

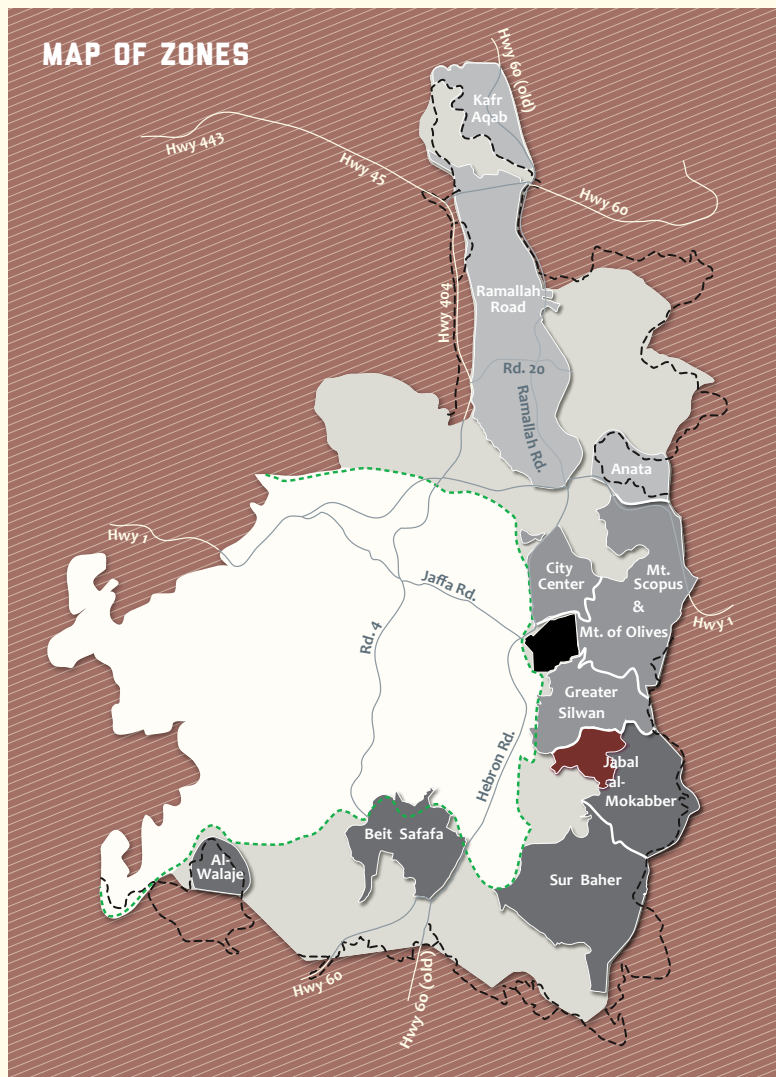
3.1 JABAL AL-MOKABBER

ABOUT THE NEIGHBORHOOD

Jabal al-Mokabber sits on the northern slope of the hill marking the southern edge of the Visual Basin of the Old City. The neighborhood is comprised of three sub-neighborhoods (Hayy Abidat, Kherbet Ahmad as-Sahoori, and Hayy al-Farooq), which sit on ridges overlooking the Old City. To the north of the neighborhood runs Wadi an-Nar (the Qidron Valley), and on the other side of the wadi is the neighborhood of Silwan. Jabal al-Mokabber borders on the neighborhood of Abu Thor and the Sherover Promenade to the northwest, on the Goldman Promenade, near the UN Headquarters (located in what was the palace of the British High Commissioner), to the south, and on the neighborhood of as-Sawahrah to the east and southeast.

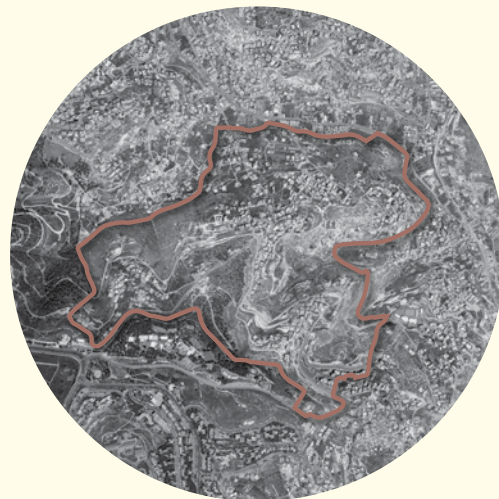
The site and name of the neighborhood are connected to traditions in the three monotheistic religions. In Jewish tradition, this is the mountain where Abraham bid farewell to his two companions before setting off for the binding of Isaac on Mount Moriah. For Christians, this is where the house of the High Priest Kaifa stood, and where the Jewish Council of Elders

(Sanhedrin) ruled to denounce Jesus to the Romans. In Muslim tradition, this is the place where the Muslim conqueror Umar Ibn al-Khattab arrived in 640 and from where he saw Jerusalem for the first time in all its glory and called "Allahu Akbar!" (God is great!). The name of the mountain preserves this call. The name of Hayy al-Farooq is also related to this event; al-Farooq (The Chosen One) refers to Ibn al-Khattab. Kherbet Ahmad as-Sahoori is named after the founder of the as-Sawahrah Bedouin tribe, and the old cemetery of Western as-Sawahrah is located on its outskirts. Hayy Abidat is named after the extended family from the tribe that settled there and lives there to this day. The neighborhood of Jabal al-Mokabber suffers from the restrictions on building which were stipulated in Plan # 9 for the Visual Basin of the Old City, the goal of which was to preserve the historic landscape around the city walls. As a result, most of the area of the neighborhood was designated as open scenic area, where construction is strictly forbidden, and very low building rights were allotted to the existing residential clusters.



FACTS

Population 3,500
Area 1,011 dunam



MAP LEGEND

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

MAIN PROBLEMS IN JABAL AL-MOKABBER

Plan # 9

The first significant plan prepared by the Israeli planning authorities for the areas included in the Jerusalem municipal boundaries after the 1967 war, was the plan for the preservation of the Visual Basin of the Old City (known as Plan # 9 for East Jerusalem). The plan, which was approved about a decade after the war, included the valleys and ridges surrounding the Old City, and its goal was to preserve the historical landscape of Jerusalem as much as possible. The plan stipulated various kinds of open areas and restricted the development of already existing residential clusters by designating very low building rights. In Hayy al-Farooq and on the northern slope of Kherbet Ahmad as-Sahoori, this plan is still in force. For Hayy Abidat, the large part of Kherbet Ahmad as-Sahoori, and the adjacent cemetery, the neighborhood plan (#2691) from the late 1980s improved the situation, but only marginally.

Housing Shortage

According to the restrictive neighborhood plans, only 400 housing units are allotted, with an average area of about 80 m² per unit. If on average seven people live in each apartment, this would leave only 10 m² per person. De facto, the residents have built according to their needs, beyond what is stipulated by the plan, and as a result they are faced with demolition orders, court cases, fines, and the actual demolition of homes. This situation is all the more glaring in light of the extravagant building rights allocated in the plan for the Nof Zion settlement, located in the heart of Jabal al-Mokabber (see inset).

Roads

Only one existing road received statutory recognition in Plan # 9. This road descends from the top of the hill, through Hayy Abidat, and continues on towards Wadi an-Nar. For the other two sub-neighborhoods, Kherbet Ahmad as-Sahoori and Hayy al-Farooq, no road was planned. The neighborhood plan, which came later and included Hayy Abidat and Kherbet Ahmad as-Sahoori (but not Hayy al-Farooq), proposed the paving and regularization of an existing dirt road. It also proposed a new road that would connect Kherbet Ahmad as-Sahoori to Hayy Abidat and to the road that goes down to Wadi an-Nar. This road was eventually built. Hayy al-Farooq still has no planned access road. The residents of the western side of this small sub-neighborhood have to use a forest road that reaches them from Abu Thor to the north, while the residents of the eastern side enter and exit their neighborhood on a steep and narrow route from the east. There is no connection between these two unofficial routes, and within the sub-neighborhood itself many homes are accessible only by foot. The system of roads described here is scant, even in comparison with the rest of the Palestinian neighborhoods in East Jerusalem, and the situation directly influences the deployment of additional infrastructures (see below).

Infrastructure and Municipal Services

Jabal al-Mokabber suffers from severely inadequate and deficient infrastructure and municipal services. In general, electricity, water, sewerage, drainage, garbage collection, and street lighting accompany the roads. In a neighborhood that has no normal system of roads, these infrastructures are also almost completely absent. Garbage

collection is severely limited; many houses in the neighborhood are not connected to the water system; and in most of the neighborhood there are no street lights. The residents of Hayy Abidat asked to have their houses connected to the new sewerage system that was built for the Nof Zion settlement adjacent to their homes (see inset), but their request was rejected on the claim that the authorities cannot require a private investor to provide a service and solve problems that are not connected to his project. The residents of Hayy Abidat continue to drain their sewage into cesspits in the courtyards of their homes, which poses a health hazard as well as a danger to the ground waters.

The Jerusalem 2000 Outline Plan

The Jerusalem 2000 Outline Plan, awaiting deposition for public review since 2009, expands the area of the Visual Basin of the Old City beyond the area designated in Plan # 9. As a result, its building restrictions apply to additional areas in Jabal al-Mokabber as well as one of the sub-neighborhoods of neighboring as-Sawahrah. At the same time, the plan significantly increases building rights in the limited areas already zoned as residential, such as Hayy Abidat, sanctioning the construction of four-storey residential structures. This addition of building rights would primarily legalize what is already built in these areas. Moreover, while the plan includes an expansion area for the northern slopes of Kherbet Ahmed as-Sahoori, it does not include one for Hayy al-Farooq, where it is also much needed. Thus, many existing homes remain on land marked as open space, where construction is prohibited.

THE NOF ZION SETTLEMENT

Located in the heart of Jabal al-Mokabber, in a gently sloping valley between Hayy Abidat and Hayy Shqirat (a sub-neighborhood of as-Sawahrah), is the settlement of Nof Zion. The plan for the settlement covers 134 dunam, of which only 50 were originally in Jewish ownership. In the 1980s, Digal Investments and Holdings, owned by contractor Avie Levy, tried to authorize the construction of about 200 housing units on the land. The issue of ownership over the land was brought to court, and five years later the court ruled in favor of the company. For several years the company worked to get the plan approved, but with no success, until help came from an unexpected source. For a short period during the 1990s, committees were established to fast-track large residential projects, in order to provide housing for the large waves of immigration that were arriving from the former Soviet Union. In this constellation, an even more elaborate plan was approved for the settlement, including 350 housing units, public areas, roads, and a hotel complex. The plan stipulated the construction of six-storey residential buildings (three on flat ground and three on the slope) with 130% building rights – and all this alongside the houses of the Palestinian residents, where only two storeys and 25% building rights are allowed. In order to enable such extensive construction in the settlement, the Jerusalem Municipality added to the

50 dunam already owned by Digal, an additional area of about 65 dunam, which it expropriated from the Palestinian residents of Jabal al-Mokabber. The hotel complex (on the remaining 19 dunam) was approved at the same time, in a separate plan and on land that was confiscated as part of state expropriations after the 1967 war. In 2005, the first phase of construction (91 apartments) began and, soon enough, Jabal al-Mokabber was adorned with an orderly entrance that includes a roundabout and a sidewalk. The settlement was marketed as a gated community, primarily to Jews from abroad, even though the plan stipulated that the public areas were to serve all of the residents of Jerusalem, including its neighbors in Jabal al-Mokabber. The apartments were not sold at the intended pace and Digal found itself in financial straits, forcing it to try to sell the project (the remaining apartments and the additional planned areas). Controversy arose when a Palestinian investor applied for the tender; right-wing activists protested, lobbied to prevent the lending bank from approving the deal, and tried to organize an Israeli real-estate purchasing group. As far as we know the project has not yet been sold, though most of the remaining built apartments have been sold to religious Israeli Jews and not only to Jews from abroad.



Vacant Plots (photos Bimkom)



Nof Zion Settlement (photo Bimkom)

APPROVED PLANS IN THE NEIGHBORHOOD

Outline plans # 2691 & 2691a for Jabal al-Mokabber	486.0 dunam
Part of Local Outline Plan # 9 for the Visual Basin of the Old City	386.5 dunam
Outline plans # 4558 & 4559 for the Nof Zion Settlement	134.5 dunam
Part of Outline Plan # 2598 for East Talpiyot	3.0 dunam
Total planned area	1,010.0 dunam
Unplanned area	1.0 dunam
Total area of neighborhood	1,011.0 dunam

In addition, some 19 detail plans were approved in the neighborhood, on a total area of 24 dunam (1.33 dunam on average per plan), none of which add any area to the neighborhood.

ZONING STRUCTURE ACCORDING TO APPROVED PLANS ■ DESIGNATION VS. USE

Designation	Plans		Land Use
	dunam	%	
Residential*	161	16	The neighborhood suffers from the most extreme building restrictions of all the Palestinian neighborhoods in East Jerusalem. Construction is prohibited on most of the area, and in the few places where construction is allowed, building rights are negligible. De facto, residential construction exceeds the rights allotted in the plans. The residents of Hayy Abidat and Kherbet Ahmad as-Sahoori recently managed to attain additional building rights in the framework of detail plans, but the rest of the neighborhood has seen no increase in building rights.
Open Spaces	667	66	The amount of open spaces stipulated in the approved plans for the neighborhood is unusually large, even in comparison with the other Palestinian neighborhoods in East Jerusalem. These were designated exclusively as open scenic areas, while not a single plot in the neighborhood was zoned as open public area, which can be expropriated and developed as a public neighborhood park. In the areas designated as open spaces there is de facto relatively sparse residential construction.
Public Buildings	1	0	The approved plans for the neighborhood include only one plot for public buildings. The plot was designated for a kindergarten. Although this plot abuts an existing road and has good access, it remains vacant and has never been developed.
Roads	29	3	The planned system of roads in the neighborhood is so sparse that it leaves most of the area of the neighborhood completely inaccessible. In areas where the directives of Plan # 9 still apply, there is not a single statutory road. De facto, there are additional streets in the neighborhood that serve the residents, but these are not statutory, are not maintained, and receive no municipal services. In the area of the plan for the Nof Zion settlement (see inset), and in its immediate vicinity, a complete system of roads was planned, and the part that has already been implemented is conspicuous in its high quality, stone walls, comfortable sidewalks, and street lighting.
Cemetery	11	1	The area zoned for the cemetery includes most but not all of the existing burial grounds as well as a number of residential structures. In the Jerusalem 2000 Outline Plan, a larger area is marked for the cemetery, but this is also on an area that includes residential structures.
Other	8	1	Including sections of the promenades and unplanned areas resulting, in part, from imprecisions in old plans.
Settlement	134	13	The settlement of Nof Zion and the adjacent hotel compound (see inset).
Total	1,011	100	

* In a little more than half of the residential area of Jabal al-Mokabber, building rights are comprised of a 25% building ratio, with construction of up to two storeys. In the rest of the area, a 10% building ratio is permitted, with only one storey. Exceptions to this are the areas of the detail plans, in which building rights increase to 50% and 70% ratios, with up to three storeys.