



ON A crowded street of the Shuafat Refugee Camp Muna Zatari, 39, clutches the hands of her two nieces, aged 10 and 11, as she leads them on the perilous journey from her home to a nearby store to buy them a treat.

As they traverse the short distance to the candy store, they must avoid the teeming garbage in overflowing bins while keeping safe from the onslaught of two-way traffic on the road congested with cars, trucks and pedestrians, including children weaving their way because in this part of Jerusalem, there are no sidewalks.

"I hold their hands and try to keep them on the side away from the traffic," Zatari says. "It is uncomfortable to walk here. We have to hold our noses when we walk by the garbage. It is frustrating to live in such a situation, but we don't have a solution."

A truck passes inches from a schoolgirl whose head just barely reaches the top of the hood, while in the middle of traffic two boys mischievously play push-a-car snaking its way slowly down the potholed road as if they could make it go faster.

Down the road, Hammad Jabaria, 19, stands outside his family's store and watch-

es as a passerby tosses more garbage bags onto the immense pile of rubbish spilling out of a large green bin across from the store.

"We keep complaining about the garbage to the municipality. We clean and call all the time and we ask people not to throw their garbage but we never get any answers," the young man says. "We've gotten used to it, though it is very aggravating. We want them to fix this situation, to clean this area. But I don't think it will change."

He looks across the valley, hands in his pockets, and gestures with his chin at the

LIVING IN LIMBO

Residents battle municipal neglect in the mean streets beyond the East Jerusalem barrier **By Judith Sudilovsky**

nearby Jewish neighborhood. “In Pisgat Ze’ev they are living in a better situation. They have enough garbage cans.”

When the contractor hired by the city to remove the garbage has been too slow to collect, the solution in his neighborhood is for people to take matters into their own hands and burn the rubbish, so acrid smoke often hangs heavily in the air.

Although located within the Jerusalem municipal boundaries on the northeast perimeter of East Jerusalem, the Shuafat Refugee Camp and its adjacent neighborhoods of Ras Khamis, Ras Sehadeh and Dahiyat

al-Salaam, along with the once prestigious village of Kafr Aqab and Semiramis in the northernmost tip of East Jerusalem – with a collective estimated population of 100,000 people – nevertheless lack proper municipal services, such as garbage disposal, functional road infrastructure and sufficient water supply.

This creates living conditions that would be unacceptable anywhere else in Israel’s capital. To add insult to injury, these neighborhoods have been cut off from their connection with the rest of Jerusalem by the separation barrier built by Israel in 2004

Muna Zatari (in red) steers her nieces through a street teeming with garbage and cars in the Shuafat Refugee Camp

during the second intifada, when some 1,000 Israelis were killed in terrorist attacks over a period of just over four years.

Before the construction of the wall, Kafr Aqab – which is located along the main road connecting Jerusalem to the West Bank Palestinian city of Ramallah – had been a desired location for East Jerusalemite Palestinians who could afford to move to

the less crowded outskirts of the city. An address here allowed them to live under better conditions while still remaining within the city boundaries so they didn't have to worry about losing their residency rights.

Palestinian residents of the city risk permanently losing their right to residency in Jerusalem if they leave the city for a certain amount of time and must constantly prove they are living within the municipal boundaries by providing documents such as utility bills in their names.

Residents of Kafr Aqab and Shuafat Refugee Camp must cross IDF checkpoints every day to reach other neighborhoods of the city, go to school or work and to receive advanced medical care. A simple journey, which in the past took 20 minutes, can sometimes turn into an odyssey of several hours.

Next year, Education Minister Naftali Bennett plans to devote the academic year to teaching students about "united Jerusalem," marking 50 years since the city's reunification.

The situation there is a result of 50 years of neglect... It is a part of Jerusalem but at the same time the city does not deal with it

But, putting aside slogans such as "Jerusalem, the eternal and undivided capital city," Betty Herschman, director of international relations and advocacy for Ir Amim, a non-profit organization that focuses on the Israeli-Palestinian conflict in Jerusalem, tells *The Jerusalem Report* that the city's policy toward the area beyond the barrier and other parts of East Jerusalem "clearly undermines the notion of an eternal and undivided Jerusalem."

In late October, at the onset of the wave of terror that has become known by some as the "intifada of the knives" (which since September 13 has claimed over 30 lives on the Israeli side), Prime Minister Benjamin Netanyahu toyed with the idea of stripping residents of these neighborhoods of their

Jerusalem residency status altogether, insisting that their ability to travel freely inside Israel created a security risk.

Indeed, several of the youths who have carried out the knife attacks have come from the squalid and unruly Shuafat camp (the only Palestinian refugee camp within Israeli jurisdiction, though it is administered by UNRWA – United Nations Relief and Works Agency for Palestine Refugees) and Kafr Aqab.

"The threat to revoke permanent residency status for 100,000 people is problematic even if it is an empty one," says Herschman. "It is very problematic to realize that the prime minister of Israel spoke of such a sweeping revocation from about a quarter to one-third of the population of Palestinians of Jerusalem. It certainly is doing nothing to help the current situation."

More recently, in February the Labor party adopted as part of their platform party leader Isaac Herzog's plan for separation from Palestinians since in his view the two state-solution could not be achieved in the near future. Among other measures the plan includes separating dozens of Palestinian villages from Jerusalem.

Shortly thereafter in mid-March, in light of another spate of attacks in Jerusalem, former minister Haim Ramon of the Labor party and other former security officials attempted to advance a different plan in which Israel would unilaterally withdraw from most of the capital's Palestinian neighborhoods and cut them off from the city with yet another security wall. Once again, this would have a seriously detrimental effect on the daily lives of some 200,000 Palestinians who would be cut off from their center of livelihood, schools and families, and from their traditional connection to Jerusalem, leaving them in a state of political limbo. (See "*When will reality dawn?*" page 20.)

Israel Kimhi, a senior researcher at the Jerusalem Institute for Israel Studies, tells *The Report* that the whole area beyond the barrier is undeniably a "hot potato," which no one wants to deal with. The people who live there have fallen between the cracks, he says, and billions of shekels would need to be invested to make the area livable.

"The situation there is a result of 50 years of neglect. These are Jerusalem residents who are eligible for National Insurance payments; they have the right to work within

COURTESY IR AMIM



Betty Herschman, director of International Relations and Advocacy for Ir Amim

Jerusalem and elsewhere in Israel.

"It is a very sad and complicated story but the 'solution' they are contemplating of taking these people and throwing them out of Jerusalem's jurisdiction is not a solution – neither according to international law nor morally." Furthermore, he notes, while the city is continuously trying to shift responsibility for the area onto the IDF's Civil Administration, that move would also be illegal because the area is part of Jerusalem and not the West Bank.

"The area is a big anomaly. It is a part of Jerusalem but at the same time the city does not deal with it. The whole issue of East Jerusalem is too big for Jerusalem to handle," he contends.

To improve the situation in these areas beyond the barrier, an all-inclusive solution must be found not only to the entire problem of East Jerusalem but also to the Israeli-Palestinian conflict as a whole, says Kimhi. "Everything is connected," he says.

For now, more troublesome for the residents of these outlying neighborhoods than the bantering about of ideas such as Ramon's and Netanyahu's, however, is the continuing neglect of the area by the munic-



Attorney Moien Odeh stands with Kfar Aqab in the background

ipality, Herschman asserts on a recent visit to the neighborhoods.

“What we are seeing is the increasing deterioration of the neighborhoods detached from the city and people’s access to the city,” she says. “Since the outbreak of violence, the onerous individual checks of people at the checkpoints only exacerbate the situation for those who already are exposed to the degradation of having to cross the checkpoints to get in and out of their neighborhood.”

The creation of this complicated situation began years ago when, according to Ir Amim’s June 2015 report “Displaced in their own city,” many Palestinian residents moved to Palestinian suburbs outside the city boundaries such as a-Ram, Azariyeh and Abu Dis because of a lack of housing in East Jerusalem. But then the barrier cut off these areas from the city, so tens of thousands of residents, seeking to avoid daily checkpoints and fearing a crackdown on their residency status, migrated back to the city.

This, in turn, caused a spike in housing costs within East Jerusalem, and the poorer residents of the city (whose numbers have

grown steadily to over 75 percent of all residents) were bumped out of the housing market. These people were forced to seek cheaper housing beyond the barrier, causing a building boom that has proliferated without any oversight.

With these neighborhoods bursting at the seams and infrastructure failing to keep up with the increase, residents must contend with open sewage, lack of traffic signals on the streets, unpaved roads, no policing of the area – neither traffic nor criminal – and dangerous building practices.

In its report, Ir Amim charges the municipality with turning a blind eye to this massive illegal construction, tacitly giving developers free rein to build with little regard for safety or building regulations. “In Shuafat Refugee Camp, the buildings are so close together they would go down like dominos, if one collapsed” says Herschman.

In one extreme case in the Shuafat camp, residents on two sides of a road have simply built extensions to their homes right over the street, forming an overpass of sorts and plunging the apartments and road underneath into a miserable dark tunnel. With no sidewalks along the road, driving through

the narrow passage created by the illegal building becomes a treacherous journey for both pedestrian and driver. It is a manifestation that would be inconceivable in any other part of the city and could result in catastrophe.

In Kafr Aqab, the multistory buildings that dominate the horizon are built so close together that the streets become slum alleyways and one person’s kitchen window can easily look into another’s living room.

“The municipality has all but abdicated responsibility since the erection of the barrier. The people living beyond the barrier are not getting basic services. There is minimal garbage collection, and no emergency services. Fire trucks or ambulances won’t go in without a security escort. If they need to take a sick person to a hospital, they have to transfer ambulances at the checkpoint,” charges Herschman. “The situation in the neighborhoods beyond the barrier is an extreme example of what is happening in East Jerusalem. This is no man’s land.”

Herschman accuses the municipality of “conspiring to make it difficult for Palestinians to build and grow in their communities.”

In a conference room in the comfortable offices of Jerusalem Mayor Nir Barkat overlooking Safra Square and just meters away from the walls of the Old City, Dr. David Koren, adviser to the mayor for Eastern Jerusalem Affairs, views things differently. He rolls out a map and sweeps his hand across the area representing East Jerusalem.

Residents must contend with open sewage, unpaved roads, no policing and dangerous building practices

“The mayor sees Jerusalem as a united and undivided city,” he tells *The Report*. “We have to take responsibility for what is going on in Jerusalem. We are aware of the neglect of the East Jerusalem neighborhoods that has been going on for decades.”

He goes on to recount the work Barkat’s administration has been doing to improve the situation in East Jerusalem neighborhoods inside the barrier, including paving new roads, building new classrooms with the Education Ministry, and investing in sports programs and after school activities. Then, moving his finger along the map, he turns to the area in question.

“Since the creation of the security fence in the last 10 years, the municipality is dealing with challenges that it did not create,” Koren says. “They were created by the government in order to deal with the security challenge. We are sure that at least half of the residents in Kafr Aqab are not Jerusalemites but come from the West Bank. The fact is there may be thousands of them moving to the Jerusalem area. Some assume that if they live in this area of Jerusalem and marry a Jerusalemite, they will be able to apply to the Interior Ministry for family reunification.”

The estimated presence of these “thousands” of non-Jerusalem residents living in the Jerusalem area of Kafr Aqab makes it difficult to determine how much money the city should be required to invest in the area

to provide services for the residents since many of them are not Jerusalemite residents, Koren maintains.

He says the city has good relations with East Jerusalem leaders both inside and beyond the barrier. In fact, he says, it is the residents themselves who have told municipal representatives that many of their neighbors come from the West Bank section of the neighborhood. Community leaders did not return calls for comment from *The Report*.

“There are very important challenges, and the most important one is one of security in the areas outside the fence,” Koren says. “In the areas outside the fence, there are a lot of armed Palestinians who are not friendly to Israel. There are security issues when city workers go into those areas.”

Because of problems of security, the municipality is hampered in dealing with issues such as illegal building, since the city’s ability to enter problem areas and carry out demolition orders is dependent on security escorts, says Koren, which needs to be coordinated with security forces.

Palestinian lawyer and Kafr Aqab resident Moien Odeh, 34, scoffs, to *The Report*, at what he says is the city’s blatant use of the security card as an excuse for their lack of service to the neighborhood. So why was the barrier and checkpoint put in place separating the neighborhood from the rest of Jerusalem rather than between the Jerusalem municipal border and the West Bank so as to keep Palestinians from the West Bank outside the Jerusalem area?

Very good question, Koren responds, but he has no answers. “From the municipal point of view, the fence complicated things,” Koren admits.

Kimhi, of the Jerusalem Institute for Israel Studies, notes that the location of the fence may have been logical for security reasons but, in terms of people, it created a difficult situation.

Security issues aside, for one brief moment in October, Odeh, who represented Kafr Aqab residents and Ir Amim in a legal suit against the city for its negligence in the upkeep of the neighborhood’s road infrastructure, was able to bask in success when the city was ordered to come up with a plan to renovate the roads within three months and put that plan into action in six. It also was ordered to pay NIS 25,000 in legal fees.

But so much for small victories. As of press time, no action had yet been taken in this direction, according to Herschman, and Ir Amim has just submitted a request to the court to obligate the municipality to immediately fulfill its court-ordered obligations, given its failure to comply with the timetable prescribed in the ruling.

Interestingly, she said, when the city asked the state to join them as a co-respondent on the municipality’s petition in the court case, it refused. “There is always a lot of finger pointing about who is responsible for what,” she notes.

With Jerusalem Mayor Barkat suggesting that the area be put under the control of the Civil Administration, Herschman says, it is not clear whether he actually even wants this area as part of the city.

“It is a very disturbing situation where the Palestinian population who already ‘enjoy’ a lesser second-class citizenship are now under military security. This shows intent of unilateral action instead of negotiations,” she adds. “While we do not have a peace process, we can’t make unilateral decisions. Unless and until we have a political resolution of the city, these neighborhoods are firmly within the boundaries of the city and must be served by the municipality.”

The municipality has all but abdicated responsibility since the erection of the barrier; the people are not getting basic services

In the meantime, Koren said, the city is giving these areas the services it can and the majority of the children in these areas are going to municipal schools, both inside and outside the fence; the city has increased its budget for garbage collection in the area; and it recently paved a new road near the Kalandiya checkpoint.

“When the issue of security escorts and the budget are agreed by all the actors, the municipality will be able to provide services and enforce the laws,” Koren asserts.



SLIMAN KHADER / FLASH 90

Youths attack a Border Police post at the entrance to the Shuafat Refugee Camp in the wake of a terror incident in Jerusalem, carried out by a resident of the camp

“We admit we are giving only elementary services and that is not enough, of course, but in order to create a change we need to work together with the government to create that change.”

Spokesmen from the Finance, Infrastructure and Jerusalem Affairs Ministries did not respond to email and telephone requests from The Report for comments about the conditions in Kafr Aqab and Shuafat Refugee Camp, and the city’s request for help

in dealing with the situation. However, the government has in the past insisted that it has provided the city with millions of shekels to improve conditions and has accused the city of inaction.

In previous winters when there was heavy snowfall, the municipality did not bother to clear the snow, even from the main exit roads of Kafr Aqab, and private tractors had to do the job instead, Odeh says.

He has been living in Kafr Aqab for

five years, having moved from his family’s home in the village of Silwan just outside the walls of the Old City after he married because they were not able to afford the prices in the neighborhoods inside the barrier.

Now, the father of a baby, he looks at where he lives through a different lens: there are only a handful of schools in the whole neighborhood with its some 12,000 school-age children; there are no sidewalks in front of the schools, let alone crosswalks or traffic lights; there is no parking for the parents’ cars and no safe place for parents to pick up their children. The idea of a park or playground is a far-off dream, and like other young families, he and his wife are forced to drive to Ramallah, if they want their child to safely play outside in a park.

“To keep our blue Israeli identity cards, people found the solution to live here, but behind the wall the municipality is not really functioning,” he says, as he maneuvers his car through the poorly maintained main road that floods during heavy rains.

Black water tanks dominate the rooftops of buildings because there is insufficient infrastructure to provide residents with adequate amounts of water from the Israeli Water Authority so they are forced to purchase water in Ramallah and store the water, Odeh charges.

Ironically, it is easy to tell where the Jerusalem Kafr Aqab ends and the West Bank Kafr Aqab begins – it is on the line where the crowded overbuilding ends and the more pastoral traditional character of the village can be seen.

“This jungle of buildings is Kafr Aqab,” says Odeh, pointing out the difference from the neat red-tiled buildings in Jewish Pisgat Ze’ev and Neve Yaakov.

“The authorities are supposed to supervise the building here, and if they don’t do so it will be too late if there is an earthquake. There can be 10 to 15 floors in each building, there is no limit. We are part of Jerusalem. Take care of us.” ■