

EU HOMS REPORT ON JERUSALEM

18 March 2014

1. JERUSALEM AND THE PEACE PROCESS

1. If there is to be a genuine peace, a way must be found through negotiations to resolve the status of Jerusalem as the future capital of two states. Jerusalem has strong emotional value, not only for Palestinians and Israelis, but also for millions of Muslims, Jews and Christians around the world. Its historic, cultural and religious significance for the three Abrahamic religions makes Jerusalem unique. For this same reason Jerusalem is one of the most difficult of the final status issues to solve. Yet, since the last HoM's report Israel has continued to implement a policy regarding Jerusalem that is further entrenching the separation of Jerusalem from the rest of the West Bank, thus creating more obstacles to peace and a negotiated two-state solution.

2. Through the implementation of its policy Israel is changing the status quo on the ground and cementing its unilateral and illegal annexation of East Jerusalem. The continued expansion of settlements in and around East Jerusalem; the continued construction of the separation barrier; the restrictive zoning and planning leading to increased numbers of demolitions and evictions; the restrictive residency permit system and the implementation of the Israeli Absentee Property Law; the discriminatory access to religious sites; the continued closure of Palestinian institutions; the inadequate provision of resources and investment leading to an inequitable education policy and difficult access to health care for the Palestinians in East Jerusalem, all systematically undermine Palestinian presence in Jerusalem, the universal character of the city and its potential as a future capital of two states.

3. In the 24 October Municipal elections, the turnout was less than 1% among Palestinian voters in East-Jerusalem. As in all previous Municipal elections, this boycott was again a signal that East-Jerusalemites refuse to accept the Israeli annexation. The price to pay for the boycott is the fact that issues of planning and delivery of services are in the hands of a Municipal council without any Palestinian representation, and without any constituency among Palestinians in East-Jerusalem.

4. Since the resumption of the peace negotiations in July 2013, an unprecedented surge in settlement activity has occurred. This appears to be part of an Israeli wider strategy aimed at using settlements, road constructions, parks and tourism complexes to expand Jerusalem deeply into the West Bank and to include the settlement blocs of Ma'ale Adumim, Gush Etzion and Givat Ze'ev. If carried through this strategy will result in East Jerusalem being split from the rest of the West Bank and impact on the contiguity of a future Palestinian state. The timing of the settlement announcements coinciding with releases of Palestinian pre-Oslo prisoners, show that settlement advancement is a matter of political choice.

5. In the course of 2013, settlement activity also included non-residential projects. Examples included the adoption of plans for the Mount Scopus Slopes National Park and the Emek Refaim National Park, as well as the continued construction of the Begin Highway extension cutting through the Palestinian neighbourhood of Beit Safafa in southern East Jerusalem. The creation of national parks is part of what appears to be a broader Israeli policy to establish a 'green belt' of national parks in order to further isolate East Jerusalem from the rest of the West Bank.

6. In addition the Israeli authorities, in conjunction with settler organisations, are using archaeology to promote a one-sided historical narrative of Jerusalem, placing emphasis on its biblical

and Jewish connotations while neglecting the Christian/Muslim historic-archaeological ties to the same places.

7. Adding to these negative trends, 2013 saw heightened tensions at the Haram al-Sharif/Temple Mount. Violent incidents were triggered by a sharp rise in the number of visits by Jewish radical political and religious groups, which were not coordinated in advance with the Waqf responsible for the site. Many of these visitors challenged the status quo by attempting to pray at the site or raise Israeli flags. These groups were strengthened by speeches by some Israeli Ministers and a political debate in the Knesset on bringing the Haram al Sharif/Temple Mount under Israeli control. There remains a significant risk that incidents at this highly sensitive site, or perceived threats to the status quo, may spark extreme reactions locally as well as across the Arab and Muslim world, and have the potential to derail the peace negotiations.

2. SETTLEMENTS

8. Today over 800,000 people live within the Jerusalem municipal boundaries as unilaterally defined by Israel after 1967. Around 39 percent of the city's inhabitants are Palestinians. Successive Israeli governments have pursued a policy of transferring its population into the occupied Palestinian territory including East Jerusalem in violation of international humanitarian law, specifically the Hague Convention and the Fourth Geneva Convention. Out of a total of more than 540,000 Israeli settlers living in the occupied Palestinian territory, over 200,000 now live in settlements inside East Jerusalem.

9. No settlement announcements were made in East-Jerusalem during the first seven and a half months of 2013; while construction continued, there were no new plans deposited for public review, no hearings were held on pending plans, no statutory plans were approved and no new tenders were published. This de facto freeze on announcements is likely to have been linked to the U.S.'s determined efforts to jump-start negotiations. However, with the restarting of peace talks, this freeze came to an end and settlement expansion has resumed at an unprecedented rate. A significant number of the plans are for settlements located on the southern perimeter of Jerusalem, close to Bethlehem, but also in areas east and north of the city, threatening to cut off East Jerusalem from the rest of the West Bank.

10. At the end of July 2013 the Israeli-Palestinian peace talks resumed and were followed by the release of 26 Palestinian prisoners – the first of four planned rounds to release 104 Palestinian prisoners detained in Israel since before the Oslo agreements. While the Palestinian side – as part of restarting the negotiations – had agreed to freeze its strategy to seek access to UN fora in exchange for the pre-Oslo prisoner release, the prisoner release was followed by the announcement of many new settlement tenders and the re-publication of previous tenders by the Israeli government. Around the first release, new tenders for 397 units in East Jerusalem were published and formal statutory approval was given to plans allowing for the construction of an additional 891 settler units.

11. The second tranche of Palestinian prisoners was released at the end of October. Again the release was followed by an announcement of new settlement units in East-Jerusalem by the Israeli government: tenders for additional 698 new units were published and statutory approval was granted to plans for the construction of additional 1,531 units. Following the third release in December, tenders for 600 units were announced in early January. Following each round of prisoner releases, the Israeli government additionally re-published a number of tenders that had previously failed, for a total amount of 1396 units.

12. Thus, in the five months period from mid-August 2013 to mid-January 2014 almost as many new units were put to tender in East Jerusalem as in the four previous years put together

13. In November 2013 the Ministry of Construction published tenders to engage architects and town planners to develop plans for a total of 24,000 new units. Of these, 4,500 units were planned in East Jerusalem and an additional 1,250 units in the highly controversial E1 area just outside East Jerusalem. The vast amount of units attracted international criticism and Prime Minister Netanyahu eventually took steps to freeze the tenders.

14. Furthermore 2013 witnessed a significant increase in settler violence. The so called “price-tag attacks” became far more common in Jerusalem. Some of these acts of violence were randomly directed against Palestinians, others against Muslim and Christian holy sites and institutions. Some Jewish holy sites have also been targeted. Tensions ran particularly high during the Muslim month of Ramadan and the Jewish High Holidays. Dedicated units within both the Police and the Shin Bet (Shabak) have so far largely failed to apprehend the perpetrators.

15. The police have also reported an increase in violence – mainly stone-throwing - directed at Israelis traveling through the Palestinian neighbourhoods of East Jerusalem. There have also been some incidents of damage to Jewish property over the past months.

3. NATIONAL PARKS

16. Settlement projects can go beyond residential construction and take the form of the creation of national parks. On 27 November 2013 the plan for the Mount Scopus Slopes National Park was officially approved by the District Planning Committee, despite objections from Israeli Minister of Environment Peretz, the Nature and Parks Authority (NPA) itself, local residents and NGOs. The Park's plan creates geographical contiguity, providing a strategic link between the Old City, Tzurim Valley National Park, Mount Scopus, E1 and the settlement of Ma'ale Adumim. Moreover, it impedes the expansion of the Palestinian neighbourhoods of al-Tur and Issawiyyeh, which are in dire need of new housing units, schools, and clinics. It would also put 150 houses in al-Tur and al-Issawiyye at risk of demolition if the plan is executed. The Plan also contradicts the Jerusalem Outline 2000 Plan, which allows for urban expansion in this area. Over the last two decades, residents of the two neighbourhoods have developed their own outline plan, and have had what seemed to be promising discussions with municipal authorities. The current National Park Plan is in breach of all these previously agreed-upon arrangements.

17. Non-residential settlement activity such as the creation of national parks has the following implications:

- The authority of the area in question is transferred from the municipality to the NPA, which does not have any obligations to the residents of the area. As a result, the declaration of a national park often violates private ownership while at the same time severely undermining the urban development and expansion of the surrounding neighbourhoods;
- Administrative and developmental powers for touristic, archaeological and educational projects within the national parks are often transferred to ideological organisations. Such organizations promote their own Jewish historical narrative of Jerusalem, at the expense of Muslim and Christian narratives;

4. ARCHAEOLOGY

18. Archaeology continues to be used as a political and ideological tool in Jerusalem's Historic Basin, where the Israeli Government has outsourced archaeology to private Israeli pro-settler

organisations. A case in point is Silwan / Wadi Hilweh, where the Israeli authorities have entrusted the management of the various archaeological sites to the settler organisation El'Ad, which now operates the "City of David" tourist centre. El'Ad has entered into a partnership with the Israeli Antiquities Authority which is paid directly by El'ad to carry out the excavations. These are taking place without any kind of Palestinian involvement or international oversight. The archaeological digs include the excavation of tunnels underneath Silwan, the Muslim Quarter and in the immediate vicinity of the Haram al-Sharif/Temple Mount. Moreover, the Jewish Quarter Development Company (JQDC) is currently in the process of handing over to El'ad the management of the excavation area South and West of the Haram al-Sharif/Temple Mount (the Davidson centre).

19. Two more tourist sites along the lines of the "City of David" visitors centre are being planned by El'Ad: the Kedem Compound and the Spring House (Bet HaMa'ayan). The plan for the former, deposited for public review in November 2013 and currently being fast-tracked through the planning process, provides for the construction of a major multi-purpose structure ("the Kedem complex") on the site of the Givati Parking lot, opposite the Old City's Dung Gate, at the entrance to Wadi Hilweh/Silwan. As regards the latter, on 21 January 2014 El'Ad deposited plans for public review to build a tourist compound above the Spring House, at the bottom of Wadi Hilweh at the northern edge of Silwan. Both plans are part of an apparent wider strategy to consolidate Israeli control over the Historic Basin by creating an exclusively Jewish tourism trail along and around the Old City, detaching it from its Palestinian surroundings and advocating a singular Jewish narrative.

20. On the Western Wall Plaza, the District Planning and Building Committee has approved the construction of Beit Haliba, an initiative of the Western Wall Heritage Fund, a governmental organisation under the jurisdiction of the Prime Minister's office. Together with the Kedem Compound, its construction will alter the skyline of the Old City, the walls of which have been recognised as UNESCO World Heritage. Moreover, archaeologists fear the construction of both projects risk damage to the archaeological site over which they are to be built.

5. THE HARAM AL-SHARIF/TEMPLE MOUNT

21. The Haram al-Sharif/Temple Mount is one of the most important religious sites in the Old City of Jerusalem and a holy site for both Muslims and Jews. Since 1967 the site has been under de facto Israeli security control but is administered by the Jordanian Islamic authorities (Waqf). In line with the long standing status quo, visits from all faiths are permitted but without the right of non-Muslim prayer on the Haram al-Sharif/Temple Mount. Given the importance of the site, any threat or perceived threat to its integrity and to the status quo not only raises tensions locally but has the potential to provoke extreme reactions regionally and globally and, as such, represents a potential threat to the current peace negotiations.

22. Palestinian residents in the West Bank are granted access during Muslim holidays only, with some age restrictions. No such permits are given to Muslims from Gaza. Generally, Palestinian residents of Jerusalem and permit-holding West Bankers have unrestricted access to the site, unless the site is closed for security reasons.

23. On 31st March 2013 King Abdullah II of Jordan and President Abbas signed an agreement reaffirming the role of the Jordanian King as custodian of the Islamic Holy Sites in Jerusalem and his responsibility for safeguarding and preserving them, particularly the Haram al-Sharif. The signing came at a time when the Palestinians accused Israel of an invigorated "Judaisation" of the Old City.

24. Strong pressure by some Israeli cabinet members and the so-called 'Temple Movement' has been exerted in the course of 2013 to change the status quo of the Haram al-Sharif/Temple Mount. A

debate in the Knesset has taken place in February 2014 on bringing the Temple Mount under full Israeli control. Such legislative move would contradict the 1994 Israeli-Jordanian peace agreement, in which Israel stated it would *"respect the present special role of the Hashemite Kingdom of Jordan in Muslim Holy shrines in Jerusalem"*. Following the debate in the Knesset, the Prime Minister's spokesperson said that *"The policy of the government of Israel has been and continues to be the maintenance of the status quo at the Temple Mount, including freedom of access for all faiths to the holy sites."*

25. Above all, a source of great concern are the almost daily visits to the Haram Al-Sharif/Temple Mount by Jewish national-religious activists continuing a trend from 2012. Often acting in a provocative manner, these groups claim full Israeli control over the site, at times violate the ban on non-Muslim prayer as well as clash with worshippers, while some have even called for the destruction of the Al-Aqsa mosque in order to build the Third Jewish Temple there. In December, in an apparent attempt to curb these visits, both of Israel's Chief Rabbis (Ashkenazi and Sephardi) re-stated the longstanding Halachic prohibition on Jews visiting the site for reasons of ritual purity. Similarly, during his Id al-Adha message, Prime Minister Netanyahu stressed the importance of maintaining the status quo.

26. Conversely, some Palestinian politicians as well as representatives of the Waqf dismiss Jewish historical ties to the Temple Mount, putting in doubt the historical existence of a Jewish temple on the Mount. Moreover, there have been incidents of stones thrown down at Jewish worshippers at the Western Wall.

27. Developments in and around the Haram al-Sharif/Temple Mount are occurring against the backdrop of intensive settler-related activities, emphasising the Jewish character and history of the Old City and its surroundings at the expense of the Christian and Muslim narratives. These developments are a threat to the status quo and are fuelling concerns that the Haram al-Sharif/Temple Mount, could undergo a development similar to the Ibrahimi Mosque/Tomb of the Patriarchs in Hebron, with a temporal and territorial division in access to the site.

6. PLANNING, DEMOLITIONS, EVICTIONS AND DISPLACEMENT

28. The planning regime of the Jerusalem Municipality remains a source of concern as it places severe restrictions on Palestinian building activities, thus creating a housing and basic infrastructure shortage for Palestinian residents as well as development constraints. 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 apply. Together these make the application process difficult and expensive. At least 33% of all Palestinian homes in East Jerusalem lack Israeli-issued building permits, placing over 93,000 Palestinians at risk of displacement.

29. In 2013 there were 98 demolitions, almost equalling the combined total from 2011 (42) and 2012 (64). Of these 39 concerned livelihood/commercial structures and 24 inhabited dwellings and different types of infrastructure. Demolitions in East Jerusalem are carried out by a number of Israeli authorities, including the Jerusalem Municipality, the Ministry of Interior, 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.

30. 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 298

Palestinians (including 153 children) being displaced in 2013, by far the highest number since 2009, and exceeding the combined annual total for 2011 (88) and 2012 (71). In terms of impact almost 400 other East Jerusalem Palestinians were affected in 2013, due to the demolition of structures related to their livelihood.

31. As far as evictions¹ are concerned, one incident was reported in 2013, when in May settlers took over two shops in the Old City Jerusalem following a court ruling in favour of the settlers who claim ownership over the buildings. By contrast in 2012, 22 Palestinians, including 10 children, were evicted in four separate incidents in East Jerusalem.

7. RESIDENCY STATUS

32. Restrictive measures continue to apply in relation to the ID and residency status of Palestinians from East Jerusalem. 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.

33. Unlike Israeli citizenship, permanent residency is not automatically passed on to children in case one of the parents does not hold residency status. Furthermore, permanent residency is not automatically transferred through marriage. Consequently the resident spouse has to apply for family unification. The legal procedure for these cases is a long, expensive and extremely complex process. Until conclusion of this process, the children and spouses in question cannot legally reside in Jerusalem, thereby increasing their vulnerability.

34. According to the Israeli Ministry of Interior's figures, between 1967 and 2012, Israel revoked the residency status of 14,203 Palestinians from East Jerusalem. In 2012, Israel revoked the residency of 116 East Jerusalem Palestinians, including 64 women and 29 children. In such cases, the Israeli authorities do not provide information about the grounds for revocation. At the same time, in 2012, Israel "reinstated" the residency status of 32 East Jerusalem Palestinians.

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

8. ACCESS AND MOVEMENT

36. 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.

37. In the Jerusalem area, the 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

¹ Evictions relate to the take-over of existing buildings, while displacement results from the actual demolition of a building.

settlements (and space for their future expansion) and the future integration of settlements beyond the municipal boundary (as unilaterally defined by Israel after 1967) such as Ma'ale Adumim.

38. 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 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. The barrier also affects at least 16 West Bank localities outside of the Jerusalem Municipality but now situated on the "Jerusalem" side of the Barrier. The 2,500 residents in these communities face uncertain residency, impeded access to basic services and the risk of displacement.

39. Despite ongoing legal proceedings throughout 2013, 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 the case of Al Walaja there have been 11 stop work/demolition orders issued to date, affecting 116 people. Also, the Supreme Court is currently considering two cases in the southern perimeter of Jerusalem where the Israeli authorities plan to extend the separation barrier. The extension of the barrier in Battir would severely harm daily life in the village, as well as threatening the unique environmental, archaeological and historical character of the area. As for Cremisan, construction of the barrier would cut off the Cremisan Valley from the Beit Jala community. 58 (mainly Christian) families and a convent would consequently lose access to their lands.

40. 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. On the other hand, during Ramadan, the need to obtain permits to enter Jerusalem is temporarily suspended for certain categories of Palestinians that are not deemed a security risk.

41. The "Judea and Samaria only" visa regime for third country visitors and for foreign residents of the West Bank has been applied throughout 2013. This regime severely restricts EU citizens' freedom of movement and prevents free access to Jerusalem and EU member states consulates located there.

42. Also in 2013, the UN registered over 200 access incidents involving staff attempting to enter Jerusalem. A majority of these 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.

9. EDUCATION

43. Efforts to provide education for Palestinian children of school-age in East Jerusalem continue to face numerous challenges including: 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 (municipal, private, Awqaf and UNRWA). Rates of drop-out are high, especially among boys and in the secondary cycle (grades 11-12). According to the latest estimates, 36% of children fail to complete the full twelve years of schooling.

44. There remains a chronic and growing shortage of classrooms and a large number of substandard, unsuitable and/or overcrowded facilities in use. An estimated 2,200 additional classrooms are required in East Jerusalem to meet the needs of the school age population, which is growing at a rate of 3-4%. Progress has remained very slow on 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. Only 48 new classrooms, in two municipal schools, were provided by the Israeli authorities in 2013. In this situation, many families find no alternative than to enrol their children in fee-paying private schools. Awqaf schools, five of which have pending demolition orders, cannot for the most part expand existing facilities as needed, nor build/purchase new buildings, due to planning and zoning restrictions. In 2013, two municipal kindergartens were opened in Beit Hanina. However, for the vast majority of kindergarten age children, who are technically eligible from the age of 3 under the Free Education Law of Israel to attend kindergarten, no facilities are available.

45. Meanwhile, on 13 February 2014, the Jerusalem Local Planning and Building Committee approved a plan to build a Yeshiva in the East-Jerusalem neighbourhood of Sheikh Jarrah, on a plot of land which is designated by the area's Master Plan "for educational buildings to benefit the local population". Mayor Nir Barkat has publicly acknowledged the disparities in levels of education between East and West Jerusalem. At the launch of an Academic Centre for Arab Girls in East Jerusalem in February 2014, Barkat said that the Municipality was "investing heavily in eastern Jerusalem... building new classrooms, kindergartens and developing infrastructure."

46. Given the growing isolation of East Jerusalem from the rest of the West Bank, West Bank ID-holding students and teachers requiring a permit (as well as East-Jerusalemites living on the other side of the barrier) can face a range of difficulties from delays, harassment, and non-renewal/revocation of permits. Research suggests that over 2000 students and more than 250 teachers must cross checkpoints on their way to and from school on a daily basis. Both access difficulties and lack of recognition of Al-Quds university degrees contribute to the alarming shortage of maths and science teachers in particular.

47. Efforts by the Israeli authorities to remove the PA-developed curriculum from East Jerusalem schools have intensified in 2013. As was reported last year, since March 2011 municipal schools have been obliged to use the Israeli-edited version of the PA curriculum,. For non-municipal schools still using the PA unedited curriculum (Awqaf schools, some private schools), problems in acquiring new textbooks continue, since the Israeli authorities have for some years prevented the transfer of these books through the checkpoints into Jerusalem from where they are produced near Ramallah. 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. Three municipal schools have introduced the Israeli curriculum in Arabic, as an optional alternative, from the beginning of the 2013 school year.

48. As was reported last year, despite the ongoing efforts of Al Quds University (AQU) over many years, the issue of its status has not yet been resolved and its degrees remain unrecognised by Israel, thus barring its graduates from the Israeli job market. Graduates of the faculties of medicine and education are the principal victims of the situation, which has contributed to a shortage of doctors and teachers in East-Jerusalem.

49. Because of their proximity to the separation barrier, Al-Quds University's Abu Dis campus is the site of frequent raids by and clashes with the IDF. In recent years these raids and attacks have become more frequent, with two incidents in the 2011-12 academic year, 26 incidents in 2012-13 academic year, and 25 from the beginning of the 2013-14 academic year to end January. The raid

which took place on 22 January 2014 was unprecedented in scale and resulted in the hospitalisation of 20 students and employees.

10. HEALTH

50. For East-Jerusalemites, who are entitled to and thus often affiliated to Israeli health insurance, the quality of health services varies. For instance, the quality of tertiary health care meets Israeli standards, but there appears to be difficulties in access to secondary health care as allied care professionals or medical specialties such as mental or social health are practically nonexistent in East Jerusalem. The level of primary health care services is also much lower than in West-Jerusalem despite the affiliation to the same health system, due to a scarcity of clinics, emergency centres, and to the sub-contracting of primary health care services to private sector, which affects the quality of the service. Jerusalemites residing on the "West Bank side" of the separation barrier face difficulties in accessing health care in Jerusalem, and may consequently find themselves in life threatening situations in case of emergency.

51. The Palestinian health system relies heavily on the six East Jerusalem hospitals, to provide quality tertiary care or specialised care not available in the rest of the West Bank or in Gaza. West Bank and Gaza referrals now represent more than 50% of all admissions to the East Jerusalem hospitals (with the majority requiring intensive care). West Bank and Gaza patients need permits to access Jerusalem, and as the Israeli permit policy is not transparent, obtaining a permit is often a lengthy and difficult procedure hindering access to appropriate and timely health care. In 2013, nearly 20% of permit requests were denied for unspecified security reasons or without explanation. Patients and their companions aged 18-40, especially men, are the most affected. Children and patients with disabilities have been put in a particularly vulnerable position by the rejection of permits for their first-degree relative escort. As for cancer patients and certain other categories of chronic patients, Israel continues to issue permits for only 1-3 months. The situation is also highly critical for patients needing emergency treatment available only in Jerusalem as access for Palestinian-operated ambulances to East Jerusalem is very limited, even in cases of extreme emergencies. In 2013, direct access of Palestinian ambulances was denied by Israeli authorities in 90% of emergency cases.

52. More than two thirds of East Jerusalem hospital staff hold WB IDs and require permits, which are issued for a maximum of six months at a time, to access work. Permit-holding medical personnel, excluding doctors who have special permits, are allowed to cross on foot or in hospital-provided shuttles, and only through checkpoints at Qalandiya, Gilo and Zaytoun. A newly established Israeli practice allows medical staff, who are spouses of Jerusalem residents and who hold one-year residence permits, to receive six-month permits for entering Jerusalem through all checkpoints.

53. All six East Jerusalem hospitals are increasingly affected by the financial inability of the PA to pay referral costs of West Bank and Gaza patients. PA debts towards East Jerusalem hospitals have tripled since 2012 and represent approximately 30 million EUR. The delivery of essential health services provided by these hospitals as well as their survival is now jeopardized as PA debts continue to increase.

11. ECONOMY, TRANSPORT AND INFRASTRUCTURE

54. The separation barrier has in effect isolated East Jerusalem from the rest of the West Bank. Due to the extremely limited access, the city has largely ceased to be a traditional Palestinian economic, urban and commercial centre. In the course of 2013 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.

55. In the course of 2013 the economy of East Jerusalem, which is mainly based on small and micro enterprises, deteriorated further. The combined effect of growing Israeli administrative requirements, the aftermath of the global financial crisis, rising food and commodity prices and separation from cheaper Palestinian supplies 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 from 15% before the Oslo Accords to 7% today).

56. 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 young, the uneducated and 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 under the Israeli poverty rate is constantly growing. In 2013 it reached 80% of the total East Jerusalem Palestinian population and 85% among children.

57. Palestinians constitute approximately 39 percent (approx. 372, 000) of the population in Jerusalem, but the municipal budget spent on Palestinian neighbourhoods is disproportionately lower, not reaching above 10%. Public services dealing with poverty, unemployment as well as healthcare in East Jerusalem provided by the GoI and Jerusalem municipality are insufficient (three offices in East Jerusalem comparing to 18 in West Jerusalem,). 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 limited.

58. 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 lead to his re-election, Mayor Nir Barkat expressed readiness to develop two new light rail lines (one of which would link the settlement of Gilo to Mount of Olives) as well as a 1.5 kilometre long cable car 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). If implemented, these sensitive projects would significantly increase the municipal transportation system's contribution to the "unification" of Jerusalem.

59. In 2012, the Jerusalem Municipality and the GoI announced a 500 million NIS plan aiming at "modernizing" within five years the transportation infrastructure in East Jerusalem and closing "decades of gap" between East Jerusalem and the rest of the city. During recent years, a separate and inferior set of bypass roads for Palestinians has been set up around Jerusalem, 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 2013, the Jerusalem Municipality

has continued naming all the streets in East Jerusalem, in coordination with local Palestinian leaders (mukhtars).

60. 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 Ya'akov with the north-south Begin Highway (Jerusalem main traffic artery). Delayed by the objections filed by residents of the Palestinian neighbourhood of Beit Hanina (which it bisects), the construction of the road was completed 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. Construction of this road began in early 2013.

61. 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. While the Israeli authorities insist that this project will facilitate traffic by connecting Begin Highway with the Gush Etzion "settlement bloc", the residents of the Palestinian neighbourhood emphasized the damage this project will cause to the community. Various questions have also been raised concerning its broader political implications (disconnection of this Palestinian neighbourhood from a future Palestinian capital in East Jerusalem). This project took a major step forward in January 2014 when the Supreme Court of Israel issued a final decision authorizing the Israeli authorities and the contractor to complete the extension of this highway.

12. PALESTINIAN INSTITUTIONS

62. The institutional and leadership vacuum in East Jerusalem created by the prolonged closure of Palestinian institutions, in particular that of the Orient House and the Chamber of Commerce, remains a key concern. This void continues 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. 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

63. 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 continue to take place across Jerusalem. The Council for Religious Institutions in the Holy Land in 2013 recorded seven instances of attacks against Jewish religious sites, and six attacks against Muslim and Christian holy sites in Jerusalem, which included five so-called "price tag" attacks. Religious leaders have publicly condemned recurrent episodes of interreligious intolerance such as harassment and defamation of religious symbols. Christian and Muslim religious leaders argue that the Gol is consolidating implementation of policies aimed at fundamentally altering the character and status of the Holy City 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.

64. Both Christians and Muslims are mainly concerned about rights of access, freedom of worship, and freedom of pilgrimage to the Holy City. During Jewish holidays the permit system for

West Bank ID-holders is frozen, reducing the numbers of Palestinian visitors. Moreover, the separation barrier seriously impedes the work of religious organisations that provide education, healthcare, and other humanitarian relief and social services to Palestinians in and around East Jerusalem.

65. For Muslim worshippers, age restrictions often apply for Friday prayers at the Al-Aqsa mosque, for security reasons. During Ramadan 2013, as the year before, access restrictions for West Bankers were significantly eased on Fridays and on Leilat al-Qadr: men aged above 40 were allowed entry into Jerusalem without permits, together with women of all ages and children under 12. In addition in 2013 men and women over 60 were allowed to visit any day of the week except Saturdays. As a result, an estimated 800,000 West Bank ID holders visited Jerusalem during Ramadan.

66. On the occasion of the most important Christian religious festivities (Christmas and Easter), the GoI makes some accommodations for Palestinian Christians in the West Bank, especially from the Bethlehem-area, to access Jerusalem. These accommodations, based on permits, are limited in time and selectively enforced (i.e. not all members of one family obtain the permit). For Easter 2013, no permits were given to Christians from Gaza. During Good Friday and Orthodox Easter, Christian worshippers found access to the area around the Holy Sepulchre blocked by a series of checkpoints and were subject to heavy-handed policing, while a significant number of armed Israeli security forces were inside the church. This triggered strong reactions from the international community, as well as a joint statement from Christian Patriarchs and heads of local Churches.

67. Palestinian Christian emigration has been continuous but has accelerated since 2001. Moreover, lower birth rates among Palestinian Christians have contributed to the decline in their numbers. The Christian Palestinian population in Jerusalem is now estimated at less than 9,000, down from 34,000 in 1948. Church leaders cite as reasons for increased emigration: Israeli-imposed family-reunification restrictions (which have a proportionally bigger impact on the Christian community, given its small numbers); the limited ability of Christian communities in the Jerusalem area to expand due to confiscation of church properties and building restrictions; taxation problems and difficulties in obtaining residency permits for Christian clergy. This results in the progressive erosion of the Christian presence and of the Christian character of the Holy City.

14. RECOMMENDATIONS

In line with the reports from previous years, the EU Heads of Mission in Jerusalem and Ramallah have drawn up a set of recommendations with the aim of preserving the possibility for a two-state solution to the Middle East conflict with Jerusalem as a future capital of two states, in accordance with numerous statements by the EU, not least its Council Conclusions of 8 December 2009. While most recommendations made in 2012 are still valid and relevant, the current specific political circumstances, including in particular the ongoing peace negotiations, demand an immediate and particular focus on issues that represent an imminent threat to a successful outcome of the current peace talks.

Recommendations to the EU and its Member States:

A. PRESERVING THE VIABILITY OF JERUSALEM AS THE FUTURE CAPITAL OF TWO STATES

1. Further strengthen EU efforts to counter settlement activity in and around East Jerusalem that constitutes a particular threat to the two-state solution, including through an intensified engagement with Israel and with relevant international partners. In particular seek to:-
 - a. Monitor closely developments on the ground in a coordinated manner in view of delivering timely and appropriate EU responses on settlement matters;
 - b. Highlight the risks that settlement construction, particularly in E1, constitutes for preserving Jerusalem as the future capital of two states;
 - c. Monitor and respond appropriately to forced transfer of the Bedouin communities in E1;
 - d. Increase monitoring of settler violence, and the responses of the Israeli authorities to such incidents and advocate firm action and increased efforts to bring perpetrators justice;
 - e. Consider possible consequences for known violent settlers and those calling for such acts of violence as regards immigration regulations in EU member states.
2. Further encourage current efforts to fully and **effectively implement existing EU legislation** and bilateral arrangements applicable to settlement products. In particular:-
 - a. Continue to apply the EU-Israel Association Agreement, in particular so that products produced in settlements do not benefit from preferential treatment;
 - b. Continue to apply the "Guidelines on the Eligibility of Israeli Entities and their Activities in the Territories Occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the EU from 2014 onwards";
 - c. Take further steps to ensure that consumers in the EU are able to exercise their right to an informed choice in respect of settlement products in conformity with existing EU rules of origin and labelling, including other possible future measures;

- d. Raise awareness amongst EU citizens and businesses on the risks related to economic and financial activities in the settlements, including financial transactions, investments, purchases, procurements and services.
3. Regarding **demolitions** in East Jerusalem
- a. Ensure close EU monitoring on this issue;
 - b. In statements and in contacts with the Israeli authorities, highlight the EU's serious concern about the ongoing house demolitions and call for a halt to all demolitions in contravention of IHL;
 - c. Strengthen the right to housing, land and property through continued support for legal actions on public interest cases and legal assistance to people facing demolition orders.

B. MAINTENANCE OF A PALESTINIAN INSTITUTIONAL PRESENCE IN EAST JERUSALEM

4. Press for the reopening, as stipulated in the Road Map, of Palestinian institutions in East Jerusalem in high level meetings with Israeli representatives as well with international partners. In that regard:
- a. Support and further strengthen the viability of the East Jerusalem hospitals;
 - b. Support the reopening of the Orient House.
5. Support the engagement of the Palestinian leadership in the political, economic, social and cultural development of East Jerusalem.
6. Encourage EU and its Member States to regularly host meetings with Palestinian officials in East Jerusalem.
7. Support Palestinian artists and Palestinian cultural institutions in East Jerusalem. Maintain the offer for European cultural events to be hosted by such institutions.

C. ENDING EAST JERUSALEM'S SOCIOECONOMIC ISOLATION

8. In statements and with relevant contacts, stress the EU's concern at the **increasing isolation of East Jerusalem** from the rest of the occupied Palestinian territory.
9. Express concern about **Israeli policies**, which hinder Palestinian access to East-Jerusalem, including its holy sites, and which contribute to the forced transfer of Palestinians from East Jerusalem, and in that regard:-
- a. Call on Israel to remove restrictions on the movement of goods and services between the rest of the occupied Palestinian territory and East Jerusalem;
 - b. Call on Israel to end discriminatory Israeli visa practises restricting freedom of movement of EU citizens, including access to Jerusalem and EU consular services located there;
 - c. Call on Israel to lift discriminatory restrictions on family reunification and end the practice of revoking residency rights.

10. In close co-ordination with relevant partners, further promote **economic development** in East Jerusalem as well as call for the re-opening of the Arab Chamber of Commerce.
11. In contacts with relevant interlocutors and in statements, reiterate the EU's serious concern at the **lack of adequate public infrastructure and services** in East Jerusalem. In that regard:-
 - a. Call on Israel to support, in accordance with IHL, an improvement of basic social services (such as those provided by East Jerusalem hospitals, elderly and psychosocial care, secondary education, as well as Technical and Vocational Education and Training) to Palestinians;
 - b. Call on Israel to assure the integrity of the Palestinian schooling system by maintaining the Palestinian curricula in East Jerusalem schools; improving significantly school infrastructure as well as addressing the shortage of classrooms and of trained teachers in such schools.
12. Continue to provide assistance to ensure that Palestinians are included in the development of **urban outline plans in East Jerusalem** to help meet Palestinian housing needs and continue to support efforts to improve **housing conditions** in East Jerusalem, including in the Old City.

D. STRENGTHENING THE RELIGIOUS AND CULTURAL IDENTITY OF THE CITY

13. Support efforts to preserve the rich religious and cultural heritage of East Jerusalem, including its Palestinian identity, which is at risk of further degradation. In this regard :-
 - a. Call for mutual respect of cultural and historical ties of all Abrahamic religions to Jerusalem and its holy sites;
 - b. Stress the EU's concerns about access to East-Jerusalem including its holy sites for Palestinians from the rest of the West Bank and Gaza;
 - c. Continue to monitor closely developments at the City of David complex and new plans for the Silwan neighbourhood;
 - d. Express serious concern about the increasingly tense situation at Haram Al Sharif/Temple Mount;
 - e. Stress the importance of maintaining the integrity of the Haram Al Sharif/Temple Mount and of preserving the status quo;
 - f. Support and encourage inter-faith dialogue in Jerusalem.

