

*daniel seidemann*

*ehud olmert:  
Jerusalem and the  
Facts*

In recent months, Jerusalem's Mayor Ehud Olmert has been engaged in a well oiled public relations campaign geared to set the stage for the "demolition derby" planned by himself in East Jerusalem. Mr. Olmert intends to demolish tens, if not hundreds of illegally built homes in the Palestinian sector of the city, and has even expedited the establishment of a police unit specially detailed to maintain order at the demolitions. As part of his marketing campaign, Olmert appeared before the Knesset Constitution, Law and Justice Committee in July of 1997, before whom he offered justifications and statistics intended to convince the Knesset members of the vital need to engage in the mass demolitions. An examination of the statistics presented by Mr. Olmert at this session is worthwhile, and can teach us much about the man and the city he heads.

**Ehud Olmert: "In the whole area [East Jerusalem] there are usually Planning Schemes."<sup>1</sup>**

*The facts:* In June 1967, the State of Israel imposed its jurisdiction on a 70.5 km<sup>2</sup> area known as East Jerusalem. Since 1967, over 35% of the area of East Jerusalem (24.8 km<sup>2</sup>)

has been expropriated by the Israel Government, the vast majority from Palestinian owners, for the purpose of building new Israeli residential neighborhoods. Of the remaining unexpropriated land in East Jerusalem – approximately 45.7 km<sup>2</sup> – 62% has no valid planning schemes. Accordingly, with rare exception, it is impossible to build on this land. Of the 17.5 km<sup>2</sup> for which planning provisions have been made, only approximately 5.2 km<sup>2</sup> are earmarked for residential construction. In other words, of the total area of 70.5 km<sup>2</sup>, only approximately 7.4% is earmarked for residential construction for the Palestinian population. Even in these areas, the possibilities to exploit building rights are quite limited, with rare exception, only one or two floor residential units may be constructed. The land intended for residential purposes by approved plans are mainly located in areas that are already built up, in which most of the building potential has already been exploited.

**Ehud Olmert: “There are development plans enabling the construction of 15,250 housing units in which Arabs live...I say that there are building plans and that it is possible to begin construction if the Arab landowner wishes to do so.**

*The facts:* The potential for available building permits in East Jerusalem is 3,000 at the very most – less than one fifth of the figure quoted by Olmert. Mr. Olmert’s “data” is based on a document prepared by the municipal Planning Policy Department defining the theoretical capacity of land in East Jerusalem – a figure bearing no relation to the number of building permits that may actually be received. The figures include 7,500 housing units in north Jerusalem in areas where planning procedures have yet to be completed; it will be years before building permits will be granted in these areas. The figures also include 7,500 housing units in north Jerusalem in areas where planning procedures have yet to be completed; it will be years before building permits will be granted in these areas. The figures also include 530 housing units at Ras al-Amud (including the 70 housing units of his friend Moskowitz). The truth is that the inhabitants of Ras al-Amud have been waiting six years for the plan to be approved, and this has yet to occur. Mr. Olmert includes in his figures 1,000 housing units in Bayt Safafa where approval procedures have not yet been completed – moreover, these units are earmarked for the Jewish population. And so it

goes on ... An examination of valid building plans – i.e. plans that could actually enable people to receive building permits – shows that no more than 3,000 building permits are available in East Jerusalem. These permits are mainly for sites in existing residential areas, i.e. they are available to those who have less needs for permits (By way of analogy, it is as if the authorities were to propose that Jewish immigrants should be housed by enabling residents of the exclusive Herzliya Pituach neighborhood to build swimming pools in their gardens or to add another floor to their villas to accommodate immigrants).

**Ehud Olmert:** “Since 1967, more buildings have been added in Jerusalem in residential areas where Arabs live than in areas where Jews live... In terms of houses where people live, more houses have been added for Arabs, relative to population size, than for Jews.”

*The facts:* According to the *Jerusalem Statistical Yearbook* for 1996, the number of housing units added in the Arab sector in East Jerusalem between 1967 and August 1996 was 10,473, in addition to the 12,600 units that existed in 1967. The number of housing units in West Jerusalem was 57,500 in 1967; by August 1996, 70,692 units had been added for the

Jewish population. During this period, the Jewish population of Jerusalem rose from 197,500 to approximately 409,000, while the Arab population rose from 69,500 to 171,000. Accordingly, the number of housing units in the Jewish sector grew by approximately 123%, while the number of housing units in the Arab sector grew by approximately 83%. Since 1967, approximately one housing unit has been added for every 3 additional Jewish residents; during the same period, one housing unit has been added for every 9.7 additional Palestinians in the city.

**Ehud Olmert:** “The Municipal officials responsible for the subject of housing problems state that the housing problem of the non-Jewish population in East Jerusalem is less grave than that of the Jewish population.”

*The facts:* According to the *Jerusalem Statistical Yearbook* for 1996 (which is based on data provided by the same “experts” to whom Mr. Olmert refers), only 2.4% of the Jewish population live in conditions of 3 or more people per rooms, whereas 27.8% of the Palestinian population live in such conditions. In the west of the city, 13.5% of the population live in conditions of 2 or more people per room; in the Arab sector, 61.5% live

in such conditions. The average density in the Jewish sector is 1.1 persons per room; in the Arab sector, the figure is 2.2 persons per room.

*Ehud Olmert:* "The Israeli government does not build apartments for Jews or Arabs. The Jerusalem Municipality does not build apartments for Jews or Arabs. It is ridiculous to say, "You built for these ones and not for the others." What the government usually does, in the case of large compounds where hundreds or thousands of apartments can be built, is to take responsibility for developing infrastructures and earth work. If the land is owned by the state, the government markets the land."

*The facts:* As already mentioned, over 35% of the total area of East Jerusalem has been expropriated by the Israeli government. Approximately 40,000 housing units have been built on these areas – *by public construction* – and exclusively for the Jewish population. Not a single housing unit has been built on these lands for the Palestinian population. The residents of East Jerusalem – who are almost all permanent residents of Israel, but not citizens – are not entitled to purchase apartments constructed on state land, i.e. in those neighborhoods built on land expropriated mainly from Palestinian residents. Since 1967,

fewer than 600 housing units have been constructed for the Palestinian population with any type of government assistance. The last such construction took place over 20 years ago. At present, construction is underway of approximately 4,000 housing units for the Jewish population (Har Homa and Rekhes Shu'fat); an additional 4,000 units are planned for the Jewish population (Har Homa), and approximately 400 for the Arab population (Sur Bahir).

*Ehud Olmert:* "We cannot accept provocative and gross building violations that have nothing to do with housing problems. In Isawiyya, there are 500 illegal building sites, including approximately 200 new housing units (the remainder are extensions to existing units). In Silwan, there are approximately 500 illegal building sites, including approximately 100 new housing units ... In Kufr Aqab there are approximately 500 illegal building sites, including 100 new housing units, in Bayt Hanina and Shu'fat there are 350 illegal building sites, of which approximately 80 are new housing units; in Um Tuba and Sur Bahir there are approximately 200 illegal building sites, of which approximately 40 are new housing units; in Al-Thuri there are approximately 50 illegal building sites, mainly extensions to existing buildings; in the Old City and the center of East Jerusalem there are 200 extensions to existing buildings and approximately 100 new housing units."

**Chairperson Shaul Yahalom:** "I calculate 2,600 illegal constructions, of which approximately 1,000 are new housing units."<sup>1</sup>

*The facts:* During the two years from July 1, 1995 through July 1, 1997, the municipal inspectors located 571 building violations in East Jerusalem (not 2,600). During the period between June 1, 1995 and October 1, 1996 (one year and four months) the municipal inspectors located 2,376 building violations in Jerusalem (not 1,300 over two years). The extent of building violations during the first six months of 1997 (139) represents a slight increase over the long term annual average but a slight drop as compared to 1996. Since January 1, 1995, the municipal inspectors have located 94 building violations in Isawiyya (not 500); 7 building violations in Kufr Aqab (not 500); 68 in Silwan (not 500); 94 in Shu'fat and Bayt Hanina (not 350), 37 in A-Tur (not 150), 62 in Um Tuba and Sur Bahir (not 200); 25 in Al-Thuri (not 50); and 70 in the Old City and the center of East Jerusalem (not 200). Since 1992, only approximately 12% of the building violations located in Jerusalem by the municipal inspectors have been in the Arab sector (an average of

approximately 247 violations a year), although the residents of East Jerusalem constitute approximately 30% of the population. Even if one includes violations located by the Ministry of Interior (and it should be noted that the ministry's inspectors engage in systematic and planned inspections *solely* in East Jerusalem), the proportion of building violations in the Arab sector does not exceed 19%. Based on the municipality's official figures, the extent of building violations in Palestinian East Jerusalem is several times *lower* than in West Jerusalem. In any case, the extent of illegal building in the Palestinian sector is certainly not disproportionate to this population's weight in the total population.

**Ehud Olmert:** "I am in favor of adopting equal standards for treating all offenders."

*The facts:* Between 1992 and 1996, the municipality and the Ministry of the Interior instigated approximately 50 legal proceedings in the Israeli sector for every 100 located building violations. In the Palestinian sector, 86 legal proceedings were instigated for every 100 located building violations. During the same period, only some 30% of the administrative demolition orders (a legal proceeding that significantly limits the

presumption of innocence and the right to due process) issued by the Jerusalem Municipality and the Ministry of Interior were directed at the Israeli sector, approximately 70% of these orders were directed at the Palestinian sector. Of administrative demolition orders actually carried out, approximately 67% were in the Palestinian sector and only approximately 33% in the Israeli sector.

**Ehud Olmert:** "They want to build without a license, they don't want to build with a license."

*The facts:* The statistics detailed above clearly show that there are building offenders in East Jerusalem, as in the west of the city. Unlike Jewish residents of the city, however, Palestinian residents face a terrible dilemma: to live in extreme overcrowding, to leave the city, or to build illegally. The fourth option – to build legally – is almost completely impossible. Despite this, the level of illegal construction in East Jerusalem is no higher than in the West, and probably lower. The same authorities who over the years systematically refrained from providing Palestinian residents of the city with the opportunity to enjoy minimal living conditions strictly enforce the law against those who, in their

desperation, resort to illegal means in order to provide themselves and their families with a basic living environment.

In this context, it is worth quoting a comment by former Jerusalem Mayor Teddy Kollek made in an interview in 1990:

"We said things we did not mean and failed to live up to it. We said again and again that we would give the Arabs the same rights as the Jews in the city: an empty promise. Levy Eshkol and Menachem Begin both promised equal rights, and both broke their promise. We have never given them the sense that the law is applied equally. They were and remain second and third class citizens."

[Question]: And the person saying this is the mayor of Jerusalem, who has struggled on behalf of the city's Arabs, built houses and roads and developed their neighborhoods?

[Kollek]: "Rubbish! Fairy tales! I've done something for Jewish Jerusalem over the past 25 years. For East Jerusalem? Nothing!..."

The difference between the content of the interview with Teddy Kollek and Ehud Olmert's testimony before the Knesset Committee is not due to a dramatic improvement in the situation in East Jerusalem, but to a difference between the two individuals concerned. During his last

years in office, Teddy Kollek – who has unquestionably left his mark on the city – was not afraid to own up to his responsibility for the appalling state of East Jerusalem. Ehud Olmert, whose mark on the city has mainly been seen in the Hasmonean Tunnel, at Har Homa and in Ras al-Amud – is trying to build his career on the rubble left in the aftermath of demolitions, justifying this campaign through a dangerous mixture of fabrications, half-truths and false innocence. Two conclusions can be drawn from this sad state of affairs. A mayor of Jerusalem who is able to depict in such a distorted manner the living conditions of 30% of the residents whom he is supposed to serve should not be granted the draconian power to authorize the demolition of a person's home without trial. This in itself is not enough, however. Jerusalem has survived dramatic changes and profound blows, and it will surely survive Ehud Olmert. There is the question of the price to be, but this is not the only point. Even if Jerusalem did not have such a problematic mayor, the city would face tough decisions both in everyday management and on the political level. If the Israeli government and the Knesset wish to take responsible decisions based on accurate data and

cogent analysis, they must find alternative sources of information to those provided by the present Mayor of Jerusalem.

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