

2.6 ASH-SHEIKH JARRAH

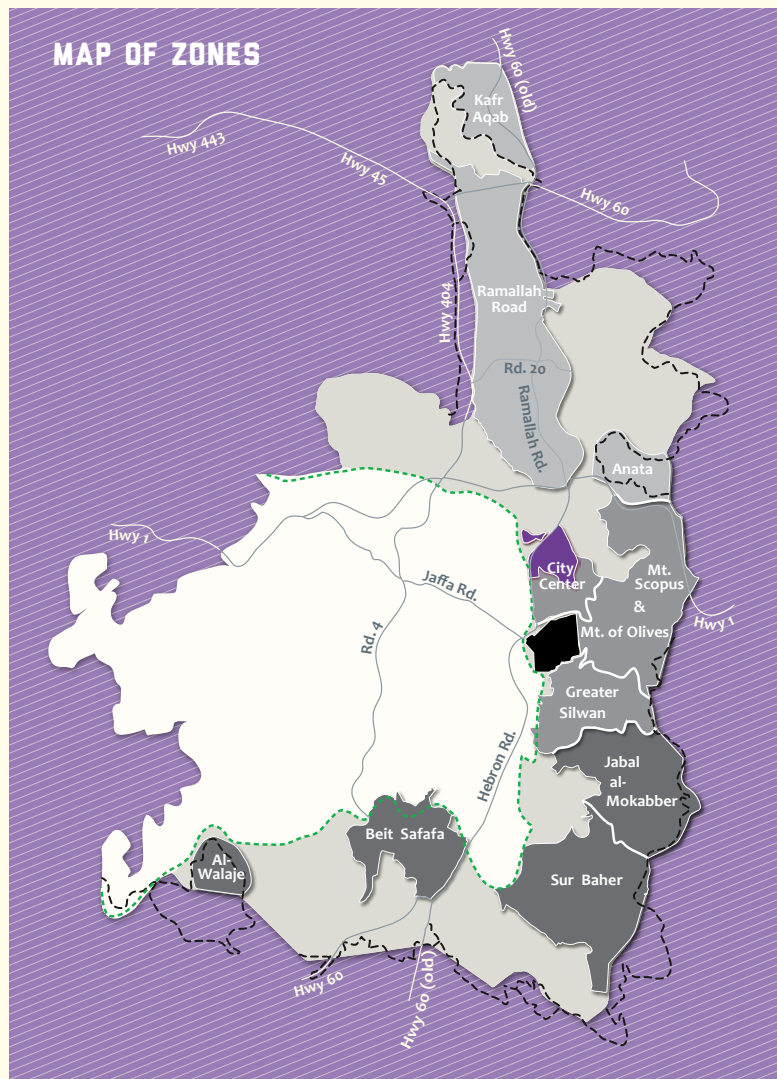
ABOUT THE NEIGHBORHOOD

Ash-Sheikh Jarrah, part of the East Jerusalem city center, is bordered by the pre-1967 Israeli neighborhood of Shmuel Hanavi, to the southwest, and by three Israeli neighborhoods that were built beyond the Green Line after 1967: Givat Shapira (aka French Hill) and Ramot Eshkol to the north, and Ma'alot Dafna to the west. Between 1949 and 1967, ash-Sheikh Jarrah was included within the municipal boundary of the Jordanian city, and the "no man's land" buffer zone was the de-facto western border of the neighborhood. Today, the neighborhood is mostly located to the east of Haim Bar Lev Boulevard (known as Road 1) and can be divided into two distinctive socio-economic sections. The wealthier, northern part is located on a hill between two tributaries of Wadi an-Nar (the Qidron Valley), while the poorer, southern part is located in the valley and is home to hundreds of Palestinian refugees from 1948, living in two sub-neighborhoods: Cobaneyet Umm Harun, west of Nablus Road, and Karm al-Ja'ooni, east of the road.

The urban neighborhood of ash-Sheikh Jarrah began to develop at the end of the 19th century, as people

ventured out of the fortified Old City. Jews and Arabs settled around the small historical village called Jarrah (surgeon, in Arabic), named after Salah ad-Din's doctor, to whom the parcel of land was granted as a sign of appreciation following the Muslim conquest of Jerusalem. Homes and estates, built by the Palestinian aristocracy (Husseini, Nashashibi, Khalidi) during the first half of the 20th century, serve today as tourist sites, cultural centers, and foreign consulates. These structures are an important symbol of Palestinian-Jerusalemite identity.

Ash-Sheikh Jarrah has been in the headlines in recent years due to the vocal struggle of the Solidarity movement against aggressive Jewish-Israeli settlement activity in the heart of the neighborhood. The aim of the struggle is to expose the reality by which Palestinian refugees, who were uprooted from their homes in 1948, live under the threat of repeated eviction. While the settlers use legal channels to prove that property in the neighborhood was owned by Jews before 1948, the Palestinian refugees have no channels by which to demand the right to return to their homes within Israel.



FACTS

Population 3,000
Area 809 dunam



MAP LEGEND

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|-------------------|--------------------|
| East Jerusalem | Old City |
| Expropriated Land | Green Line |
| Northern Zones | Separation Barrier |
| Central Zones | Roads |
| Southern Zones | West Jerusalem |

MAIN PROBLEMS IN ASH-SHEIKH JARRAH

Settlement in the South of the Neighborhood

Jewish-Israeli settlement activity has increased in recent years in the southern part of ash-Sheikh Jarrah. At the center of the conflict are lands around Cobaneyet Umm Harun and Karm al-Ja’ooni, which were purchased in 1876 by the Sephardic Community Committee and the Knesset Yisrael Committee. The two committees established the Nahalat Shimon neighborhood to the west of Nablus Road, and to the east of the road they purchased vacant land adjacent to the site where, according to some traditions, lies the grave of Shimon HaTzadik (Simon the Righteous). In 1948, with the flaring of tensions between Jews and Arabs, the committees, in cooperation with the Hagana (Zionist pre-state militia), evacuated the Jewish residents and gave them temporary housing in the west of the city. At the end of the war the Jewish families were moved to new permanent housing, mostly in houses whose Arab owners had fled during the war. At the same time, Palestinian refugees were housed in the Jewish homes, which came under Jordanian control. In the 1950s, the Jordanian government and UNRWA built a housing project for Palestinian refugees on the vacant land east of Nablus Road. In order to get an apartment in the project, about 28 families relinquished their refugee cards. With the occupation of East Jerusalem in 1967, the property was transferred to the General Custodian for Absentee Property, thus opening a window for the committees to make claims according to the Absentee Property Law (despite the ongoing legal debate in Israel



Karm al-Mufti (photo Bimkom)

about whether the Absentee Property Law applies to East Jerusalem). In 1972, ownership of the property was transferred back to the committees, and in 1982 they demanded to have the tenants evicted from their homes. Furthermore, in Detail Plan # 3386, approved in the mid-1980s, this land was defined as open public area, thus thwarting any possibility of further development. In the 2000s the settlers began to promote a plan for the demolition of the existing structures and the establishment of a new neighborhood of about 200 housing units on the site. At the beginning of 2013 the plan was shelved.

Settlements in the North of the Neighborhood

In the northeast of the neighborhood, next to Karm al-Mufti (The Mufti’s Olive Grove; see: Shimon HaTzadik National Park), on land belonging to the al-Husseini family, a mansion was built in the 1920s that was later converted into the Shepherd Hotel. In 1967, the hotel and its grounds were declared absentee property. In 1985, American-Jewish multimillionaire Irwin Moskowitz bought the land from the General Custodian for Absentee Property. For years the building was rented out to the Israeli Border Patrol. After the base was relocated to another site in the neighborhood in the early 2000s, Jewish-Israeli settler activity began at the Shepherd Hotel. The plan for 90 housing units was met with fierce opposition and was shelved. In 2010, in accordance with the residential building rights permitted in Neighborhood Outline Plan # 2591 (which did not designate the site for hoteliery), a building permit for 20 housing units was granted. In early 2011 the hotel was demolished and in 2012 the High Court of Justice rejected the



Karm al-Ja’ooni (photo Bimkom)

petition of the granddaughter of Hajj Amin al-Husseini to reclaim ownership of the land. In the petition, Husseini argued that the transaction with Moskowitz was illegal, and emphasized her desire to build a center for Arab-Jewish peace and reconciliation on the site. In the northwest of the neighborhood, next to Saint Joseph’s hospital, Amana (a subsidiary of the Gush Emunim settler movement) is planning to build a center called “Beit Amana.” The detailed plan for the new institution (# 4979), approved in 1999, covers a vacant lot of about 4.5 dunam and includes the construction of a three-storey building with offices and a large conference hall. In 2005, the land was transferred from the General Custodian to Amana.

The Jerusalem 2000 Outline Plan

The new outline plan for Jerusalem, which awaits deposition for public review, marks the neighborhood of ash-Sheikh Jarrah as an existing urban area. In the strip between Nablus Road and Road 1 it is proposed to allow residential construction of up to six storeys. Theoretically, this is a significant addition of housing units for the neighborhood. However, only about half of the strip is zoned as residential in approved neighborhod plans, and only a 75% building ratio is allowed. The rest of the neighborhood is categorized as an “Urban Area for Preservation” where construction will be permitted only once detail plans are drawn up. Furthermore, instead of proposing an expansion for the neighborhood into its potential land reserves, the Jerusalem 2000 Outline Plan marks Karm al-Mufti as a neighborhood park and Karm al-Ja’ooni, including the refugees’ compound, as an open area.

Shimon HaTzadik National Park

In an early version of the Jerusalem 2000 Outline Plan, a contiguous area of about 120 dunam in ash-Sheikh Jarrah was marked as a national park. The projected border of the national park was delineated according to the existing built-up fabric, and in many parts, it literally abuts the neighborhood homes. In July 2011, the Israel National Parks Authority began clearing out and fencing in the area, despite the fact that the demarcation as a national park was not included in the final version of the Jerusalem 2000 Outline Plan, pending deposition. This is the only land reserve for the urban development of the neighborhood. The zoning of such a large area as open contradicts the development needs of the neighborhood and its environs. The site includes vacant land southeast of the bend in Nablus Road, around Karm al-Ja’ooni and the Karm al-Mufti, itself about 35 dunam in size. Since 1967 the grove has been left intact due to its historical and geo-political importance. In recent years, the Ateret Cohanim organization has been waging a legal battle to lease the property. In 2007, the Israel Lands Authority allotted about 30 dunam of the olive grove for their agricultural use.

A Dearth of Public Buildings

Large areas of ash-Sheikh Jarrah, about 20% of the entire neighborhood, are designated for public structures and institutions. However, about one third of these areas are used by the Israeli government compound in the north of the neighborhood. Among the offices in the compound are: The Department of Homeland Security, Ministry of Construction and Housing, The Ministry of Science and Technology, and the Police Headquarters. On the remaining plots are East-Jerusalem-wide institutions, such as Saint Joseph’s Hospital, Saint John’s Eye Hospital, the Klalit HMO Medical Services Center, a Meuhedet HMO clinic, a well-baby clinic, and the Ministry of Interior and Employment of East Jerusalem. Of course, the residents of ash-Sheikh Jarrah enjoy these services, but there is no reason that their neighborhood should be a major medical center for East Jerusalem at the expense of erecting municipal kindergartens and elementary schools for the children of the neighborhood. There are no such educational institutions in the neighborhood, despite the existence of available plots for this purpose.

MINIMIZING A RESIDENT-INITIATED PLAN

Landowners in the center of Karm al-Ja’ooni, in the southeast part of ash-Sheikh Jarrah, decided to try to change the approved neighborhood plan (from the 1980s), according to which large swaths of land in the neighborhood were designated as open public area. As the 21st century rolled in, they began, in cooperation with a contractor, to promote a detail plan (# 8174) to change the zoning of their mostly vacant land to residential. The goal of the plan was to enable urban-density residential construction, in the form of a few dozen housing units. The plan was approved for validation after a drawn-out process of discussions, site visits, and a separate vote in the District Committee on each part of the plan. After the public review stage, during which objections to the plan are filed and heard, the residential areas designated in the plan were drastically reduced, leaving only about one quarter of the approved plan (about 10 out of the 40 dunam) for housing. Although the plan was officially validated in 2008, numerous obstacles have hindered its implementation. In June 2012, a small detail plan was approved for the increase of building rights on only four dunam of the plan.



Clearly, the plan’s initiators were required to insert significant changes into the plan so as to balance between the local needs of the residents and the need to preserve the Visual Basin of Old City and strengthen its touristic character. Moreover, during the discussions about the plan, settler organizations exerted pressure on the parties involved. As a result, the municipality demanded that the area of Maimonides’ Cave (located near the alleged grave of Simon the Righteous), whose recognition as a holy site is questionable, be zoned for a public building and the area was removed from the residents’ plan. So it happened, that decision-makers’ considerations on this matter did not take into account the best interests of the residents of ash-Sheikh Jarrah and surrounding neighborhoods.

APPROVED PLANS IN THE NEIGHBORHOOD

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|---|--------------------|
| Outline plans (2591, 3386) for ash-Sheikh Jarrah | 373.5 dunam |
| Part of Outline Plan #2969 for the eastern bank of Road 1 | 168.0 dunam |
| Detail plans (2875, 6313) for the Government Compound | 62.0 dunam |
| Part of Outline Plan # 2639 for Wadi aj-Joz | 12.0 dunam |
| Part of Outline Plan # 9 for the Visual Basin of the Old City | 54.5 dunam |
| Part of Detail Plan # 8000 for the Light Rail | 23.0 dunam |
| Plans to the West of Road 1 | 79.4 dunam |
| Total Planned Area | 772.4 dunam |
| Unplanned Area | 36.2 dunam |
| Total Area of the Neighborhood | 808.6 dunam |

Some 20 small-scale detail plans have been approved in the neighborhood over the years, with no added area for the neighborhood.

ZONING STRUCTURE ACCORDING TO APPROVED PLANS ▪ DESIGNATION VS. USE

| Designation | Plans | | Land Use |
|-----------------------------------|------------|------------|---|
| | dunam | % | |
| Residential* | 177.5 | 22 | The few allotted residential areas do not correspond with actual ones, often existing on land zoned for other uses: open areas, hotelerie, and roads. In addition, permitted building rights are low and do not meet the needs of an urban center. A number of Palestinian homes are located to the west of Road 1, only some of which are on land designated for residential use. |
| Open Spaces | 158.5 | 20 | A large, mostly vacant, contiguous area in the center of the neighborhood is currently zoned mostly as an open public area (and partly as an open scenic area) and is intended to become a national park (see: Shimon HaTzadik National Park). At the edges of the area, approximately 30 vacant dunam (about half zoned for housing and half for public structures) are also proposed to be part of the national park. Another 15 or so plots are designated as open public areas, only two of which were developed: in the southwest as a public park, and in the northwest as a sports field. Of the undeveloped plots, those in the southeast serve as residential plots and those in the south-west are either vacant or serve as parking lots. |
| Roads | 141 | 17.5 | Most of the statutory roads are in the south of the neighborhood and are not properly maintained. Many of them are designated for expansion, which will be difficult to implement due to the proximity of existing houses. Part of the area of Karm al-Mufti is zoned for the expansion of Nablus Road. Access roads to the housing cluster designated as open public area, are not formalized; lack of status results in a lack of basic infrastructure such as lighting and garbage collection. |
| Public Buildings and Institutions | 168 | 21 | The two largest plots (of an allotted 20), on a total of about 56 dunam, serve the Israeli Govrenment Compound; the rest of the compound (another 50 or so dunam) does not even have an approved plan. Another plot is designated for the construction of “Beit Amana” and about half of the remaining plots are used by public structures or institutions serving citywide functions. A new building for the East Jerusalem Social Security offices is currently being erected on a vacant plot in the southwestern part of the neighborhood, along Road 1. Further north, on the other side of the road, is the Abdallah Abu Hussein Municipal Girls’ High School, on a plot designated for public buildings. The rest of the plots are mostly vacant. The only elementary school in the neighborhood is run by the Waqf and it operates out of a residential building. The municipal boys’ high school operates on a site intended for a hotel (see below). At the northwestern edge of Karm al-Mufti, part of one of the plots used to house a kindergarten cluster; today the building serves a local NGO. |
| Hotellerie | 60 | 7.5 | Of 8 plots zoned for hotelerie, five are in the northern part of the neighborhood, only one of which actually houses a hotel: the Ambassador Hotel. Meanwhile, the land on which the nearby Mt. Scopus Hotel stands was designated for housing, and the adjacent Abdallah Abu Hussein Municipal Boys’ High School (formerly the Sakakini School) sits on a plot designated for a hotel, as do the relocated Border Patrol base and another two residential structures. Adjacent to the Shepherd Hotel site, which itself is zoned for housing, there is a vacant lot zoned for a hotel. Among the plots in the south of the neighborhood, two are vacant and the third and largest of them, along the strip of car repair shops, has industrial structures on it. |
| Other | 104 | 12 | Including the Light Rail tracks, an area for special commercial use, a plot for a gas station, minimal areas for future planning (including the UNRWA compound, west of Road 1), and unplanned areas. |
| Total | 809 | 100 | |

* In most of the residentially zoned areas in the neighborhood, to the east and north of Nablus Road, the permitted building ratio is 50%, with sparse construction of up to two storeys. In the narrow strip between Road 1 and Nablus Road, a building ratio of 75% is permitted, also with sparse construction. Building rights, allowing up to 6 storeys, have been allocated via the approval of small-scale detail plans.