palestinians, members of each community refraining from entering each other's neighbourhoods).. Jerusalem's light rail - often described as one of the very few places of coexistence in Jerusalem has become one of the main symbols of violence since the summer, from stone-throwing incidents damaging up to 40% of the light rail trains to deadly attacks with cars. Despite the heavy police forces mobilised to secure its route in sensitive areas, this light rail is the object of increased disaffection from both Palestinians and Israelis whose level of mutual suspicion is likely to have lasting effects on relations between the two communities.

#### 4. THE HARAM AL-SHARIF/TEMPLE MOUNT

30. The Haram al-Sharif/Temple Mount is one of the most significant religious sites in the Old City of Jerusalem and a holy site for both Muslims and Jews. The Muslim world considers the terms Haram al-Sharif and Al-Aqsa to be interchangeable, while members of the Israeli political and religious establishment often refer to Al-Aqsa as only the actual building of the Mosque itself. Since 1967 the site has been under de facto Israeli security control but is administered by the Jordanian Islamic authorities (Waqf). Article 9 of the Wadi Araba peace agreement (1994) between Israel and Jordan restates that "Israel respects the present special role of the Hashemite Kingdom of Jordan in Muslim Holy shrines in Jerusalem". On 31 March 2013, King Abdallah II of Jordan and President Abbas signed an agreement reaffirming the role of the Jordanian king as Custodian of Islamic Holy Sites in Jerusalem and his responsibility for safeguarding and preserving them, in particular the Haram al-Sharif. According to the long-standing status quo, access to the site for visitors of all faiths is permitted, but non-Muslim prayer on the Haram Al-Sharif/Temple Mount is prohibited. According to traditional orthodox halachic interpretations, reaffirmed by both Ashkenazi and Sephardic chief Rabbis (most recently on 7<sup>th</sup> November 2014 by the Sephardic Chief Rabbi) access to the Mount is prohibited for Jews for reasons of ritual purity. During the last decade, growing numbers of national-religious rabbis argue that access is allowed as long as it is limited to the circumference of the esplanade and abides by halachic rules of purity.

31. Given the importance of the site, any threat or perceived threat to its integrity and to the status quo not only risks undermining a resumption of the peace process, but also has the potential to destabilise the region and provoke widespread global reactions, as well as to create a religious dimension to the conflict. Reflecting the deteriorating relationship between Jews and Muslims in Jerusalem, the Haram Al-Sharif/Temple Mount faced increased tensions in 2014 and particularly since June, closely related to the alarming degree of violence across East Jerusalem and the rest of the West Bank over the summer, in addition to the Gaza conflict.

32. Reaffirming the worsening trend from previous years, a sharp escalation in tensions on the esplanade took place throughout 2014, fuelled by "incessant provocations and incitement by Israeli government officials, settlers and extremists", as stated by the UNSG in his Report on the Peaceful Settlement of the Question of Palestine (4 September 2014). Almost on a daily basis, settlers and national-religious activists have ascended onto the Haram al-Sharif/Temple Mount, under the protection of Israeli forces. Such visits intensified during Jewish holidays and the Israeli police have intervened to prevent the performing of Talmudic rituals. On several occasions extremists tried to raise the Israeli flag on the esplanade and chanted offensive slogans. Organised prayer and study groups with the explicit aim of defending al-Aqsa (*murabitun*) have

become more numerous during 2014, and their members at times shout at religious Jews, settlers and national-religious activists who enter, and on occasion block their path with their own bodies.

33. A particular source of concern lately has been the number of high profile and provocative visits by members of the Israeli political establishment. On 25 November, Israeli Chief of Police Danino strongly criticised such visits.

34. As a result, almost daily clashes have been reported between Israeli forces and Palestinians, with the former often using stun grenades, rubber-coated steel bullets and tear gas. On at least one occasion this year, Israeli police locked Palestinians inside the mosque building, which according to Police Spokesperson Micky Rosenfeld, was "in order to contain disturbances". Palestinian demonstrators, often masked, have thrown stones, metal pipes, pieces of concrete, molotov cocktails and fire crackers at Israeli police. There have also been instances reported of stockpiling of stones within the Al Aqsa Mosque building for use against Israeli police. According to Waqf more than 2,000 Muslims have been injured and about 400 arrested this year, among them children and women. Casualties have occurred also among Israeli forces. The Israeli Minister of Internal Security is currently advancing a law that would remove the organised defence groups (murabitun) from the site. Clashes also have caused damage to holy sites. In October 2014 graffiti equating the Star of David with a swastika were found in three places on the esplanade.

35. Throughout 2014 significantly growing restrictions on the access of Muslims to the esplanade have been recorded, representing a significant shift compared to previous years. According to the Israeli authorities these measures were put in place for security reasons. Previously Palestinian residents of Jerusalem and permit-holding West Bankers enjoyed mostly unrestricted access to the site, while Palestinian residents of the West Bank were normally granted access during Muslim holidays only, with some age restrictions. No permits were granted to Muslims from Gaza to visit Jerusalem for the past seven years, until October 2014. Since January to October 2014, access to the Haram Al- Sharif/Temple Mount has been "filtered" around 40 times (meaning that access was denied to Muslim men under 50 and/or women); the esplanade has been temporarily closed around 14 times. During most of Passover, access by religious Jews was prevented due to clashes on the esplanade. Following the shooting of Yehuda Glick, a leading activist in the Israeli "Temple Mount" movement, Israel unilaterally imposed a total closure on the site on October 30th. This was the first time that Israel had taken such a step since 1967 (following Sharon's visit in 2000 the esplanade was closed upon the decision of the Waqf).

36. Severe restrictions have also been applied during the Fridays of Ramadan, during which access to the esplanade has been prevented to Muslim men under 50, and a dramatic reduction in West Bankers crossing check points around Jerusalem was recorded. They declined from 466,466 in 2013 to 45,291 in 2014, since only men over 50 and women over 40 were allowed to enter Jerusalem without permits, while neither Hebronites nor Gazans were allowed (throughout all Ramadan). During Ramadan Fridays access to the Old City was denied to West Bankers under 50 who managed to cross the checkpoints with work or commercial permits: as a result thousands prayed in the streets surrounding Jerusalem's Old City. Consequently the amount of Muslim worshippers on the Haram Al Sharif/Temple Mount during Ramadan 2014 has dramatically decreased compared to previous years (from 250-300,000 to 5,000-7,000 during each Friday, according to Waqf). Severe restrictions were applied also on the night of 24-25 July (Laylat al Qader), during which only a few thousands Muslims were able to reach the Mosque (compared to around 400,000 in 2013). On the other hand, Israel over the days of Muslim holiday of Eid al-Adha for the first time since 2007 granted access to the esplanade to about 1240 Gazans over the age of 60. As a related measure, Israel decided to grant every week up to 200 permits to pray on the esplanade to Gazans aged 60 and above who have security clearance. On the basis of this

decision, 151 Gazans on 24th October and another 543 during the four Fridays of November obtained these permissions.

37. Throughout 2014 the Israeli political debate on the situation of the Haram Al Sharif/Temple Mount significantly intensified. Right wing politicians as well as extremist national-religious groups, such as the Temple Mount movements, called on the GoI to change the status quo of the Haram Al Sharif/Temple Mount in order to allow Jews to pray at the holy site, and in some cases work to erect the Third Jewish Temple upon it. Such movements, also expressing the liberal call for Jews' freedom of religion while exploiting acts of violence on the esplanade, appear to be gaining consensus among the broader Israeli population as well as entrenching their relations with the Israeli establishment from which they have received increasing support. The Knesset Interior Committee met on average once per month to discuss the situation of the esplanade and several debates took place at the Knesset. In March the Knesset Interior Committee established a subcommittee with the task of discussing the issue of the entry of Jews onto the Haram al-Sharif/Temple Mount. A draft law to allow Jewish prayers on the Haram al Sharif/Temple Mount was submitted in May 2014 and in August 2014 MKs proposed that Jews and Arabs should enter the esplanade at different hours and to completely separate them on the holy site. In contrast to some of his high-ranking Cabinet Ministers' statements and visits, PM Nethanyahu underlined on several occasions his commitment to the status quo, most recently during the UNSG visit to Israel in early October and following the total closure of the esplanade, as well as during a conversation with the Jordanian King Abdallah II on 6 November 2014.

38. Developments, both within the Israeli political establishment and on the ground at the esplanade, raise serious concerns about the possible application of the existing "model" in Hebron (Ibrahimi Mosque/Tomb of the Patriarchs) to the the Haram Al -Sharif/Temple Mount. This consists of an enforced temporal and territorial division of the site to accommodate equal Muslim and Jewish access.

39. The Palestinian leadership and the Jordanian King have strongly voiced their opposition to such a scenario and called on the international community to act against violations affecting the holy sites, and in particular the esplanade. Both the Organization of the Islamic Cooperation and the Group of Arab States at the UN General Assembly as well as the Arab League, have expressed their strong condemnation of the deteriorating situation and have appealed to the international community's responsibilities in protecting the holy sites.

40. To that effect, Jordan – in consideration of Hashemite Kingdom's Custody and Waqf's administration of the Haram al-Sharif – has played an active role in raising serious concerns – both at the international and bilateral level with Israel – on developments at the Haram Al-Sharif/Temple Mount. In September 2014 this pressure led to the dismantlement of a second provisional wooden bridge, supposed to lead to the Mughrabi Gate, built by Israel outside the Haram al-Sharif/Temple Mount a few months earlier. Furthermore, upon Jordanian and Palestinian request, an urgent meeting of the UN Security Council was convened on 29 October 2014 to discuss tensions on the esplanade. On 5<sup>th</sup> November, Jordan recalled its Ambassador from Tel Aviv, following severe clashes during which Israeli police entered the Mosque itself, reportedly all the way up to the minbar (pulpit) and prayer niche, causing damages. A Jordanian MFA spokesperson stated further that "all options are under consideration, including reconsidering the peace agreement with Israel". Jordan also filed a letter of complaint to the UNSC.

41. In order to defuse the situation, US Secretary of State John Kerry travelled to Amman on 13 November to meet with President Abbas and then tri-laterally with King Abdallah II and PM Netanyahu. Following these meetings, restrictions on Muslim prayer at the Haram were lifted for the first time in months. Moreover, the size of Jewish groups allowed to visit has since been

limited to 10 at a time (in contrast to groups of roughly 30 previously). Jordan's ambassador to Israel has however still not been sent back to Tel Aviv. At an emergency meeting on Palestine on 29 November, Arab League Ministers condemned Israeli practices "that aim to divide Al-Aqsa Mosque and impose Israeli control on it". They also condemned the repeated attacks on the mosque by "Israeli extremists", stating that it poses a threat of an outbreak of a religious war.

## 5. PLANNING, DEMOLITIONS, EVICTIONS AND DISPLACEMENT

42. The planning regime of the Jerusalem Municipality remains a source of concern as it places severe restrictions on Palestinian building activities, thus creating a severe housing and basic infrastructure shortage for Palestinian residents as well as leading to severe constraints on development. Around 52% of the Israeli-defined municipal area of East Jerusalem is unavailable for development and 35% has been designated for settlement use. As a result, less than 13% can be used for construction to meet the needs of Palestinians. Much of this land is already built-up; the permitted construction density is limited and required planning and building standards are hard to meet. Together these make the application process difficult and expensive. At least 33% of all Palestinian homes in East Jerusalem lack Israeli-issued building permits, putting over 93,000 Palestinians at risk of home demolitions and displacement.

43. On 3 September the Jerusalem Municipality granted preliminary approval for a Master Plan dealing with an area called Arab A-Sawahrah – a Palestinian neighbourhood in the southeast of Jerusalem, bordering the town of Abu Dis – for the construction for 2200 new units for Palestinians living in East Jerusalem. Before construction permits can be granted and any housing units can be built a further protracted planning process is required including the final statutory approval of the Master Plan and the development and approval of subsequent specific Plans. Several independent experts have therefore raised doubts whether this preliminary approval will be progressed at the same pace as is the case with comparable Israeli settlements in East-Jerusalem.

44. Demolitions by the occupying power in occupied territory, unless out of military necessity, are illegal under International Law (Art 53, GCIV). The number of demolitions in East Jerusalem until September 2014 was lower than in the same period in 2013 with 48 demolitions recorded. However since October a significant increase of demolitions in East Jerusalem has taken place, with 23 structures demolished for the month of October alone. By the end of November, a total of 78 structures had been demolished, compared to 98 for the whole of 2013. The affected areas include Beit Hanina, Sheikh Jarrah, Wadi el Joz and Ras al 'Amud. Demolitions in East Jerusalem are carried out by a number of Israeli authorities, including the Jerusalem Municipality, the Ministry of Interior, the IDF and the Israeli Nature and Parks Authority. Following the receipt of demolition orders from the Israeli authorities, 12 of the structures were demolished by their owners in order to avoid having to pay substantial fines.

45. The demolition of homes and other property due to a lack of Israeli building permits is one of the primary causes for the displacement of Palestinians in East Jerusalem. This has resulted in 189 Palestinians being displaced in 2014, compared to 298 in 2013, 88 in 2011 and 71 in 2012.

46. This year has seen the resumption of the Israeli policy of punitive home demolitions in response to violent attacks, including in Jerusalem. This policy had been largely abandoned in 2005 when security services concluded that it was ineffective as a deterrent. On 19 November, Israeli forces demolished the house of the Palestinian who the month before killed two people by running his car into a group of people at a Jerusalem tram stop. The family of the perpetrators of the attack on the Har Nof synagogue on 18 November received a demolition order on their homes, as did the family of the man who shot Temple Mount activist Yehuda Glick. These

demolitions are carried out regardless of ownership and other residents living in the same home. These demolitions are a source of grave concern because no evidence has been presented to suggest that they were carried out on the grounds of military necessity. In addition, collective punishments are also prohibited under IHL<sup>2</sup>.

47. As far as evictions<sup>3</sup> are concerned, one home among those taken over by settlers in Silwan on 30 September was inhabited at the time of the event, while inhabitants of another home managed to prevent the attempted seizure.

## 6. RESIDENCY STATUS

48. Palestinian residents of East Jerusalem are issued a special Israeli Identity Card (ID) which confers a different status from other Palestinians. Apart from the right to reside and work in East Jerusalem, this ID confers upon its holder the right to travel and to drive beyond the separation barrier and throughout Israel without the need to obtain a permit. Holders of an East Jerusalem ID are also allowed to make use of Israel's international airport. They are allowed to vote in Municipal elections, but by and large boycott as they consider that a vote would entail a recognition of Israel's annexation of East-Jerusalem.

49. The Jerusalem ID may be revoked by the Israeli authorities if, when challenged, its holder fails to prove that Jerusalem continues to be his/her "centre of life"<sup>4</sup>. Residents of East Jerusalem who subsequently lose this status will then need to obtain a permit in order to visit the city. This is linked to Israel's demographic policy (as stated in official planning documents such as the Jerusalem's Master Plan 2000 ratified by the Jerusalem Municipality in 2007), which aims at preventing the Palestinian population in East-Jerusalem from exceeding 40 percent of the municipality's total population. The revoking of residency rights of Palestinians in East Jerusalem is in violation of international law.

50. Unlike Israeli citizenship, residency status for East-Jerusalemites is not automatically passed on to children, even if both parents are residents. Furthermore, residency status is not automatically transferred through marriage. Residency application procedures are long and extremely complex. Until conclusion of this process, children and spouses in question live in a vulnerable situation as they can at any time be refused permission to live with their families in East-Jerusalem.

51. In May 2013, the Knesset approved a number of regulations related to the population registry. These regulations concern the ID cards currently used by citizens and residents and the

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<sup>2</sup> The Fourth Geneva Convention provides that any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or cooperative organisations, is prohibited, except where such destruction is rendered absolutely necessary by military operations". In addition, collective punishments are also prohibited under the Fourth Geneva Convention, which provides that "No protected person may be punished for an offence he or she has not personally committed".

<sup>3</sup> Evictions relate to the take-over of existing buildings, while displacement results from the actual demolition of a building.

<sup>4</sup> The concept of Centre of Life is generally used in European countries to determine the right of immigrants to obtain a residency permit. Since 1995 Israel has applied this concept to Palestinian residents of East Jerusalem. The concept is applied strictly, using three non-cumulative formal criteria: a person loses his residency status for (1) having stayed outside of Jerusalem municipal borders as unilaterally defined by Israel for a period of at least seven years; (2) having a permit for permanent residency in another country; (3) having citizenship of another country by way of naturalisation. Other criteria generally linked to the concept such as having a family, employment and general integration into society are not taken into account. Documentation such as landline phone bills, electricity bills, and proof of payment of municipal property tax bills are frequently requested by the Israeli Ministry of Interior upon renewal of identity cards or request for travel documents. Failure to produce those documents may ultimately result in the revocation of the Jerusalem ID.

future, electronic-biometric cards. One of the provisions contained in the regulations stipulates that ID cards will expire and require renewal every ten years. The introduction of an expiry date on residency cards has generated major concerns among Palestinian Jerusalem residents, who already need to prove to Israeli authorities on a regular basis that Jerusalem is their "centre of life".

52. As an insurance policy against the vulnerability of residency status, an increasing number of East-Jerusalemites have been applying for Israeli citizenship. There was a marked increase in the number of applications in 2009, parallel to an increase in residency revocations. Comprehensive and precise figures are not available, but out of a total of 4,500 applications between 2008 -2010, roughly one third were accepted, one third were deferred and 1/3 rejected (ostensibly for security reasons). Anecdotal evidence suggests that residency applications continue to be submitted in significant numbers, estimated at around 1,000 per year.

53. According to the Israeli Ministry of Interior's figures, between 1967 and 2013, Israel revoked the residency status of 14,309 Palestinians from East Jerusalem. In 2013, Israel revoked the residency of 106 East Jerusalem Palestinians. Following the attack on the Har Nof synagogue on 18 November 2014 (five killed), Israeli authorities revoked the residency rights of the widow of one of the attackers. Revocation of citizenship and residency rights of people throwing firebombs and firecrackers and of "any family member who expresses support for the terrorist or his acts" were included in an 8-point anti-terror plan that was presented to the Knesset 26 November.

## 7. ACCESS AND MOVEMENT

54. In the Jerusalem area, the separation barrier is 168 kilometres long, of which only three percent runs along the 1967 Green Line. The main reason behind this deviation was the integration of 12 Israeli settlements (and space for their future expansion) and the future integration of settlements beyond the municipal boundary such as Ma'ale Adumim. The route thus confirms and solidifies the municipal borders unilaterally declared by Israel by annexing major settlements to the metropolitan area; by annexing depopulated West Bank areas; and excluding some Palestinian neighbourhoods from the City.

55. Ten years ago this year, the International Court of Justice, in an Advisory Opinion on the legal consequences of the construction of a Wall in the Occupied Palestinian Territories, ruled that such construction violates Israel's obligations under international law. The Court called on Israel to cease construction, dismantle the sections already built, and repeal or render ineffective all legislative and regulatory acts relating thereto.

56. Today the route of the separation barrier and its associated permit regime continue to have a serious negative social, humanitarian and economic impact on East Jerusalem. The barrier disconnects East Jerusalem from the rest of the West Bank and physically separates Palestinian communities within East Jerusalem. 30% of the Palestinian population of East-Jerusalem live within the municipal boundaries but behind the separation barrier and are therefore disconnected from urban public services.

57. Despite ongoing legal proceedings barrier construction in the form of levelling and tunnelling has continued in the area of Al Walaja south-west of Jerusalem. The currently projected route of the barrier will leave the village residential area intact, yet agricultural lands will be isolated, leading to a de facto confiscation of privately owned Palestinian land. In 2014 the Jerusalem Municipality issued two stop work/demolition orders and carried out two demolitions in the section of Al Walaja inside the municipal boundary.

58. In 2014 the Israeli Supreme Court has been considering two cases on the planned route of the separation barrier in the southern perimeter of Jerusalem, which would impact negatively on the local Palestinian communities' connection to the city. In the village of Battir, added in 2014 to the UNESCO List of World Heritage in Danger, the extension of the barrier would severely harm daily life in the village, as well as threatening the unique environmental, archaeological and historical character of the area. In the Cremisan Valley, home to a Salesian monastery, convent and school as well as a mainly Christian Palestinian agricultural community, the construction of the barrier would cut off the inhabitants from their land and separate the monastery from the convent.

59. The route of the barrier changes the de facto boundaries of Jerusalem and, in some cases, runs through the middle of densely populated Palestinian neighbourhoods. As a consequence, a number of Palestinian communities within the Israeli-defined but internationally unrecognized, Jerusalem municipal boundary find themselves on the "West Bank" side of the barrier. These communities need to cross checkpoints to access the health, education and other services to which they are entitled (and pay taxes for) as residents of Jerusalem. These communities number at least 70,000 people and suffer from severe poverty, lawlessness and overcrowding, in part because they are the only places where Jerusalemites can reside with their West Bank ID-holding spouses.

60. The Surkhi and Qunbar families enclave by As Sawahira, separated from the rest of East-Jerusalem by an iron gate regulating their vehicular access to and from, have seen their situation improve this year. Reportedly, the gate has been opened – not removed. This however is related to the removal of the check point that was set up inside the Cliff Hotel in Abu Dis, and the transformation of the barrier from a fence to a concrete wall at that location. Additional checkpoints have been set up in times of heightened tensions. The access roads to Issawiyeh for example had been blocked for at least three weeks, before being removed following the trilateral meeting in Amman between Secretary of State Kerry, King Abdallah and PM Netanyahu on 13 November.

61. The barrier also affects approximately 1,400 West Bank ID holders in some 17 localities outside of the Jerusalem Municipality but now situated on the "Jerusalem" side of the Barrier. The residents in these communities are subject to a special "seam zone" permit regime, and face impeded access to basic services and the risk of displacement.

62. Palestinians who do not hold Israeli citizenship or a residency right in Jerusalem need a permit to enter the city. The permit is difficult to obtain and is subject to a number of conditions, e.g. time-limited, a ban on driving a car or staying overnight. For those Palestinians who are granted permits, access is restricted to four out of 16 barrier checkpoints: Gilo, Qalandiya, Shu'afat and Zaytoun. Permits are suspended during security closures and often during Jewish holidays. However, during religious holidays such as Ramadan, the need to obtain permits to enter Jerusalem can be suspended for certain categories of Palestinians that are not deemed a security risk.

63. In the period January-September 2014, a total of 90 access incidents affecting 922 UN staff were reported, marking a notable improvement in access to Jerusalem for humanitarian workers compared to the same period the previous year (233 access incidents affecting 1,587 UN staff). A majority of the incidents were the result of requests to search UN vehicles, in violation of the Convention on UN Privileges and Immunities, to which Israel is a signatory. The "Judea and Samaria only" visa regime for third country visitors and for foreign residents of the West Bank has continued to be applied throughout 2014. This regime severely restricts EU citizens' freedom of



movement and prevents free access to Jerusalem and EU member states consulates located there.

## 8. EDUCATION

64. Efforts to provide education for Palestinian children in East Jerusalem continue to face many challenges, specifically, a chronic shortage of appropriate facilities, planning restrictions which thwart efforts to correct this, threats to the legal status of some extant institutions, access and movement restrictions for both teachers and students, a shortage of trained teachers, and an overall absence of coordination amongst the different educational providers operating in East Jerusalem.

65. Statistics for the 2013-2014 school year showed that there were 103,391 students attending school, with less than 50% of the student population in schools operated by the Jerusalem Municipality. The remaining students attend the other three types of schools in operation in East Jerusalem: private, Awqaf<sup>5</sup> and UNRWA. There is little coordination between these providers and wide discrepancies in the quality of education offered are reported.

66. Research suggests that at least 8,100 children are not enrolled in any known education institution at all. Of those enrolled, statistics show that there is a cumulative dropout rate of 36%, i.e. that 36% of children fail to complete the full twelve years of school. Dropout is especially common among boys and in the secondary cycle (grades 11-12). There remains a chronic and growing shortage of classrooms and a large number of substandard, unsuitable and/or overcrowded facilities in use. Progress has remained slow on the implementation of the Israeli Supreme Court's decision of July 2011, which stipulated that the State should by 2016 provide the physical infrastructure to allow all East Jerusalem students the option to attend municipal schools. At the beginning of the 2014-15 school year, 57 new classrooms and an additional 69 rented classrooms were opened, with another 321 new classrooms at various stages of planning and construction. Latest research indicates that some 2,725 additional classrooms are required in East Jerusalem to meet the needs of the school age population, which is now estimated to be growing at a rate of 6%. There are indications that many families find no alternative than to enrol their children in fee-paying private schools, with substantial financial consequences for the family's budget.

67. Awqaf schools cannot for the most part expand or adapt existing schools as needed, nor build/purchase new buildings, due to planning and zoning restrictions. Five Awqaf schools, or parts of schools, are under demolition orders. As was reported last year, this situation led some donors, including the Islamic Development Bank and Norway, to purchase buildings in East Jerusalem to transfer to the Awqaf for their use as a school.

68. Given the growing isolation of East Jerusalem from the rest of the West Bank, students and teachers who hold West Bank ID cards (or indeed those holding Jerusalem ID cards but living on the eastern side of the barrier, such as those in Kufr Aqab) and therefore require a permit to travel to their school, can face a range of difficulties from delays, harassment, and non-renewal/revocation of permits. Research suggests that approximately 2,000 students and 250 teachers must cross checkpoints on their way to and from school on a daily basis. In the case of Awqaf schools, there are 5 cases of teachers whose permits have not been renewed. Both permit issues as well as accreditation issues (related to Al Quds University, below) contribute to the

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<sup>5</sup> A Waqf (plural: Awqaf) is an Islamic religious endowment (trust). The term is often used as synonymous with the organisation which administers them, as is the case here.

shortage of maths and science teachers in particular, and in Awqaf schools it is common for teachers to teach subjects outside those for which they are qualified.

69. Since March 2011 municipal schools in East-Jerusalem have been obliged to use the Israeli-edited version of the PA curriculum, or risk losing their funding. Since private schools tend to receive some funding from the Israeli authorities, most now use the Israeli-edited version of the PA curriculum as well. The municipality also offers incentives to schools that will introduce the Israeli curriculum in Arabic. Five municipal schools now offer this curriculum as an optional alternative.

70. "Hand in Hand" in Beit Safafa, the only bilingual Arabic-Hebrew school in Jerusalem attended by children from both communities, was the target of an arson attack on 29<sup>th</sup> November. The perpetrators spray-painted anti-Arab hate messages on the school's walls.

71. Under the Free Education Law of Israel, children under 3 years old in East Jerusalem should be entitled to attend kindergarten, however facilities available are severely lacking. It is estimated that 330 kindergarten classrooms are required to meet the needs of the growing population.

72. Despite the efforts over many years now of Al Quds University (AQU), the most important third level institution for Palestinians in Jerusalem, the issue of the university's status has not been resolved. While the issue remains unresolved, the degrees granted by AQU are not recognised in Israel and cannot serve its students looking for work in the Israeli market. Graduates of the faculties of medicine and education are the principal victims of the situation, an issue which is directly related to the shortages of doctors and teachers in East Jerusalem medical and educational institutions. A ruling by the Israeli courts in April 2014 ruled in favour of the 55 AQU medical graduates who petitioned the court, and entitled them to sit the certification exams to be able to practise in Israel. However, as with a similar ruling in 2011, this is an interim resolution pending the outcome of the larger issue of the status of the university. Therefore it will not set a precedent, and each year graduates will face the same situation. Education graduates continue to struggle to gain employment, or indeed to be paid appropriately for their work, given that their degrees are not recognised.

73. Due to its proximity to the separation barrier, Al-Quds University's Abu Dis campus is the site of frequent clashes with the IDF. In recent years these clashes have become more frequent, reaching their peak in 2013. As mentioned in the previous report, on 22 January 2014 there was a clash on the campus which was unprecedented in scale and resulted in the hospitalisation of 20 students and employees and considerable material damage. The university argues that there is continued targeted provocation towards the students, by soldiers patrolling the area.

## 9. HEALTH

74. All Jerusalem ID holders have access to and pay for Israeli health insurance. However, those residing on the "West Bank side" of the barrier regularly have difficulties in reaching East Jerusalem (or Israeli run) health care facilities, which prevents the realisation of their entitlements. This is especially problematic as certain secondary and tertiary care is not available in the West Bank and Gaza. Even where secondary and tertiary services are developing in the West Bank, the overall quality and safety of services for patients is served better in the East Jerusalem Hospitals, because of strong quality, long term experience and international accreditation programmes not available in the West Bank. Patients holding West Bank ID-cards, who make up more than half of all admissions to the East Jerusalem hospitals, require permits from Israeli authorities to access health care in East Jerusalem. They are required to cross pre-defined barrier checkpoints either on foot or, in only a limited number of cases, special hospital-

provided shuttles. Permit requests can be denied on grounds of security or permits may not be obtained in time to receive scheduled treatment. The percentage of denials varies, reaching up to 20% (St. John Eye Hospital). For certain categories of chronic patients Israel issues longer-term permits, which can be valid for up to six months with a possibility of renewal following a request by the hospital concerned.

75. Patients needing emergency treatment available only in East Jerusalem are affected by the Israeli access restrictions. Entry of Palestinian-operated ambulances from the West Bank to East Jerusalem is not, as a general rule, allowed. At the same time, Israeli ambulance staff enters Palestinian neighbourhoods in East Jerusalem, with the exception of a few main streets, only under police escort, thus delaying delivery of emergency care, even when residents are in critical condition.

76. The functioning of East Jerusalem hospitals depends on their ability to employ staff from the rest of the West Bank. Depending on the hospital, 60-85% of East Jerusalem hospital staff require permits, which are issued for no longer than 6 months at a time, to access Jerusalem. While there no longer is a clear permit related quota for the number of West Bank ID-holding staff they can employ, hospitals still receive verbal notifications that they are reaching their quota. When these notifications have been challenged, more permits have been obtained. Medical personnel have two types of permits, "Medical doctor on duty" and "Hospital Medical Staff". These permits should have equal privileges, but staff holding the latter permits are not, as a main rule, able to cross all checkpoints and are required to cross the checkpoints on foot.

77. All six East Jerusalem hospitals continue to be severely affected by the financial inability of the PA to pay the costs of treatment of the patients which are referred from the West Bank and Gaza. According to the latest available figures by the Ministry of Health, arrears accumulated by the PA to East Jerusalem Hospitals by December 2014 added-up to nearly 80 million ILS (16.5 million EUR), equivalent to 1/5th of total PA arrears in the medical sector.

## 10. ECONOMY

78. The economy in East Jerusalem suffers from high unemployment, especially among young people; low labour force participation rates, especially among women; poor educational outcomes; widespread poverty; an underdeveloped real estate market; inadequate municipal services; and limited public and private investments.

79. Palestinians constitute approximately 38 percent (300, 000) of the population in Jerusalem, but despite the equally imposed tax burden the municipal budget spent on Palestinian neighbourhoods is disproportionately lower, not exceeding 12%. Public services dealing with poverty, unemployment as well as healthcare in East Jerusalem provided by the Gol and Jerusalem municipality are insufficient and their reach is decreasing due to population growth. While Palestinians constitute over a third of the municipal population, only three welfare offices operate in East Jerusalem, in contrast to the 18 in the western part of Jerusalem serving Israelis. Palestinian areas are characterised by poor roads, little or no street cleaning, limited sewage systems (shortage of at least 50 km of pipelines) causing health hazards and an absence of well-maintained public spaces - in sharp contrast to areas where Israelis live (in West Jerusalem as well as in East Jerusalem settlements). Access to Israeli banking and postal services in Palestinian neighbourhoods is extremely limited.

80. The economy of East Jerusalem is mainly based on small and micro enterprises, and in the recent years the situation of these has deteriorated further. The combined effect of stringent Israeli administrative requirements, a lost market due to the Separation Barrier, very high

commodity and food prices (the latter being 25% higher than in the EU) and separation from cheaper Palestinian supplies have further undermined the competitiveness of Palestinian entrepreneurs in East Jerusalem. As a result Palestinians continue to move their businesses to the rest of the West Bank or close them down. Overall the contribution of East Jerusalem to the total Palestinian GDP has declined continuously from 15% before the Oslo Accords to 7-8% today. Furthermore, the lack of real, representative Palestinian leadership in the city limits the coordination of efforts by private sector, donors, and other key stakeholders to improve the economic climate.

81. The main cause of East-Jerusalem's economic decline are restrictions on movement and access. The city has largely ceased to be a traditional Palestinian economic, urban and commercial centre. In the past, the Old City and Saladin street were one of the main commercial centres of the West Bank. Due to the erection of the separation barrier, this is no longer the case. The separation barrier has in effect isolated East Jerusalem from the rest of the West Bank, cutting Palestinian communities off from one another and from their agricultural land, and restricting mobility and economic activity. In the course of the past year the policy of requiring entry permits and trade permits to East Jerusalem remained in place. Israeli trade regulations continued to hinder the import of goods and services from the rest of the Palestinian territory, while pharmaceutical products remained entirely banned from entering the city. It has been estimated that the Israeli separation barrier has imposed over \$1 billion in direct losses to the economy of East Jerusalem since its construction began in 2003. Its adverse impact in terms of lost trade and employment opportunities endures, and is estimated at around \$200 million per year.

82. The loss of businesses and declining trade relations have contributed to a contraction in the relative size of the East Jerusalem economy and a structural shift from entrepreneurship to wage employment. As a result the East Jerusalem labour market is increasingly focused on either the rest of the West Bank or the Israeli labour market, where Palestinian employees work under difficult conditions. Unemployment is very high, especially among the youth (35%), women and the uneducated. Labour force participation rate is really low among the female population. Although the per capita GDP in East Jerusalem is higher than in the rest of the West Bank, East Jerusalem Palestinians must cope with higher prices and higher taxes. The number of Palestinians in East Jerusalem living below the poverty rate as defined in Israel has been increasing. In 2014 it reached 75% of the total East Jerusalem Palestinian population and 78% among children. Due to the deteriorating economic environment and conditions the purchasing power of the Palestinian residents of East-Jerusalem has gradually decreased. The local population has to cut back on its consumption, which dampens the economy's growth potential. This downward spiral leads to an unavoidable impoverishment.

83. Tourism has traditionally played a key role in the East Jerusalem economy. Religious pilgrims and other tourists come to visit the unique historical sites, and use the city as a base to explore the Holy Land. According to some studies, tourism and related activities account for up to 40% of the economic output. However, much of East Jerusalem's tourist infrastructure is severely underdeveloped, mainly due to a range of obstacles imposed by the occupation. Since June 2014, heightened tension and violence have had a negative effect on the number of tourists visiting Jerusalem. This process has led to declining revenues from tourism, with a negative impact on Palestinian livelihoods.

84. The labour-intensive construction industry could be the key part of the East Jerusalem economy, in terms of creating jobs and contributing to growth. Accelerated housing construction in East Jerusalem would clearly improve labour market outcomes and quality of life for its residents. The housing market has been constrained by a lack of access to land (only about 13% of East Jerusalem is zoned for Palestinian housing), regulatory impediments (the housing densities

allowed in East Jerusalem are lower than in West Jerusalem), lack of access to financing, and a costly, complex, and time-consuming permitting process. Due to a combination of commercial and political risks, Palestinian banks have not provided housing loans to Palestinian residents of East Jerusalem. Approximately nine banks provide mortgage lending in the West Bank but none so far in East Jerusalem. The resulting mismatch between supply and demand has led to a shortage of about 25,000 to 35,000 housing units in East Jerusalem.

## 11. TRANSPORT AND INFRASTRUCTURE

85. Several infrastructure/transport projects serve to strengthen Israeli control over East Jerusalem. The light rail which connects Israeli settlements in East Jerusalem with the centre in West Jerusalem including a few stops in Palestinian neighbourhoods of Shu'afat and Beit Hanina began passenger service in 2011. In 2012 the Jerusalem Local Planning Committee approved a plan extending the existing line to Jerusalem's southern neighbourhoods (Ein Kerem). During the 2013 municipal campaign which led to his re-election, Mayor Nir Barkat expressed readiness to extend the existing light rail network (a new line would link the settlement of Gilo to Mount of Olives, while the extension of line 1 to the North would reach the settlement of Neve Yaakov). His infrastructure projects also include the development of a 1.5 kilometre long cable car system that would bring visitors from German colony/Abu Tor in the South to Mount of Olives via the Western wall (the terminal would be located outside the ramparts of the Old City, next to the Al Aqsa Mosque), a project prepared with the Jerusalem Development Authority which took a step in 2014 with the appointment of a company in charge of feasibility study and engineering design. If implemented, these projects whose political sensitiveness resurfaced during 2014 wave of violence would significantly increase the municipal transportation system's contribution to the "unification" of Jerusalem.

86. In 2012, the Jerusalem Municipality and the Gof announced a 500 million ILS (102.5 million EUR) plan aiming at "modernising" within five years the transportation infrastructure in East Jerusalem and closing "decades of gap" between East Jerusalem and the rest of the city. While this plan has not taken significant step yet, a separate and inferior set of bypass roads for Palestinians has been set up around Jerusalem during recent years in order to connect Palestinian neighbourhoods outside the separation barrier north and south of Jerusalem. The declared purpose of the Israeli authorities for these roads is to secure a so-called "transport contiguity" for Palestinians living in the north and the south of the West Bank, who are not permitted to travel from Ramallah to Bethlehem through East Jerusalem. In 2014, the Jerusalem Municipality has continued naming streets in East Jerusalem, in coordination with local Palestinian leaders (mukhtars).

87. In parallel, different projects exemplify the Israeli authorities' intention to consolidate the connection between major Israeli settlements and Jerusalem. The first one is Route 20, a mile-long bypass road aiming at reducing traffic jams by connecting the north-eastern neighbourhoods of Pisgat Zeev and Neve Yaakov with the north-south Begin Highway (Jerusalem main traffic artery). Despite the opposition of the residents of the Palestinian neighborhood of Beit Hanina (which it bisects), the new road went into service in May 2013. The second one is route 21, a north-south road designed to connect Ramat Shlomo settlement to the centre of Jerusalem in the framework of new housing plans in the northern settlements. Under construction since early 2013, this road is approaching completion.

88. While 2013 was marked by a legal battle over the extension of a six-lane highway through the center of the residential East Jerusalem community of Beit Safafa, the decision of the Supreme Court of Israel (January 2014) to authorize the completion of this project connecting Begin Highway with the Gush Etzion "settlement bloc" led to the launching of construction

works. The disappointment of the residents of the Palestinian neighborhood who emphasized the damage this project will cause to the community as well as its broader political implications (disconnection of this Palestinian neighborhood from a future Palestinian capital) progressively turned into radicalized opposition to the project.

89. Among the 2014 new trends, the increasing number of attacks targeting public infrastructure and transport system appears as a significant development (see polarization and violence chapter). In addition to the different terror attacks that targeted the light rail system (initially described as an example of coexistence but now facing a reduced activity partially linked to a silent boycott by Palestinian residents), the significant increase in stone throwing incidents against light rail trains, busses or roads connecting settlements (for instance road 20) illustrate a new mindset. Increasingly described by Palestinian residents as "instruments of occupation", the infrastructures that contribute to settlement policy or unification schemes are now considered as legitimate targets whose symbolic value is equivalent to settlements themselves.

## 12. PALESTINIAN INSTITUTIONS

90. The institutional and leadership vacuum in East Jerusalem created by the prolonged closure of Palestinian institutions, in particular that of the Chamber of Commerce and the Orient House<sup>6</sup> (closed since 2001 through temporary orders continuously renewed every 6 months), remains a key concern. During the violence experienced in Jerusalem during the second half of 2014, this leadership vacuum has been particularly significant, and has continued to seriously affect all spheres of life of Palestinians in East Jerusalem (political, economic, social and cultural). It fosters a growing fragmentation of society at all levels, the isolation of communities and a weakened collective sense of identity. This vacuum also meant that a leadership to urge restraint during the most troubled months of the year was lacking. As some of the last Palestinian institutions in East Jerusalem, the six East Jerusalem hospitals have an importance, over and above their value as vital providers of medical services to Palestinians.

## 13. RELIGION

91. Jerusalem is a city of paramount importance to the three monotheistic religions and the location of many of their most sacred sites. Relations between different religious groups have been increasingly tense, fuelled by historical grievances, as well as by cultural, religious and political differences. Violent attacks on Muslim, Christian and Jewish holy sites and religious communities' representatives continue to take place across the city. Christian and Muslim religious leaders argue that the GoI is consolidating the implementation of policies aimed at fundamentally altering the character and status of Jerusalem by stressing the Jewish character and history of the city at the expense of the Christian and Muslim narratives. Conversely, Israeli leaders point out the lack of Palestinian recognition of Judaism's historical ties to Jerusalem and in particular the Temple Mount.

92. In the Jerusalem area, out of a total population of about 1 million, Jews make up 66 per cent, Muslims 30 per cent and Christians 1.5 per cent (of which the majority are Arab Christians amounting to around 9,000 people). The Jewish and the Christian communities in the Holy City are manifold, while the majority of Muslims are Sunni.

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<sup>6</sup> As PLO Headquarters in Jerusalem, the Orient House used to be the focal point of Palestinian presence in the city. It also served as the headquarters of the late Faisal Hussein, Palestinian Authority Minister for Jerusalem Affairs, until his death in May 2001. Three months later the Orient House was ordered closed.

93. Despite the protection of religious practices and Holy Sites ensured by Israeli law, episodes of religion-related violations occurred frequently throughout 2014. Since the beginning of the year until the end of October (prior to the attack on the Har Nof Synagogue), the Council for Religious Institutions in the Holy Land has recorded 10 attacks on Holy Sites in Jerusalem (including the so called "price tag" attacks), four of which against Christian sites, four against Jewish sites and two against Muslim sites. These assaults, which include graffiti, arson and desecration represent about one quarter of the total number of such incidents in the Holy Land. A series of incidents occurred in May 2014, a few weeks ahead of the visit of Pope Francis, and consisted of intimidating graffiti that appeared on the Notre Dame Institute and an Orthodox Church. During the papal visit, an arson attack took place at the Dormition abbey, on Mount Zion just outside the Old City walls. In the same period, Israeli police urged the Catholic authorities to remove a banner of Pope Francis from the Old City invoking security reasons.

94. Pope Francis and the Ecumenical Patriarch Bartholomew visited Jerusalem in May 2014, to commemorate the 50 years of the historic encounter between Pope Paul VI and Patriarch Athinagoras of Constantinople. The meeting of the Heads of Catholicism and Orthodoxy (only the second since the 11th century) at the Holy Sepulchre, hosted by Patriarch Theophilus, and the subsequent common declaration, represented an important moment for the dialogue among Christians. The visits also marked a historical occasion for inter-religious dialogue among the three monotheistic faiths and were brim-full of political symbolism. Pope Francis met with the two Chief Rabbis of Israel at the great Synagogue and with the Grand Mufti of Jerusalem on the Haram Al Sharif/Temple Mount. Around 600 Christians from Gaza were allowed to reach Bethlehem during the Pope's visit. On the occasion of his visit, the Pope invited Presidents Peres and Abbas along with Bartholomew and Theophilus to a prayer meeting for peace in the Middle East at the Holy See. The Ecumenical Patriarch met with Palestinian and Israeli political leadership and Jewish religious leaders. Christians complained that during the visit, streets were sealed, preventing people from welcoming the Pope along his route. Shops were also ordered closed, causing financial loss to their owners.

95. Rights of access, freedom of worship and freedom of pilgrimage to the Holy City remain a matter of great concern to both Muslims and Christians. Apart from splitting congregations, the separation barrier seriously impedes the work of religious organisations that provide education, healthcare, other humanitarian relief and social services to Palestinians in and around East Jerusalem. Severe lack of freedom of movement and worship continues to affect Palestinian Muslims and Christians from the West Bank, as they cannot reach Jerusalem without Israeli-issued permits. These permits are of limited time and are granted selectively (i.e. not all members of one family obtain the permit).

96. As far as Christians are concerned, for Easter 2014 (coinciding this year for Christian Orthodox and Catholics, as well as with the Jewish Passover), about 17,000 permits were issued to Christians from the West Bank and 600 from the Gaza Strip (limited to those younger than 16 and older than 35). Denied access to the Holy Sepulchre on the occasion of the "Holy Fire" (a major event of the Orthodox Easter) was criticised by UNSC Serry, who attended the event along with representatives of the Diplomatic Corps. On the same occasion, Christian worshippers as well as representatives of diplomatic missions encountered a series of checkpoints in their way to the Holy Sepulchre and were subject to heavy-handed policing, while a significant number of armed Israeli security forces were near the church.

97. Palestinian Christian emigration continues to play an important part in the steady erosion of the historical presence of Christians in the Holy Land including Jerusalem. This trend is a process going back in time: during the British mandate Christians made up 8 percent of the Palestinians; in 1948, this figure decreased to 4 percent; nowadays, it declined to less than 2 percent. Reasons for

increased emigration are: worsening Palestinian economic trends; the limited ability of Christian communities in Jerusalem to expand due to confiscation of church properties and building restrictions; taxation problems and difficulties in obtaining residency permits for Christian clergy; and Israeli-imposed family-reunification restrictions imposed on Jerusalem residents (which have a proportionally bigger impact on the Christian community, given its small numbers). What is more, lower birth rates among Palestinian Christians have contributed to the decline in their numbers. The progressive erosion of the Christian presence in the Holy City has resulted in the weakening of its Christian character.

















