



# THREE YEARS SINCE THE IMPLEMENTATION OF GOVERNMENT DECISION 3790 FOR SOCIO-ECONOMIC INVESTMENT IN EAST JERUSALEM MONITOR REPORT

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## EXECUTIVE SUMMARY

### I. INTRODUCTION

In May 2018, [Decision 3790 for the Reduction of Socio-economic Gaps and Economic Development in East Jerusalem](#), was adopted by the government. The budget allocated for the Decision stood at approximately NIS 2.2 billion (approx. USD630 million) over the course of five years. The Decision included six main spheres of action: education and higher education; economy and employment; transportation; improving civil services and quality of life (leisure, water and sewage infrastructure); health; and land registration.

This is the first Government Decision of such magnitude made in the 51 years following Israel's annexation of East Jerusalem, and after many years of neglect.

Government Decision 3790 was thus a significant first step toward large-scale economic investment in East Jerusalem. As soon as multiple budgets and officials were recruited, for some of whom participation in the project was the first glimpse of an unfamiliar reality, many opportunities were created, and new paths paved. While implementation of some sections of the Decision would seem to indicate a practical and beneficial approach, the plan was in effect promoted and presented from the outset as an initiative through which Israeli sovereignty could be applied over East Jerusalem, and as another means of “uniting” Jerusalem as the capital of Israel, for both internal and external consumption.

Since adoption of the Decision, Ir Amim has been following, monitoring and analyzing its implementation for the “Monitor Report” project, which in 2020-2021 was conducted in collaboration with the Workers' Advice Center (WAC-MAAN). This document constitutes the “Monitor Report” overview and interim analysis of the Government Decision's implementation throughout the first three of the five years designated for its execution.

In light of the scope of the Government Decision, over the course of the first three years, the monitoring project focused on broad-based issues such as **data transparency**, along with aspects of **education, employment, public building, and settlement of land title**. Beyond reporting on these topics, the report also includes updates on other areas of decision-making, such as health, transportation and various other issues addressed in the section on “Improving Civil Services and Improving Quality of Life.”

At the midpoint of the Government Decision’s implementation, the monitoring work we conducted in the field of employment indicates many practical motivating factors that emerged from the Decision. Employment opportunities were created as a result, even if they were only partially budgeted, and despite employment figures that further deteriorated in the shadow of the COVID-19 crisis. In contrast, upon addressing settlement of land title, the monitoring project exposed exploitation of the Decision in harming residents and depriving them of their rights. Implementation of the Decision vis-a-vis the field of education lies between these two extremes. On the one hand, the field of education has been near-totally budgeted in accordance with the Decision, resulting in educational mechanisms in East Jerusalem growing significantly stronger. Yet, on the other hand, the bias in the Decision’s budget and implementation clearly favors nudging students toward the Israeli curriculum, sometimes preventing the grave failures of East Jerusalem’s education system from being adequately and appropriately addressed, while violating residents’ right to educate their children as they wish.

It should further be noted that the field of residential planning is completely absent from Government Decision 3790 – although it continues to be the most pressing issue among East Jerusalem residents, and despite the fact that the state has upheld a consistent policy of severe discrimination in the field.

As this report indicates, movement along the axis between risks and opportunity and between political versus professional motives, largely tells the story of Government Decision 3790, from its inception, through its final formulation, to its implementation. This dual implementation of

the Decision clarifies the difficulty in socially and economically advancing the Palestinian community in East Jerusalem in fields within a framework that is discriminatory from the outset, of life under occupation and without any sustainable aspiration for substantive equality. Nevertheless, it is also fitting to advance the socio-economic aspects within the Decision's limitations both noticeably and appropriately in order to reduce the considerable gaps, while addressing the broader political and community-wide context, despite its complexity.

## II. TRANSPARENCY AND PUBLICITY IN THE DECISION'S IMPLEMENTATION

There has been conspicuously partial compliance with the Decision's transparency requirements before the public, including those that it established itself. Through the end of October 2019, no significant information on the Decision's implementation was officially and publicly published.

Up until the publication of this report, the Ministry of Jerusalem and Heritage published two Status Reports for 2019 and 2020, along with notes from just two Steering Committee meetings regarding the Decision's implementation. These publications are important yet insufficient, and both status reports are incomplete. Discrepancies even exist between data within the two reports.

Only during the latter half of 2021 did the Ministry of Jerusalem and Heritage launch a website dedicated to the Government Decision, yet it appears unchanged since its launch.

Freedom of information requests submitted by Ir Amim to various authorities were answered after considerable delay, and a freedom of information request sent to the Ministry of Finance in November 2020 did not receive any response at all. The situation could be rectified by adapting the transparency and publicity mechanisms set out through the implementation of Government Decision 922 on December 30, 2015, namely the Economic Development Plan for the Arab Sector

from the years 2016-2020. Within less than six months of Decision 922's publication, materials were published regarding its implementation on the Ministry of Social Equality's website, and the site for the implementation of Decision 922 served as an ongoing platform for updates on its progress.

### III. IMPLEMENTATION OF THE DECISION'S VARIOUS FIELDS

#### A. Employment, Daycare, and Employment Incentives

##### 1) Employment

The total direct investment within the Government Decision's budget stands at NIS 232 million, which is distributed among seven primary channels. The Decision also set a target for raising the employment rate for women of working age (25-64 years) residing in East Jerusalem to at least 75% of the employment rate of Arab women in Israel by the end of the five years in 2023 (an estimated target of 30%). However, as of 2019, only 23% of women in East Jerusalem participated in the labor force.

In 2017, the poverty rate in Jerusalem among the Palestinian population (77.5%) was three times higher than that of the city's Jewish residents (24.7%). The proportion of Palestinian children living below the poverty line in the city was 82%, compared to 36% of Jewish children.

In general, those goals established to promote programs that existed and were budgeted prior to the implementation of the Government Decision, and whose scope was expanded and budgeted by the Decision appear to have been achieved. However, the data, along with reality on the ground, indicate job placement in low-wage positions. These findings are consistent with data indicating growing poverty rates despite the increase in the women's employment rate in recent years. This trend intensified with the severe crisis generated by COVID-19 in the realm of

employment, which reversed the gains, modest as they may have been, brought about by government investment over the years.

As the Government Decision has moved forward, data on implementation of the various plans has been more loosely collected and published, and the rate of budget utilization is particularly low – a mere 38% of the budget for 2018-2020 was transferred.

The COVID-19 crisis considerably exacerbated the state of poverty and unemployment, both locally and globally. Organized data is still lacking on COVID-19's impact on poverty and unemployment rates in East Jerusalem, yet indications from the field and the limited data published thus far are extremely troubling. Throughout the first few months of the pandemic, over a third of East Jerusalem's labor force lost work (entirely or partially). An analysis of labor market trends throughout the period of the pandemic also indicates that those whose employment was particularly impacted by the crisis were young people, uneducated and unskilled workers – all of which are prominent characteristics of East Jerusalem's working population.

a. Section 2(a)(1) of the Decision – Operation of the Employment Counseling Center

The total budget allocated for the operation of an employment counseling center stands at NIS 35 million. The Decision relates to the "Rayan Center," which has offered a program that includes studies and vocational training since 2014. Despite the COVID-19 pandemic throughout 2020, there was a significant increase in the number of participants in the programs offered by the Rayan Center, along with the total number of those who took up employment. However, there was a significant decline in the proportion of Rayan Center program participants, who subsequently took up employment over time, likely due to the severe blow to the labor market throughout the year. Furthermore, it is evident that most women who were integrated into the labor force following their participation in the program, took up jobs at lower than the minimum wage.



b. Section 2(a)(2) of the Decision – the Employment Circles Program

The budget allocated for this section was NIS 10.5 million (including an incremental budget of NIS 3 million), relating to the Israel Employment Service's Employment Circles program, which has been operating on an experimental basis since March 2014. The Decision sets a goal for engaging 1,200 annual participants who are residents of East Jerusalem, 70% of whom are women. In 2019, only about two-thirds of the target population participated, of whom 65% were women. Regarding placement rates among program participants, a 58% placement rate was reported. The 2020 Status Report did not provide details on the implementation of the Employment Circles program, the number of participants and the annual placement rate. Furthermore, there is a lack of indices required to examine the quality of placements, job conditions and their suitability for participants.

c. Section 2(a)(3) of the Decision – Employment Encouragement Plans

This section is budgeted at NIS 26.5 million (including an earmarked incremental budget of NIS 10 million). Implementation goals were only partially achieved, resulting in the budget being only partially utilized (54% in 2019 and 59% in 2020).

In the years 2019-2020, 11 preparatory Hebrew language courses were offered, in which 78%-81% of the participants were women.

We recommend two additional aspects to improve implementation in this field:

- Offering Hebrew courses for those who have completed less than nine years formal education.
- Broader publicity of the courses to make the information accessible to the general public in East Jerusalem.

d. Section 2(a)(7) of the Decision – Development and Expansion of Welfare and Employment Services Provided in East Jerusalem

This section's budget stands at NIS 75 million (including an earmarked incremental budget of NIS 60 million). The Government Decision entrusted the Ministry of Labor, Welfare and Social Services and the Ministry of Finance's Budget Department with the task of formulating a plan for the development and expansion of welfare and employment services, with an emphasis on programs which would promote:

- Women's employment.
- School dropout prevention.
- Aid for at-risk children and youth.
- Poverty alleviation.

In 2019, only 63% of the designated budget was utilized, even though there were more program participants than anticipated. In 2020, a significant decline in the scope of budget utilization is evident at a mere 28%, which is also reflected through the considerable decrease in program participation rates.

e. Section 2(a)(8) of the Decision – Development of Human Capital and Professional Training

This section's budget stands at NIS 15 million. As of October 2019, the annual designated budget was hardly utilized. In 2020, the extent of budget implementation increased, such that approximately 72% of the earmarked budget was used.

While in 2019 a mere handful of professional trainings were held relative to the intended annual amount, in 2020 a significant number of trainings commenced (10 trainings in practice among 16 planned).

It is important to note that according to the Decision, most of the training programs are unsuitable for participants who have not completed a basic formal education of 9-12 years – and no means of completing such education are offered.

## **2) Section 2(a)(5)(6) of the Decision – Increasing the Number of Daycare Centers**

The budget available for this section is NIS 50 million, which is required to supplement the cost of land expropriation necessary for the construction of additional daycare centers designed for infants from birth to age three. The lack of quality, subsidized early childhood frameworks, constitutes a significant barrier toward the integration of women residents of East Jerusalem into the labor market, and is also responsible for their low participation rates in the job market.

As of January 2020, approximately 40,000 babies and young children, ranging from newborns to four-year-olds, resided in East Jerusalem, yet just four public daycare centers and 28 recognized nurseries operated there. According to the Jerusalem Municipality, 242 daycare center and nursery classrooms were lacking in East Jerusalem as of January 2020.

As of November 2021, just one new daycare center opened in Shuafat, while ten additional centers remain in various stages of planning.

The Decision does not refer to the need to subsidize parental fees for daycare centers. The Ministry of Welfare and Social Services' prerequisites prevent many mothers from receiving subsidies, especially those in the process of seeking work or vocational training, or who juggle various part-time positions. Moreover, the amount of the maximum subsidy is insufficient, given entry-level wages for women in the early stages of workforce integration.

There is an urgent need to make all information regarding daycare center registration procedures accessible in Arabic, as information is currently available in Hebrew only.

Due to the complexity involved in planning and constructing daycare centers, and the concern that this solution will only be suitable for some neighborhoods in East Jerusalem, it is now worth promoting supervised nurseries in parallel, even as an interim solution.

### **3) Section 2(b) of the Decision – Economy and Commerce. Employer Incentives**

The budget for promotion of employer incentives to hire women, stands at NIS 20 million over the course of five years, with the goal of 60 annual job placements (there is a lower quota for higher quality roles).

The Status Reports indicate slow and partial progress.

Many of the women employed in East Jerusalem are employed part-time and earn minimum wage, thus failing to meet the criteria set by the June 2020 Grant Law that aimed to contend with the COVID-19 crisis. Thus, in addition to the already low incentive to employ women living in East Jerusalem, the law effectively provided further disincentives in light of inhibiting factors such as: linguistic challenges, accessibility, and education.

The goal set by the Decision in the section on employer incentives leads to a correlation by which the higher the quality of the roles into which women are integrated, the lower the numerical target. The goal should be to strive for a reality in which the majority of the roles women assume are adequately compensated for under suitable conditions, and it is advisable to condition the transfer of higher budgets on women's integration into quality positions.

Another project for which the Decision provides a budget is the Ministry of Economy and Industry's Agency for Small and Medium Businesses, which received a budget of NIS 12 million for five years. The Status Report indicates the execution of business mapping and consultations offered to approximately 340 businesses and entrepreneurs annually. The agency even offered training courses for approximately 120 participants on an annual basis. In July of 2020, a space was leased in the Palestinian neighborhood of Musrara to serve as a business center. Moreover,

financial loans were transferred to business owners and entrepreneurs, yet data regarding the initiative's budget remains unclear.

## B. Settlement of Land Title

Residential planning is not included in Government Decision 3790, despite it being the most pressing issue among residents of East Jerusalem. Although 38% of Jerusalem's residents are Palestinians, a mere 8.5% of the city's territory is allocated for their residential purposes. In contrast to Government Decisions that relate to Arab society in Israel within the Green Line, the issue of residential planning is absent from Government Decision 3790, and likely not by chance.

In this context, the Decision solely focused on promoting settlement of land title in East Jerusalem, through the investment of approximately NIS 50 million (USD 15 million).

The settlement of land title procedure put forward by the Government Decision constitutes a significant policy change from the freeze over settlement of land title in East Jerusalem that lasted over 50 years, to establishing goals toward full settlement of land title. This consistent and deliberate policy took a dramatic turn upon the publication of this section of the Government Decision.

In May 2021, the monitoring project discovered that, contrary to the impression published in Status Reports regarding slow progress and initial efforts to cultivate cooperation with local residents, a real estate deal was concluded in the neighborhood of Umm Haroun in Sheikh Jarrah, whereby the Land Registry granted permanent rights to Jews who owned the land prior to 1948, without even informing the Palestinian residents (45 families in 40 buildings). An urgent petition filed against this settlement of land title process by Ir Amim and the organization Bimkom: Planners for Planning Rights, was rejected when it became clear that the process had already been completed prior to the petition's submission. Since the Umm Haroun case, further indications of abuse of the settlement of land title process under Government Decision 3790 in

the interests of the state and Jewish settlement in East Jerusalem have increasingly emerged, causing severe harm to residents.

In most of the blocs wherein settlement of land title is promoted, it is conducted without informing the residents of the procedure taking place on their land. Our direct requests for the disclosure of information have also encountered flagrant concealment, contrary to the provisions of the Land Settlement Ordinance.

Another more basic layer of difficulty lies in the requirement to present documents to prove ownership of the land, and in the state collecting high taxes in the event that such proof is recognized.

Residents' lack of cooperation throughout settlement of land title proceedings could theoretically be considered sufficient in order to prevent their advancement. Yet the law declares that land whose owners do not participate in the settlement of land title process, will be registered under the Land Settlement Ordinance as state land.

If the authorities enforcing the Government Decision seek to economically strengthen East Jerusalem, they must immediately discontinue the settlement of land title process being conducted in violation of residents' rights, and advance residential planning instead.

## C. Education

The total amount to be invested in education under the Decision is NIS 445 million over the course of five years. Investment in institutions that teach the Israeli curriculum amounts to 43.4% of the total budget.

The education system was one of the hardest hit national systems by the COVID crisis in Israel, which led to a periodic partial or total shutdown of schools. This only added to extensive

problems from which the education system has been suffering following years of neglect and discrimination.

According to the Status Reports, the education budgets have been nearly fully utilized, and published data indicates that implementation within the field of education appears to have been administratively fulfilled to an unusually high degree. At the same time, through the preferential status granted to advancement of the Israeli curriculum, the Government Decision preserves and entrenches the most critical existing flaws in the education system in East Jerusalem. This preferential status sometimes undermines practical considerations of unequivocally improving education in East Jerusalem, in favor of political considerations.

## 1) Formal Education

### a. Budgetary and Organizational Bias in Favor of the Israel Curriculum

From the Decision's budget of approximately NIS 239 million for the formal education system, over 80% is allocated for exclusive investment in schools that teach the Israeli curriculum. This is the case despite the fact that prior to the Decision's implementation, less than 7% of Palestinian students studied the Israeli curriculum.

After deducting the budget allocated for informal programs, the budget allocated for advancing the Israeli curriculum in the 2019-2020 school year constitutes over 83% of the annual investment in education.

Against the backdrop of investment in physical development, which the Decision restricts to schools that teach the Israeli curriculum, the cumulative classroom shortage in East Jerusalem is noteworthy in that it currently stands at over 2,840 classrooms.

During a Knesset Education Committee discussion on November 30, 2021, representatives of the Ministry of Education and the municipality reported an increase in the number of students studying the Israeli curriculum, noting that it was incorporated into 13 new schools.

Conflicting data exists regarding the growing trend in the number of students currently studying the Israeli curriculum. Data from the Jerusalem Municipality indicates that they constitute 11.7% of the students in the currently recognized formal education system. In contrast, data presented by the Jerusalem Education Administration in a meeting at the Jerusalem Institute for Policy Research indicates that they amount to 16%-17%.

#### b. Dropout Prevention and Special Needs

The minimal budget for special needs amounts to approximately NIS 1.5 million per year alone. In order to offer an adequate response, this field must be budgeted on a new scale as part of the follow-up to Government Decision 3790.

Moreover, there is a significant lack of investment in dropout prevention, despite the fact that East Jerusalem dropout rates are nearly four times higher than those in the Arab sector in Israel.

#### c. Hebrew Language Study

The Government Decision's budget is intended for educational support in Hebrew studies beyond standard hours which amount to three hours per week in the Palestinian curriculum, and four hours in the Israeli curriculum.

In accordance with the budget cuts that took place toward the beginning of the 2020-2021 school year, educational support allocated for the Palestinian curriculum was canceled, and after-school hours for the Israeli curriculum were cut down from two hours per week to one. As of the 2020-2021 school year, a total of three hours of Hebrew were taught within the Palestinian curriculum, as opposed to five hours within the Israeli curriculum.



## 2) Informal Education

Approximately NIS 206 million was allocated for informal education over the course of five years.

The field of informal education has developed significantly, making a wide range of programs available to children and youth. The field suffered greatly from the pandemic yet has reportedly returned to normal.

Most of the activity in the informal system takes place in official schools, while a small part takes place in recognized but unofficial schools - and even then, only in those that teach the Israeli curriculum.

The July 2020 Ir Amim publication, “Informal Education in East Jerusalem: A Study of Needs and Recommendations”, raised the need to increase the involvement of school principals and parents (Parents’ Committees) in adapting the programs’ social and cultural content; expanding the number of student participants; increasing transparency in the criteria for program distribution; additional transportation; and larger budgets for nutritious school meals. Furthermore, the study indicated that the ongoing existence and expansion of informal education in East Jerusalem is contingent on the improvement of infrastructure therein.

In order to strengthen community resilience among youth, it is also of great importance to maintain informal extracurricular activity.

## D. Higher Education

The third largest budget was designated for the higher education section of Decision 3790, amounting to a total of NIS260 million (approx. USD74 million). The primary goal established by the Decision in this respect, was to double the number of East Jerusalem students studying in Israeli academic institutions. To this end, it was determined that over the course of the Decision’s five years of implementation, NIS170 million would be transferred from the Planning and

Budgeting Committee, which operates within the framework of the Council for Higher Education, along with an additional NIS90 million from the Ministry of Finance.

The budgets are allocated for four programs: guidance for academic studies as early as middle school (through the “Rawad Program”); a system of pre-academic preparatory courses for graduates of the education system in East Jerusalem; extracurricular guidance for students enrolled in academic institutions during their BA studies; and a program for outstanding high school students (the “Al-Bashair Program”) that aims to guide them before, during and after their academic studies.

There has been considerable success in meeting goals in this field. During the Standing Committee’s discussion in 2019, it was reported that the goals set for the 2022-2023 school year (the last year included in the Decision) were being approached, and that demand was much higher than supply. Thus, requests were made to update the Decision’s goals, and increase the budget accordingly.<sup>1</sup> Data from the 2020 Status Report also indicates quantitative success in almost all respects – regarding high school students, enrollment in preparatory courses, and admission to academic studies.

For example, the goal established for the number of students enrolled in academic programs through the Rawad Program during the 2019-2020 school year was set for 500, while in practice 638 students enrolled; in the 2018-2019 school year the goal stood at 500 registrants for pre-academic preparatory courses, and 569 residents of East Jerusalem enrolled; the following year the goal was increased to 550 and, in practice, 741 enrolled. The goal established for the number of first-grade students studying in academic institutions in Israel from 2019-2020 stood at 470 and their number reached 583. The Rawad Program for outstanding high school students grew from 80 tenth-grade students and 15 students from the first cohort (from 2017-2018), to 343 high

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<sup>1</sup> [Summary of 2019 Standing Committee discussion](#) above, p. 3.

school students and 68 students from 2020-2021.<sup>2</sup> In parallel, some goals are yet to be achieved, such as the number of schools and classrooms in which the Rawad Program operates, yet publications show a positive overall picture for this section of the Decision.

According to the 2020 Status Report, of the planned budget of NIS104 million slated for transfer in the first three years, approximately NIS80 million was transferred in practice.<sup>3</sup> Surpluses will hopefully be directed towards further projects under consideration, including language barriers as an obstacle to progress in academia, and the challenge of directing graduates of the Al-Bashair Program toward quality employment. Among the projects intended for promotion that appear in the Status Report are: opening branches of the Israeli higher education system in East Jerusalem; integrating graduates of Palestinian institutions into advanced degree courses in Israeli academia; and analyzing information on obstacles faced by program graduates in higher education institutions in Israel.<sup>4</sup>

## E. Public Buildings

East Jerusalem is typified by a significant lack of public buildings and sports and leisure facilities. The seven projects selected to serve various purposes in the sphere of parks and recreational facilities remain in planning stages, and their implementation is yet to commence. Four additional structures selected for development are also in various stages of planning.

A December 2019 study published by Ir Amim presented the primary obstacles that led to the severe shortage of public and community structures and made policy recommendations to resolve them. The study's main recommendations included the necessity to increase the supply and accessibility of public land; the need for public participation and increased transparency

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<sup>2</sup> [2020 Status Report](#), pp. 21-28.

<sup>3</sup> [2020 Status Report](#), p. 5.

<sup>4</sup> [2019 Status Report](#), p. 26.

during the stages of navigation and implementation; and the need to increase resources for construction and maintenance of public areas and public buildings.

## F. Health

The section on health addresses encouragement of Health Maintenance Organizations (HMOs), *kupat cholim*, to shift from a model of franchising to one of direct provision of medical services in East Jerusalem by the HMOs themselves. A total of NIS 30 million over the course of five years was allocated for that purpose. However, no significant progress has been made toward its implementation, and only a quarter of the allocated budget was transferred over the course of the first three years.

Leumit Health Care Services is the sole HMO that has adapted five clinics toward a model of direct service provision. Following our submission of a position paper to the Ministry of Health in collaboration with other organizations, attempts have been made to boost implementation within the Ministry of Health.

## G. Transportation

While the largest budget of NIS 585 million was allocated to transport, only half the amount designated for the first three years has been transferred in practice.

A list was compiled detailing roads approved for development within the framework of the plan, but this was reduced to just 12 roads.

Throughout 2021, *Rav-Kav* (Multi-Line) public transportation cards were made available for use in East Jerusalem.

Four new routes between East and West Jerusalem were reported, with an emphasis placed on employment centers, hospitals, and academic institutions. Yet it appears that only one has

commenced operating and, from our checking, it does not pass through the designated Palestinian neighborhood.

## H. Improving Civil Services and Quality of Life

This chapter highlights an extensive sub-report regarding everything related to the Decision's implementation, along with inaccuracies in some of the reports that have already been submitted.

The "City Without Violence" program reportedly operated in four neighborhoods, and it was noted that only NIS 300,000 had been utilized by 2019 from a budget of NIS 2 million. A 2020 report indicates that the Ministry of Public Security's portion of the program's budget had yet to be transferred.

Regarding the expansion of sanitation services in East Jerusalem, the full government budget has been transferred to the municipality.

With regard to sewage and drainage infrastructure, a work plan has been formulated for 20 projects, although it appears that the budget for the first two years of implementation has not been transferred, because the work plan required to improve the infrastructure is yet to be submitted.

## IV. IMPLEMENTATION OF DECISION 3790 – BETWEEN POLITICAL AND SOCIO-ECONOMIC MOTIVES

The May 2018 Government Decision 3790 constituted a significant first step toward investing large sums of money in East Jerusalem's socio-economic improvement. Many marked it as a turning point in Israeli policy toward East Jerusalem. In parallel, from the outset, the plan was promoted and presented as a step toward applying Israeli sovereignty over East Jerusalem.

Ir Amim recognized the decision to invest such significant sums as a commendable step. However, our practical outlook obliged us to conduct a thorough analysis of measures taken by the authorities within the framework of the Decision.

As indicated by this comprehensive mid-term report, action can be perceived within the field of employment as a result of practical considerations and the creation of multiple employment opportunities for residents of East Jerusalem. On the other hand, without a section of the Decision devoted to planning, and in the implementation of its settlement of land title section, risks and political interests were exposed to the extent of exploitation of residents. Implementation of the Decision's field of education lies somewhere between these poles.

Amnon Ramon's analysis of the background and processes that led to adoption of the Decision, describes a complex set of motives and interests that spurred its progression: **the security motive**; together with **the economic motive** led by Ministry of Finance officials, and especially those of its Budget Division; and, finally, **the State's political motives** that were central in advancing the process. According to this motive, taking on responsibility for what occurs in East Jerusalem is a means of asserting Israeli sovereignty on the ground and reducing the influence of the other bodies operating therein, especially the Palestinian Authority.

Thus, while Government Decision 3790 served as a turning point in terms of recruiting officials, budgets and the establishment's willingness to pursue this path, it does not constitute a policy reversal, but rather a shift within the same direction driven by the establishment's policy toward East Jerusalem, adapting to geopolitical changes in recent decades.

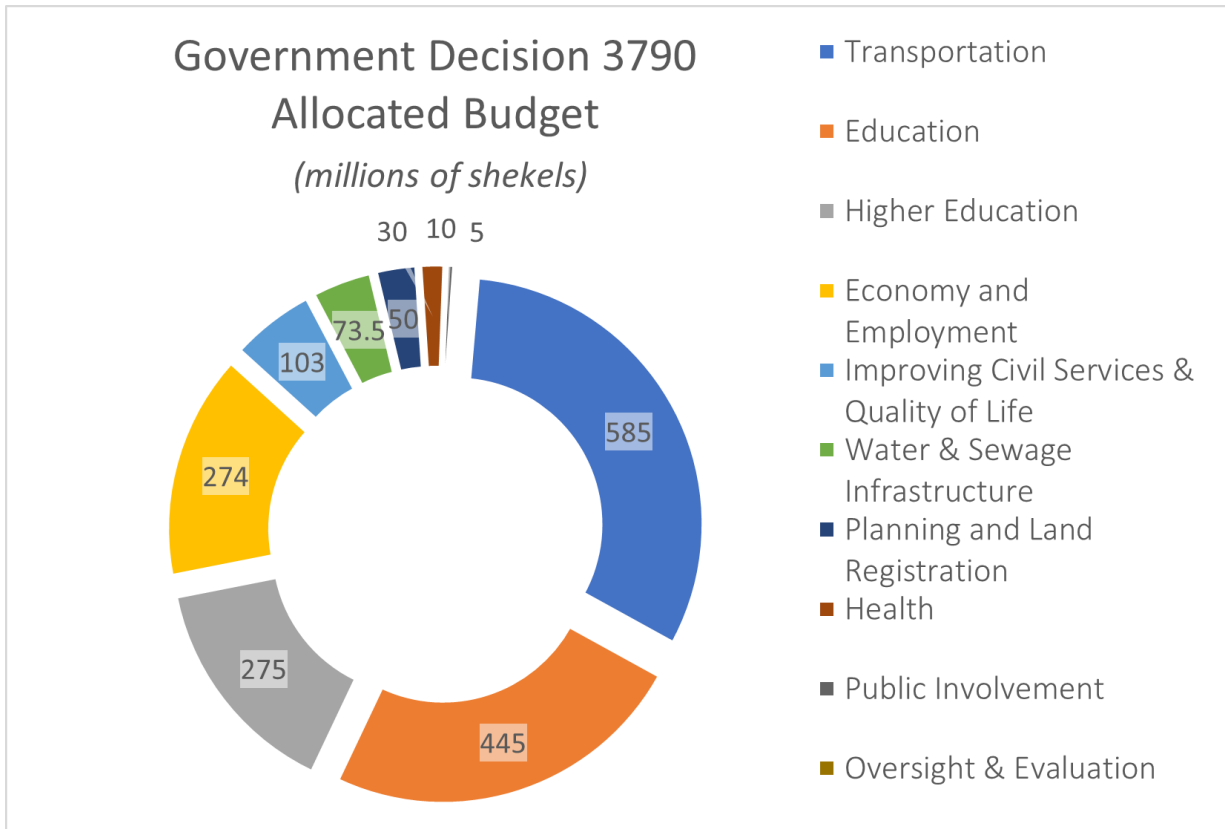
## V. SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS WITHIN THE SCOPE OF THE MONITOR REPORT

See the final section of the full report below.

## I. INTRODUCTION

In May 2018, the Israeli government adopted [Decision 3790 for the Reduction of Socio-economic Gaps and Economic Development in East Jerusalem](#), allocating an investment budget of approximately NIS 2.2 billion (approx. USD630 million) over the course of five years.

The Decision included six main spheres of action: education and higher education; economy and employment; transportation; improving civil services and quality of life (leisure, water, and sewage infrastructure); health; and land registration.



This was the first government decision of such magnitude made throughout the 51 years since Israel's annexation of East Jerusalem, following many years of neglect. Over the course of these decades, Israel not only neglected East Jerusalem, but also served as a key agent in its socio-economic decline. A noteworthy milestone in this context is the construction of the Separation Barrier that changed the status of East Jerusalem from the heart of the Palestinian metropolis of the West Bank, to a poor periphery, totally reliant on Israeli policy. The Separation Barrier not only cut Jerusalem off from the West Bank, but also bound East Jerusalem residents and their employment horizons to Israel.

Government Decision 3790 constituted a significant first step toward large-scale investment in East Jerusalem. The raising of multiple budgets and recruitment of personnel offered some the opportunity to turn their attention for the first time toward an unfamiliar reality, through which many opportunities in East Jerusalem were created and new ties forged. Indeed, implementation of many aspects of the Decision indicates a practical and beneficial perspective.

In parallel, the plan was promoted and presented from the outset, both internally and externally, as a step towards applying Israeli sovereignty over East Jerusalem and as another means of uniting Jerusalem as the capital of Israel. For many of the leading authorities paving the way for the Government Decision, the State of Israel's responsibility for the residents of East Jerusalem was simultaneously a product of Israeli sovereignty and a tool for strengthening and reinforcing its governance.

Upon implementation of 3790, Ir Amim began its monitoring project, analyzing, tracking and oversight of the Decision's implementation. From the years 2020-2021, the monitoring project was conducted in partnership with the WAC-MAAN workers' organization.

This report provides an overview and interim analysis within the framework of the monitoring project since the Decision's adoption in 2018, following the first three of the five years designated



for its implementation.<sup>5</sup> In light of the Government Decision’s scope, the monitoring project focused on broad-based issue areas, such as **transparency, education, employment, public building, and settlement of land title**, over the course of the first three years. Along with reporting on these areas in the Monitor Report, we will add an update on further aspects of the Decision including health, transport and other select issues in the section on “Improving Civil Services and Quality of Life.”

The COVID crisis commenced during the monitoring project, serving as a jarring and unexpected upheaval that continues to shape the reality of our lives both locally and globally. The impact of the crisis on East Jerusalem has been particularly acute, and it has naturally taken its toll on the implementation of the Government Decision, as is detailed in herein.

The report is based on discussions and meetings with officials responsible for formulating and implementing the Decision on governmental and municipal levels, representatives of the Palestinian community, and participatory bodies from civil society. Additional sources include partial data that has been published; information provided to us by government ministries further to freedom of information requests; and in-depth background research on certain aspects of the Decision.

At the half-way point of the Government Decision’s implementation, our monitoring project indicates that many material motives and opportunities were generated by the Decision in the realm of employment, even if they were only partially budgeted, and despite figures that deteriorated in the shadow of the pandemic. In contrast, regarding implementation of aspects of settlement of land title, the monitoring project exposed exploitation of the Decision to harm residents and deprive them of their rights. Implementation in the realm of education appears to

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<sup>5</sup> It should be noted that the implementation of the Decision and the transfer of the budgets detailed therein began during the second half of 2018, though in practice a considerable portion of the budget transfers and implementation only began in 2019.

be located between the two poles. While there is near complete budgetary utilization, which has strengthened field management mechanisms, the clear budgetary bias has the effect of pushing students toward the Israeli curriculum. This, in turn, has an effect of preventing the grave failures of East Jerusalem's education system from being practically and sufficiently addressed, while also infringing upon residents' rights to educate their children as they see fit.

Furthermore, it is important to note that the field of residential planning is entirely absent from Decision 3790, despite constituting the most pressing issue among the residents of East Jerusalem. A consistent policy of severe discrimination in the field of planning and construction exists in Jerusalem due to demographic considerations aimed at reducing the size of the local Palestinian population to the greatest possible extent. Nevertheless, residential planning is not addressed by Government Decision 3790, in contrast to Government Decision 922 which relates to Arab citizens of Israel within the Green Line – and this is likely not by chance.

As this report indicates, positioning on the axes between risks and opportunities, political and professional motives, largely tells the story of Government Decision 3790, as is evident from its final formulation and articulation, through to its execution. This dual implementation further clarifies the challenge of socio-economically advancing the Palestinian community in East Jerusalem within a discriminatory framework managed under occupation, which does not enable the sustainable pursuit of substantive equality. Yet even within the constraints of the Decision, it would be appropriate to significantly and effectively advance socio-economic aspects to the benefit of shrinking abysmal gaps, while relating to the broader and many-layered political communal context, rather than coming to a standstill in the face of the situation's complexity.

## II. TRANSPARENCY AND PUBLICITY IN THE DECISION'S IMPLEMENTATION

Transparency in the Government Decision's implementation is vital for its sound advancement and adaptation to the needs and interests of the Palestinian residents. Information regarding the state's resources, residents, and administrative management, essentially belongs to the public, and must thus be made available and accessible. Transparency of information regarding public processes is of great value in enhancing sound governance. Moreover, the authorities' transparent conduct constitutes a significant basis for trust-building among the public whom they are meant to serve, thereby granting them validity in matters concerning East Jerusalem and its residents.

The transparency requirements found in the formulation of Government Decision 3790 are in line with conclusions from the State Comptroller's report which examined implementation of the previous Government Decision 1775, regarding investment in East Jerusalem. The State Comptroller's report clarified the importance of centralizing information and ongoing reporting between government ministries and various authorities and indicates that several failures in these fields led to poor implementation of Government Decision 1775.<sup>6</sup> Indeed, after more than three years of Government Decision 3790's operation, extremely partial compliance with transparency requirements is evident, including those incorporated within the Decision itself.

Through to the end of October 2019, over a year after the Decision was published, no substantial information on its implementation was published officially and publicly, aside from a support test published by the Ministry of Jerusalem and Heritage, which is responsible for implementing the decision, and periodic tenders or communications, publication of which is obliged by law. In October 2019, the Ministry of Jerusalem and Heritage published a comprehensive report –

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<sup>6</sup> State Comptroller, [Government Actions Toward Socio-Economic Development in Jerusalem](#), 2018.

[“Status of Government Decision 2019 – Standing Committee”](#)<sup>7</sup>. This Status Report outlined the various plans designated and/or being carried out within each of the Decision’s fields, detailing the budget and appointing respective goals for their effective implementation. In parallel with the publication of the Status Report, the Ministry of Jerusalem and Heritage, namely the body entrusted with overall implementation of the Decision and coordination between its various executive arms, shared minutes from just one “Standing Committee” meeting that took place in October of 2018. Over a year and a half later, in March 2021, the [Status Report for 2020](#) was published with similar details. The minutes from a Standing Committee meeting in February 2021 were published alongside it.

While these publications are important, they are insufficient. The publication of both Status Reports is only partial. Regarding some areas and projects no targets whatsoever are presented, and for others the extent of budget utilization is not provided (see, for example, the section on Economy and Commerce in the 2020 Status Report). In some cases, implementation is not detailed at all (see for example, the section on the Employment Circles program). In some cases, there are inconsistencies between data that appear in the respective 2019 and 2020 Status Reports, although they address the same period of time (such as the section on Employer Incentive programs). Additionally, a conversation with officials from the field of education, brought to our attention the fact that a large part of the numerical data in the chapter on education from the 2019 report is completely unreliable.

All of the above creates the impression of unprofessional, unreliable information, and violates the obligation to report to the public transparently. Regarding the provision of annual minutes, publication of text from just one annual meeting, out of all the Standing Committee meetings that were held, constitutes too little and too late, especially in light of Section 7 of the Decision

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<sup>7</sup> Ministry of Jerusalem and Heritage, [Status of Government Decision 2019 – Standing Committee](#), October 2019.

which stipulates that all Standing Committee decisions must be published on the Ministry of Jerusalem and Heritage's website.

Only during the second half of 2021 did the Ministry of Jerusalem and Heritage launch a [designated Government Decision website](#), for the aggregation of relevant updates and publications. According to the site, it is supposed to feature quarterly publications on the Government Decision. Yet it appears that since its launch, when a number of additional specific updates were uploaded alongside Status Reports, the site has remained unchanged. Moreover, it is difficult to find general information on issues related to the Decision on the web page.

Even freedom of information requests submitted by Ir Amim to various authorities – namely the Ministry of Jerusalem and Heritage, the Ministry of Finance, the Ministry of Justice and the Jerusalem Municipality – to obtain the information necessary to monitor the Government Decision, were answered very late. A freedom of information request submitted to the Ministry of Finance in November 2020 regarding the transfer and utilization of budgets for 2020, has also remained unanswered to date.

The lack of transparency in the section of the Decision concerning settlement of land title is particularly serious, both in nature and scope, as will be elaborated later in the report. From the general nature of the implementation of settlement of land title within the framework of the Decision, it appears that lack of transparency did not occur by accident in this case, but rather constitutes a deliberate policy designed to allow it to exist in the shadows, thus in a sense obfuscating the entire Decision.

In anticipation of a future Government Decision, and even in the time remaining during this one, mechanisms for transparency and information accessibility in the Decision's implementation need to be thoroughly improved. Steering and implementation bodies must ensure the orderly publication of data on the Decision, and not just annually. In addition, they must collect, analyze, and publish data in a professional and accurate manner, through promoting a work culture of

adherence to freedom of information requirements for public service. Moreover, accountability must be required of the various implementing bodies regarding their compliance with the transparency obligation and provision of information to the public, especially regarding sensitive topics. This responsibility is shared by decision-makers, who must demand accountability from entities such as settlement of land title officials, regarding compliance with reporting obligations to residents about the process. While this does not prevent all the fundamental damage, it does offer a means of damage limitation.

These aspects of transparency and information accessibility are significant in any Government Decision, but especially so for this decision regarding East Jerusalem. This is because the database for East Jerusalem is partial and lacking; the collection and publication of data is critical in determining follow-up policy; and any government or state activity vis-a-vis East Jerusalem is of great complexity and bears genuine risks.

It is possible to learn from the transparency and publicity mechanisms adopted with regard to the implementation of [Government Decision 922 of December 30, 2015 for Economic Development in Arab society from 2016-2020](#), which included budgets amounting to NIS 10 billion, primarily designated for employment, transportation, planning, and education. Similar to the outline determined in Government Decision 3790, Decision 922 declared that “The Ministry of Social Equality will work to disseminate information regarding implementation of the program on an ongoing basis among the minority populations and general public.”

The publication concerning the implementation of Decision 922 offers a different model of reporting and transparency: within less than six months of the publication of Decision 922, materials were uploaded regarding its implementation on the [Ministry for Social Equality's website](#), and the website for the Decision's implementation served as an ongoing platform for updates on its progress, as well as for consulting with the public and officials in the field, for optimal implementation.

The website devoted to the implementation of Decision 922 published the status of the Decision's implementation; mechanisms used by each of the government ministries involved; summaries of steering committee meetings and ministry presentations from committee meetings; meeting minutes on various aspects of the Decision; a list of relevant contacts from government ministries; annual budget transfers; and open calls circulated by the various ministries. In September 2017, a detailed and organized implementation guide was published by the Ministry of Social Equality, outlining the objectives, implementation status and relevant contact personnel for each field and staff bodies.

The accessible mode of publication implemented for Decision 922 should be adopted. The lack of transparency and publicly available information regarding Decision 3790, not only neglect to comply with the Decision's own wording, but also constitute a violation of the public's right to be informed. The obligation to provide transparent, readily available information, requires the authorities to be proactive in publishing accessible and easily comprehensible relevant information. Thus, the process of public participation continues to be compromised through the failed attempt in trust-building relations with the Palestinian public in East Jerusalem, following so many years of discrimination and neglect.

### III. IMPLEMENTATION OF THE DECISION'S VARIOUS FIELDS

#### A. Employment, Daycare Centers, and Employment Incentives

##### 1) Employment

The total direct investment in employment in the framework of the Government Decision (including the earmarked budget allocated by the Jerusalem Municipality) is NIS 232 million, which is divided among seven primary channels, as detailed below. Decision 3790 aimed to raise the employment rate for women in East Jerusalem of working age (25-64 years) to at least 75% of the employment rate of Arab women in Israel within five years, by 2023. Upon the Decision's

publication, the employment rate of Arab women in Israel stood at approximately 40%, and thus the estimated target at the time for women in East Jerusalem stood at about 30%.

According to the 2019 Status Report, the Economy and Employment Subcommittee formed within the framework of the Decision convenes quarterly.<sup>8</sup> The Government Decision's public participation team on behalf of the East Jerusalem Development Company (EJDC), is also an active partner on the employment team.

According to the 2020 Status Report, the allocation of funds intended for welfare and employment from 2018-2020 stands at NIS 106.8 million (approx. USD30 million), of which NIS 40.9 million, just 38%, was transferred in practice.<sup>9</sup>

In 2017, the poverty rate of Jerusalem's Palestinian residents was 77.5%, compared with 24.7% among its Jewish residents<sup>10</sup> – i.e., the poverty rate among the Palestinian population of Jerusalem was three times higher than the rate among the Jewish population in the city. 82% of Palestinian children in the city live below the poverty line, compared with 36.1% of Jewish children.<sup>11</sup> From 2017 to 2019, there was a decrease from 27% to 23% in the employment rate of women of working age (25-64 years) residing in East Jerusalem.<sup>12</sup>

The COVID-19 crisis severely exacerbated the state of poverty and unemployment, both locally and globally. At this stage, there is still no precise data on its overall impact on poverty and unemployment rates in East Jerusalem, yet emergent indications from the field and partial data published thus far is quite concerning.

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<sup>8</sup> [2019 Status Report](#), p. 32.

<sup>9</sup> [2020 Status Report](#), p. 5.

<sup>10</sup> Jerusalem Institute for Policy Research, [Facts and Trends 2019](#). Since the report was written and data was published on the 2017 poverty rate, no more up-to-date figures exist regarding the Central Bureau of Statistic's flawed evaluative sample.

<sup>11</sup> The National Insurance Institute, Research and Planning Administration, [The Scope of Poverty and Social Gaps – 2017 Annual Report](#), December 2018.

<sup>12</sup> Jerusalem Institute for Policy Research, [Facts and Trends 2021](#), Table G/9.



Throughout the initial months of the COVID crisis, March and April of 2020, over one third of the East Jerusalem labor force lost their jobs (whether fully or partly), in comparison to 2018. Over a third of 68,300 men and 21,300 women lost their jobs. To date, even two years after the crisis emerged, the data is not encouraging. In November 2021, as the pandemic was in decline, 12,309 Palestinians were registered with the Jerusalem Employment Bureau, constituting approximately 46% of all registered that month. An analysis of labor market trends throughout the period of the pandemic further reveals that employment victims of the crisis are predominantly young, uneducated and unskilled workers – prominent characteristics of workers in East Jerusalem in general.

The COVID crisis, which reduced the number of jobs in the labor market at large, reversed the trend of integrating women living in East Jerusalem into the work force. In the years leading up to the Government Decision a consistent and significant increase is discernible in the effective participation of women from East Jerusalem in the labor market and in their employment in practice.<sup>13</sup> Yet data indicated that while women in East Jerusalem were liable to find more employment, they might also be more impoverished in parallel.<sup>14</sup> A main reason for this may lie in the fact that the jobs in which women living in East Jerusalem are employed tend to be characterized by low wages, part-time employment, and frequently even include abusive working conditions, and the lack of a horizon for progress and opportunities for socio-economic mobility.

Widespread loss of work throughout the nearly two years of the COVID-19 crisis made meeting the Decision's goals, and especially those that aimed to increase women's employment rate, a thousandfold more challenging.

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<sup>13</sup> Jerusalem Institute for Policy Research, [Facts and Trends 2019](#).

<sup>14</sup> Ibid.

a. Section 2(a)(1) of the Decision – Operation of an Employment Counseling Center

The Government Decision directs the Ministry of Welfare and Social Services to operate an Employment Counseling Center that offers guidance and job placements for workers from East Jerusalem. The total budget designated for this initiative amounts to NIS 35 million. The Decision relates to the “Rayan Center,” which was established in 2014 as part of [Government Decision 1775](#). The center offers a program that includes courses and vocational training – along with Hebrew and computer classes; preparation for the realm of employment and assessment centers; exposure to available positions; and guidance throughout periods of employment.

According to the 2020 Status Report, as of December 1, 2020, approximately 75% of the total budget of approximately NIS 1.2 million for programming for Rayan Center participants was utilized that year, with the balance designated for further activities by the end of the year.

The Decision sets a goal for 1,500 new Rayan Center participants each year, 70% of whom are women. According to data presented in the 2020 Status Report, the authorities met and even exceeded that goal. Throughout 2019, 1,635 women and men participated in Rayan Center programs, and 2,045 took part in 2020 (as of December 1). The percentage of women among all participants throughout these years stood at 78%.<sup>15</sup>

According to data from the 2019 Status Report, the program integrated 496 participants into the labor market during 2019, of whom 301 were women and 171 men.<sup>16</sup> Thus 63% of program participants from the first quarter of 2019 were integrated into the labor market. The percentage of women employed amounted to 60%, 15% of whom entered the work force through direct placement, namely through the Rayan Center, and 85% of whom were indirectly placed, namely

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<sup>15</sup> [2020 Status Report](#), p. 30.

<sup>16</sup> According to the Status Report, the discrepancy between the total number of placements and the numbers listed by gender and type of placement is due to a slight lack in system reporting.

after participating in one of the Rayan Center's programs. Integration of men into the market stood at 14% via direct placement, and 86% through indirect placement.<sup>17</sup>

According to the 2020 Status Report, 892 participants – 530 women and 362 men – in the Rayan Center's employment placement programs were integrated throughout that year (up to December 1, 2020). The Rayan Center directly placed 13% of the integrated women, and 11% of the men, with the rest placed indirectly.

Despite the pandemic throughout 2020, there was a significant increase in the number of participants in Rayan Center programs, along with the total number of job placements. However, there was a significant decrease in the proportion of Rayan Center program participants who were subsequently integrated into jobs over time – dropping from 63% in 2019 to 44% in 2020. This decrease occurred in line with the severe damage caused to the job market during the year.

Placement data for 2019 indicates integration of a significant majority of women into jobs in which salaries were lower than the minimum wage (NIS 5,300 and under), and less than one percent of all women were able to integrate into jobs at salaries close to the average wage. This data is in line with the reality reflected in fieldwork which indicates that the legal definition of minimum wage has become the effective maximum wage for many Palestinian women from East Jerusalem. Among men as well, it is evident that they are hard-pressed to find work with salaries that exceed NIS 5,300, although the percentage of men who have succeeded in doing so is significantly higher than the proportion of women.

Thus, 62% of all women who integrated into the work force via Rayan Center programs throughout 2019, earn up to NIS 5,300 per month (minimum wage for full-time employment), 12.6% earn between NIS 5,301-7,500, and a mere 0.66% earn over NIS 7,500 per month (20% declined to reply).<sup>18</sup> A total of 40.3% of the men integrated into the labor market via Rayan Center

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<sup>17</sup> [Status of Government Decision 2019 – Standing Committee](#), p. 33.

<sup>18</sup> The average market salary stands at NIS 10,501. Central Bureau of Statistics data, October 2019.

programs earn up to NIS 5,300 per month, 26.9% earn a salary ranging from NIS 5,301-7,500, and 4.67% earn a salary exceeding NIS 7,500 (18% declined to reply).<sup>19</sup>

The 2020 Status Report provided no further data on the pay grade for positions in which Rayan Center training participants were placed. Conversations with the director of the Rayan Center indicated that more participants were absorbed than planned and its budget was fully utilized. Furthermore, the Center is seeking to adopt our recommendations and expand its budget in order to open regional centers designed to provide training and education to participants lacking basic education.

b. Section 2(a)(2) of the Decision – the “Employment Circles” Program

The “Employment Circles” placement program comprises training and ongoing education, both individual and group, along with targeted programming via the Jerusalem Employment Bureau’s placement coordinator. As of March 2014, the program has been functioning as a pilot project that aims to advance the integration of income support claimants in the workplace in suitable positions, to prevent them sinking into the depths of unemployment and dependence on stipends. Among the tools offered by the program are personal training, job search workshops, employment guidance, vocational Hebrew courses and computer studies. Additional workshops were added in 2020 including one on resume writing and another on economic conduct.

The Government Decision sought to expand the scope of activity for Employment Circles and other vocational tools in East Jerusalem, which will be selected in collaboration with the Ministry of Finance’s Budget Department, and in consultation with the Ministry of Welfare and Social Services’ Population Employment Administration. The earmarked budget amounts to NIS 10.5 million (including an incremental budget of NIS 3 million).

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<sup>19</sup> [Status of Government Decision 2019 – Standing Committee](#), p. 33.

The Decision sets a goal for the participation of 1,200 East Jerusalem residents in the program on an annual basis (along with additional vocational tools as developed), of whom 70% should be women.

According to data from the 2019 Status Report,<sup>20</sup> up to its date of publication, 829 employment applicants participated in the program that year, of whom 65% were women. Regarding placement percentages among program participants, the 2019 Status Report indicates 58% placement – of which about half is through direct placement, meaning via the Employment Bureau or Employment Circles program, and half through indirect placement, i.e., independently following or during program participation. About 70% of the women participating in the program were integrated into the work force, compared with just 36.9% of the male participants. The 2020 Status Report does not provide details on the implementation of the Employment Circles program, the number of participants and the annual placement rate.<sup>21</sup>

There is a shortage of metrics to examine the quality of placements, job conditions and participants' degree of compatibility. According to information in our possession, program participants do not receive follow-up support following their placement, so that data collection and monitoring regarding employment conditions, job characteristics and the endurance of employees in their roles, stops at this point. In the Status Reports, too, the “average wage” column of the placement goals remained empty of data. The 2020 Report did not specify the Decision's implementation of the topic at all, despite it being of particular importance to monitor these metrics and transparently publish them, especially during a year in which the labor market was so severely shaken by the COVID-19 crisis.

Program participants' complaints indicate that they are frequently accused of not wanting to work, and the threat of benefit denial on the grounds of “non-cooperation” constantly hovers

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<sup>20</sup> [2019 Status Report](#), p 35.

<sup>21</sup> [2020 Status Report](#), p. 36.

over them. Further complaints criticize the workshops for not offering tools to assist integration into the labor market. Most of the complaints in question come from women who have not completed 12 years of schooling in the education system, and indeed the program does not seem to perceive them as a target population for integration into the work force, despite their being directed toward its services.

c. Section 2(a)(3) of the Decision – Employment Encouragement Plans

This section received a budget of NIS 26.5 million (including an incremental budget of NIS 10 million).

The Government Decision delegates the Ministry of Welfare and Social Services to formulate employment stimulation plans, with an emphasis on the employment of young women, in consultation with employment services and taking into account the Jerusalem Municipality and other relevant bodies' considerations. Among the subjects for consideration are Hebrew studies, technological education, academic retraining and placement.

The language barrier is a significant obstacle impeding the integration of East Jerusalem residents into the Israeli employment market, and preparatory courses for Hebrew language learning are accordingly a desirable commodity. Yet the 2020 Status Report indicates that the implementation goals were only partly realized, and the budget was also only partially utilized. In 2019, 54% of the budget allocated for Hebrew preparatory courses was used, which amounted to NIS 4.03 million; while in 2020, 59% of the annual budget of NIS 3.87 million was used.<sup>22</sup> 11 preparatory Hebrew courses were opened in the years 2019-2020, in which 239 women and men studied in the first year, 78% of whom were women, and 287 women and men in the second year of whom 81% were women.<sup>23</sup>

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<sup>22</sup> [2020 Status Report](#), p. 37.

<sup>23</sup> [2019 Status Report](#), p 36.

The 2020 Status Report raises four main challenges in implementing employment encouragement programs: the lack of a joint work plan to connect and coordinate between all the employment bodies in the city; difficulty in ensuring the quality of placements, especially for women; an increase in unemployment rates following the COVID-19 crisis; and the obstacle of Hebrew language knowledge for the purpose of quality vocational integration.<sup>24</sup>

As part of the monitoring project, we recommend two additional aspects to improve implementation in this field:

- **Hebrew language courses for those who have completed less than nine years of studies** – Field reports and course registration notices indicate that programs offered for Hebrew studies are open and adapted only to those who have completed nine or more years of studies. In light of the unusually high dropout rate from the East Jerusalem education system, it is worth adapting the programs for those who have completed less than nine years of studies within the education system.
- **Increasing the courses' publication and making information accessible** – it appears that the various courses and programs are insufficiently publicized. Many women are unaware of existing course offerings. From their reports within the framework of the monitoring project, it seems that even officials from the Employment Bureau are unaware of the programs' existence and do not refer job seekers to them - even when the women themselves wish to look into the possibility of registering for Hebrew courses. Wide publication of the courses, along with informing and directing officials to provide information on the courses offered, is a crucial preliminary step.

d. Section 2(a)(7) of the Decision – Development and Expansion of Welfare and Employment Services Provided in East Jerusalem

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<sup>24</sup> [2020 Status Report](#), p. 38.

The budget for this section amounts to NIS 75 million (including an incremental budget of NIS 60 million).

The Government Decision appoints the Ministry of Welfare and Social Services, and the Ministry of Finance's Budget Division with formulating a plan for the development and expansion of welfare and employment services in East Jerusalem, emphasizing programs that encourage women's employment; prevention of dropout and risk situations among children and youth; and poverty alleviation.

The 2020 Status Report details programs for dropout prevention and dealing with poverty; early childhood programs; rehabilitation programs; and programs for seniors. In 2019, the investment planned for all the programs presented in the Status Report amounted to NIS 9.06 million, of which NIS 5.71 million (63%) was utilized. This year, more participants took part in the programs than was planned: the target goal was 7,210 participants, while in practice, the Status Report indicated that 8,580 participated.<sup>25</sup>

In 2020, a significant decrease in the volume of budget utilization and participation may be noted, yet it seems that despite the pandemic, thousands participated in the various programs. Of the NIS 12.8 million allocated for the year, only NIS 3.6 million (28%) was used. The programs were attended by 7,520 women and men, comprising 80% of the annual goal of approximately 9,390 participants.<sup>26</sup>

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<sup>25</sup> Ibid, pp. 45-51.

<sup>26</sup> Ibid.



e. Section 2(a)(8) of the Decision – Development of Human Capital and Professional Training

The budget earmarked for this section stands at NIS 15 million.

Within the frame of reference of the Government Decision, the Ministry of Welfare and Social Services' Vocational Training Division was instructed to operate mechanisms for the development of human capital in East Jerusalem, allocating NIS 15 million from its budget. As of October 2019, the annual budget allocated to this purpose had hardly been used.<sup>27</sup> In 2020, the scope of the budget increased, and from a designated annual budget of NIS 2.03 million, NIS 1.48 million (72%) was utilized. While in 2019 a mere handful of professional trainings were opened from among the annual amount earmarked, in 2020 a large portion of the trainings opened (10 of the 16 that were slated to open), in which a total of 178 people participated. The trainings varied in content, with a tendency toward the technical-technological: a digital marketing course; maintenance and repair of mobile devices; cooling and air conditioning; electricity and more. In five of the training courses, women did not participate at all, and in two of them just 1% of participants were women. Ultimately, the percentage of women enrolled in the other trainings did not exceed a half of the participants.

f. Education Completion and Adapting Professional Trainings – Conditions for Increasing the Employment Rate

As indicated in the sections reviewed above, Government Decision 3790's Employment and Welfare initiatives allocate approximately NIS 87 million (USD25 million) for vocational training and assistance in finding work.<sup>28</sup> The training and assistance programs for finding work are included in the sections presented above, the main ones being the Rayan Center and Employment Circle programs in terms of their scope. Most programs are not tailored to

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<sup>27</sup> [Status of Government Decision 2019 – Standing Committee](#), p. 38.

<sup>28</sup> The calculation includes investments referenced in sections 2(a)(1), 2(a)(2), 2(a)(3), and 2(a)(8) of Government Decision 3790. It is possible that section 2(a)(7) relating to Welfare and Employment programs includes relevant investments, yet neither the Decision itself nor the Status Reports gave details regarding budgetary distribution.

participants who have not acquired a basic formal education of 9-12 years' schooling and fail to offer any solutions toward the completion of such education.

**Rayan Center programs** are directed toward individuals with a basic formal education, although the threshold requirements are not formally and strictly defined. Conversations with job seekers and officials at the Rayan Center indicate that, in practice, most of the programs offered are neither open to, nor suitable for, those who have not completed at least nine years of schooling. Although the **Employment Circles program** does not set minimum requirements in the field of formal education, it also lacks sufficient follow-up. As noted, the 2020 Status Report does not present any data on its implementation. Moreover, according to many job seekers, workshops offered by the program do not include any professional training in practice, thus failing to expand employment horizons, and instead generating pressure to integrate into unskilled labor positions at any cost.

A total of 40% of Palestinians (both men and women) in Jerusalem have not completed 12 years of schooling. Among this population, a minority of 45% currently participates in the labor market. Among Jerusalem's Jewish residents of prime working age, just 6.87% have not completed 12 years of schooling, of whom a 66% majority participate in the labor market.<sup>29</sup>

The sharp disparities in education are also reflected in the nature of the basic occupations and professional level at which residents of East Jerusalem integrate. While the occupation of the largest group of Jewish employees in Jerusalem is academic<sup>30</sup> (39.4%), only 16.5% of Palestinian residents are employed in this field. While academia may not provide a total guarantee for avoidance of abusive employment conditions, it does create more opportunities for socio-

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<sup>29</sup> Jerusalem Institute for Policy Research, [Facts and Trends 2021](#), Table 10/Z, weighted data.

<sup>30</sup> "Occupation" refers to work that an employee performs in their place of work, regardless of the profession they studied, if they do not engage in such work. The data presented per occupation corresponds with the [Standard Classification of Occupations 2011, as determined by the Central Bureau of Statistics](#). Take for example the academic profession that includes a wide variety of professions addressing the expansion of knowledge, including creation and presentation of works of art, teaching, legal fields, health, and information technology.

economic mobility and fair compensation. The occupation held by the largest group of employed residents in East Jerusalem (approximately 26.6%) is professional work in industry and construction, characterized by poor safety conditions and temporary and abusive employment patterns. The third largest group of employed Palestinian residents of Jerusalem (19%) is engaged in unskilled labor. Among Jews, the percentage of unskilled workers stands at just 2.2%.<sup>31</sup> While exclusion from education pushes women in East Jerusalem out of the labor market, exclusion of men from the realm of education pushes them into abusive low-wage jobs, perpetuating a state of chronic poverty.

In order to contend with this reality, it is worth developing significant programs for adults' completion of basic formal education, alongside vocational training programs appropriate to the existing educational situation, especially in basic applied areas such as Hebrew studies, computer skills and more. In order for adult education completion programs to bear fruit, they must include adequate participation grants along with flexible study hours, as their target students typically need to support and care for their families alongside their training and education. Varying degrees of commitment must be allowed, along with a range of study levels – which do not necessarily require complete matriculation in areas such as reading and writing in Hebrew and Arabic, computer skills, arithmetic and others. The development of placement programs in quality occupations that encourage parallel integration in education completion programs through designated funds or grants, is also recommended.

## **2) Section 2(a)(5)(6) of the Decision – Increasing the Number of Daycare Centers**

The designated budget stands at NIS 50 million for the years 2019-2023 to cover the cost of land expropriation required for the construction of daycare centers (maximum incremental designated budget, subject to the execution and realization of the necessary expropriations).

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<sup>31</sup> Jerusalem Institute for Policy Research, [Facts and Trends 2021](#), Table 10/Z.

Daycare centers are designed for newborns to three-year-olds. The existence of quality and supervised early childhood educational frameworks is of the utmost importance in reducing socio-economic disparities and advancing community welfare. Benefits include: quality care for children alongside the possibility for parents, especially mothers to go to work; the promotion of children's health and development; and a positive impact on gender and socio-economic equality. From an occupational aspect, the lack of quality and subsidized frameworks for early childhood care is a significant obstacle in the integration of women residents of East Jerusalem into the labor market and a major factor in their low participation rates. In East Jerusalem, early childhood public education lacked significant systemic advancement until Government Decision 3790, which established initial steps within the framework of addressing employment.

As of January 2020, approximately 40,000 children ranging from newborns through age four resided in East Jerusalem, yet only four public daycare centers were in operation, with just 20-24 daycare classes and 28 recognized nurseries.<sup>32</sup> In the west of the city on the other hand, as of 2020 there were 118 public daycare centers and 440 nurseries, with the number of children ranging from newborns through age four standing at approximately 72,000.<sup>33</sup> According to the Jerusalem Municipality, 242 daycare classes and nurseries were lacking in East Jerusalem as of January 2020.<sup>34</sup>

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<sup>32</sup> [Jerusalem Municipality's Response to the Freedom of Information Request Submitted by WAC-MAAN – Workers' Advice Center and the Hebrew University of Jerusalem's Clinical Legal Education Center](#), January 2020.

<sup>33</sup> [Division for Daycare Centers and Nurseries](#) from the Ministry of Welfare and Social Affairs' website; Jerusalem Institute for Policy Research, [Facts and Trends 2019](#).

<sup>34</sup> [Jerusalem Municipality's Response to the Freedom of Information Request Submitted by WAC-MAAN – Workers' Advice Center and the Hebrew University of Jerusalem's Clinical Legal Education Center](#), January 2020, calculated according to the demand of 30% of children ranging from newborns to three-year-olds. The division does not make a distinction between daycare classes and nurseries in calculating the shortage.

According to the 2020 Status Report, the construction of 44 residential classrooms in 13 centers was planned from the years 2019-2021 in the neighborhoods of Beit Hanina, Sur Baher, Issawiya, A-Tur, Shuafat, Silwan, Jabel Mukaber and Beit Safafa.<sup>35</sup>

According to the Budget Division's response to the freedom of information request we submitted, as of September 2019 no suitable land was found to expropriate for the construction of daycare centers, so the initiative was not advanced and the Ministry of Finance's actual allocation of funds was prevented.<sup>36</sup> The 2020 Status Report makes no mention of this, although it notes that the construction of three daycare centers was planned in 2019, two in Beit Hanina and one in Sur Baher. While they were not built in 2019 or 2020, progress was made in transferring ownership of the plots and in planning the construction. In 2020, five daycare centers were slated for construction in Issawiya, A-Tur, Sur Baher, Shuafat and Silwan. In 2021, four daycare centers were slated for construction in Jabal Mukaber, Beit Safafa, Beit Hanina, and Shuafat. According to an inquiry with the Jerusalem Municipality's Early Childhood Department, as of November 2021 the only new daycare center to open was in Shuafat, with 10 additional centers in various stages of planning.

Due to severe poverty in East Jerusalem and the urgent need for solutions for working women and their children, the lack of quality and subsidized frameworks has created a large market for unsupervised private daycare. Some are extremely inexpensive, at the expense of compromising conditions relating to both care and conditions of employment. The importance of quality public frameworks for early childhood education has grown all the more important amid the COVID crisis.

The steps contained within the framework of the Government Decision constitute a shift in a positive direction, yet do not in and of themselves ensure necessary improvements. They must

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<sup>35</sup> [2020 Status Report](#), p. 40.

<sup>36</sup> Reply to Ir Amim's Freedom of Information Request on behalf of the Ministry of Finance's Budget Division, October 22, 2019.

be paired with a designated budgetary investment that will adapt the proposed plans to the socio-economic reality in East Jerusalem – and in particular one that will offer a suitable subsidization process, without which daycare centers are inaccessible to most residents.

According to sources from the Jerusalem Municipality, the process of land expropriation promoted by the Decision has been met with significant challenges that prevent standards designated for daycare centers within the framework of the plan, from being maintained. As reported by enforcement agencies, their primary challenges entail underfunding and difficulty in locating suitable land. We identify the heart of the problem in ongoing discrimination through the Israeli authorities' outline plans that allocate minimal space for housing and public buildings in East Jerusalem.

Moreover, despite the significant shortage of daycare classes, the Ministry of Welfare and Social Services budgeted for just 12 daycare centers within East Jerusalem.<sup>37</sup> As noted, the budget was only partially utilized for these as well.

The Decision fails to reference the need to subsidize parents' payments for daycare centers, which is necessary for the daycare centers slated for construction to effectively serve the residents of East Jerusalem. According to the Ministry of Welfare and Social Services' criteria, subsidies for early childhood education are conditioned on a 20-hour working week for single mothers or a 24-hour working week for non-single parents. These preconditions prevent many mothers from receiving subsidies that would enable them to enroll their children in educational frameworks, especially those in the midst of job searches, vocational training, or integration into part-time positions. This creates a cycle in which many women do not find sufficient work as required to receive a subsidy, and do not find a framework for their children that enables them to integrate into and gradually increase the scope of their work in order for it to meet the

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<sup>37</sup> The Ministry of Welfare and Social Affairs, [Local Authorities' Budgeting for the Construction of Daycares in 2019 – Managerial Order No. 9.82](#); [Budgeting Procedure for Local Authorities for the Planning/Expansion/Conversion of Daycares in 2020 – Managerial Order No. 9.82](#).

threshold requirements for subsidization. Moreover, the scope of the subsidy is insufficient given the salaries of women who are in the early stages of integration into the work force. For example, families eligible for the maximum degree of subsidy are required to pay NIS 866 per child and NIS 1,071 per infant on a monthly basis, given that they are not referred to nurseries by social services.<sup>38</sup> This amount is unaffordable for most families in East Jerusalem.

In addition, all information regarding registration procedures for daycare centers, including the simulators to check eligibility for subsidies and the required forms, are only available in Hebrew. This fact makes it difficult for parents to check their eligibility for subsidies or even become aware of such opportunities. It also poses a significant obstacle in the application process and registration itself, alongside yet another hurdle in the digital literacy and accessibility required to this end.

After it was clarified that the registration system and application for the subsidy are not due to be translated into Arabic, the Jerusalem Municipality's Early Childhood Department supported the development of an assistance mechanism for the process of receiving a subsidy and registering for daycare through the East Jerusalem Citizens' Advisory Services (known by the acronym Shi'l in Hebrew). It is tailored to the needs of East Jerusalem residents with a focus on translation. This is a fine and commendable temporary solution given the lack of translation, yet it is worth establishing an orderly Arabic system for registration and dissemination of information regarding daycare.

While Government Decision 3790 offers partial solutions regarding daycare centers, it lacks any reference to supervised nurseries, and it appears that part of the Ministry of Welfare and Social Services' Division for Daycare Centers and Nurseries' policy focuses on investing in daycare construction rather than furthering the improvement of nurseries.<sup>39</sup> In light of the complexities

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<sup>38</sup> Ministry of Welfare and Social Affairs, [Tuition for Nonprofit Daycares for the 5780 School Year, September 2019](#).

<sup>39</sup> [Jerusalem Municipality's Response to the Freedom of Information Request Submitted by WAC-MAAN – Workers' Advice Center and the Hebrew University of Jerusalem's Clinical Legal Education Center](#), January 2020.

involved in the planning and constructing of daycare centers, as indicated by the Decision's implementation to date, and the concern that the daycare centers will only be suitable for some neighborhoods in East Jerusalem (while in those beyond the separation barrier the population density, lack of planning and extreme lack of infrastructure leaves no potential land to expropriate for daycare center construction) supervised nurseries should be promoted even if only as an interim solution.

### **3) Section 2(b) of the Decision – Economy and Commerce. Employer Incentives**

The four main initiatives addressed by the Government Decision regarding Economy and Commerce are: incentives for employers to engage women residents of East Jerusalem; establishment of a business center; development of commercial streets; and cultivation of a route to encourage high-tech entrepreneurship.<sup>40</sup>

The 2020 Status Report notes slow and partial progress, following indications from the October 2019 Status Report that negotiations were still taking place at that time, along with the initial formulation of guidelines and procedures, without implementation or utilization of budgets. The 2020 Report fails to provide information on the utilization of the budgets referenced.

The introduction of employer incentives to employ women is budgeted at NIS 20 million over the course of five years, and sets a goal for staffing 60 positions per year (the target is reduced for higher quality jobs).<sup>41</sup> The 2020 Status Report noted the director's instruction on the topic as ready for publication, and the anticipated incentive eligibility would stand at 90 new jobs over the course of two years (less than the established target determined for the five-year plan in 2019). Yet there was difficulty in transferring the budget to enable publication of the procedure prior to approving the state budget in 2020.<sup>42</sup>

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<sup>40</sup> [2019 Status Report](#), p. 48.

<sup>41</sup> [2019 Status Report](#), p. 48.

<sup>42</sup> [2020 Status Report](#), p. 52.



In this context, the Grants Law passed in June 2020, which laid out the granting of financial incentives to employers who rehire workers released on unpaid leave due to the COVID crisis, should be noted. The law aimed to ease the burden on employers but was restricted to employees who returned to their original positions following the period of unpaid leave or layoff and earned over NIS 3,300 monthly. Many of the women employed in East Jerusalem are employed part-time and at minimum wage, and therefore did not meet the law's criteria. Thus, the law essentially provided yet another negative incentive, added to the already low incentive (in light of linguistic, accessibility and educational challenges, etc.) for the employment of East Jerusalem women residents.

It should also be borne in mind that the target set for the incentive initiative is among the only ones in the entire Government Decision that explicitly relates to the quality of jobs into which women in East Jerusalem will be integrated – but rather through reduction: the higher the quality of the positions, the smaller the numerical target. While the intention to encourage women's integration into quality work is commendable, it should be done more comprehensively, and not solely through this initiative. Ensuring that the majority of positions into which women are integrated will be adequately compensated in suitable conditions should be the norm, along with offering higher budgets that will be transferred only when women are integrated into quality roles.

Moreover, the Decision budgets NIS 12 million for the Ministry of Economy's Agency for Small and Medium Businesses over a period of five years. The 2020 Status Report notes the implementation of business mapping throughout 2019 and 2020 for entrepreneurs and business-owners from East Jerusalem, as well as consulting for businesses and entrepreneurs in economic-financial fields, marketing and more, for approximately 340 annual participants. Moreover, the agency offered courses and workshops on entrepreneurship, digital marketing,

advertising, procurement and tenders for approximately 120 annual participants.<sup>43</sup> In July of 2020, a space was leased in the Palestinian neighborhood of Musrara (east of Highway 1) to serve as a business center. The center opened in January 2021.<sup>44</sup> Furthermore, the Status Report indicates the transfer of accompanying loans to support business owners and entrepreneurs, yet the budgetary data on the subject is unclear.<sup>45</sup>

#### 4) Implementation Regarding Employment – Conclusion

The advancement of employment in East Jerusalem is key to the local society's emergence from a state of deep poverty in which over 77% of the population exists. As the Government Decision notes, employment of women in East Jerusalem is a means through which significant change can be achieved, since just 23% of women in East Jerusalem participated in the labor force as of 2019.

Emphasis on women's participation in the labor market is evident in the processes advanced by the Decision. Relative compliance with goals set for the furtherance of programs that predated and were budgeted prior to the Government Decision is evident, and that both funding and validation for programming have increased.

Yet data and the reality on the ground indicate that placement has been in low-wage jobs. These findings are consistent with data indicating an increase in the poverty rate, despite the increase in women's employment rate in recent years. This trend intensified with the severe employment crisis created by the pandemic which reversed even the modest changes generated by government investment over previous years.

As the Government Decision moves forward, we have seen a drop in the collection and publication of data on the implementation of various programs. Furthermore, it is evident that

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<sup>43</sup> [2020 Status Report](#), p. 54.

<sup>44</sup> [2020 Status Report](#), p. 55.

<sup>45</sup> [2020 Status Report](#), p. 56.

the budget utilization rate is particularly low, standing at just over a third of the budget planned for 2020. In contrast, it appears that the Rayan program is working to implement and increase the budget, with regular data collection. With the current state of affairs, when we find ourselves in the midst of a socio-economic crisis, one might expect to observe an opposite general trend in two respects: increased collection of data reflecting the programs' success – participants' placement rates and conditions; along with increased investment in programs to encourage employment and provide incentives for employers to hire East Jerusalem workers under fair conditions.

It is worth investing in the flawed infrastructure in order to implement these items, through adequate Arabic language publication and accessibility to all contact points in the field; creating a subsidy system for daycare centers that is compatible with employment patterns and poverty figures; creating an unrestricted training system for basic formal education and developing increased incentives for East Jerusalem women residents to resume the jobs they lost during the crisis.

## B. Settlement of Land Title

The field of residential planning is absent from Decision 3790, despite the fact that the planning situation is among today's leading causes of poverty and distress among residents of East Jerusalem – if not the main cause effectively pushing them out of the city. There is a consistent policy of severe discrimination in the field of planning and construction in Jerusalem, stemming from demographic considerations which aim to reduce the size of its Palestinian population to the greatest possible extent. Although 38% of Jerusalem's residents are Palestinian, just 8.5% of the city's territory is designated for residential use, and even within that, the percentage of authorized construction is particularly low. Moreover, another Ir Amim report<sup>46</sup> recently

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<sup>46</sup> Ir Amim, *Planned Negligence: How Palestinian Neighborhoods Disappeared from Jerusalem's Current and Future Urban Planning Policies*, June 2021.

analyzed new decisions made by the municipality and government, which not only indicated that nothing was being done to rectify the situation, but also that the new planning policy, according to which outline plans would be drawn up in the coming 20 years, would greatly exacerbate planning discrimination in East Jerusalem.

As part of the same trend, in contrast to Government Decision 922, which addressed Arab citizens of Israel within the Green Line, the field of planning is absent from Decision 3790.

In the planning context, the Government Decision focused solely on settlement of land title in East Jerusalem, with an investment of roughly NIS 50 million. The Decision sets a goal for the settlement of land title of “at least 50% of the land in East Jerusalem by the end of 2021, and 100% by the end of 2025.”

The Decision provides for the appointment of a staff sub-team designated to address this field, led by the Director General of the Ministry of Justice. According to the Ministry of Jerusalem and Heritage’s 2019 Status Report, staff members include the Custodian of Absentee Properties, the General Custodian and the Unit for Public Participation.<sup>47</sup>

The settlement of land title process provided for in the Government Decision constitutes a significant policy shift. A freeze on settlement of land title in East Jerusalem that lasted over 50 years, gave way to the establishment of target goals for full settlement of land title. To date, approximately 90% of the land in East Jerusalem remains unregistered. From 1948 to 1967, the Jordanian government began a process of settling rights for part of the land in East Jerusalem. Upon Israel’s annexation of East Jerusalem in 1967, the state either nullified or froze Jordanian registration processes. Due to political considerations, Israel did not initiate a comprehensive plan of action to register land in Palestinian neighborhoods of East Jerusalem until 2018.

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<sup>47</sup> [2019 Status Report](#), p. 67.

This consistent deliberate policy took a dramatic turn upon the publication of this section of Government Decision 3790, led by then-Justice Minister Ayelet Shaked, who defined it as a process to apply sovereignty over East Jerusalem upon its implementation.

Under “ordinary” circumstances, the settlement of land title process constitutes an essential stage of urban planning and economic development, as it incorporates the transparency, certainty and finality of land rights. However, over years of implementation, it has become clear that the process of settlement of land title in East Jerusalem clearly undermines these very goals. It effectively serves as an additional obstacle toward planning and, worse, endangers many East Jerusalem residents’ rights to their land and homes.

Since the announcement of moving forward with settlement of land title, it appeared that for a long period of time the authorities were experiencing difficulties in its advancement. From 2018 to 2020, publications on behalf of the Ministry of Jerusalem and Heritage created the impression of slow, nearly negligible progress in the settlement of land title process, highlighting barriers including residents’ opposition. Preliminary progress was described in the pilot project as a “trial balloon” of sorts in a limited number of blocs.

[The 2020 Status Report](#) published in March of 2021, thus reported progress regarding the settlement of land title and registration process and the preparation of its infrastructure. The document described progress on the pilot blocs, despite the COVID crisis and its resulting restrictions. It detailed the progress of pilot blocs in French Hill, Sur Baher and Beit Hanina, yet highlighted challenges in advancing the process in most of the neighborhoods. The Status Report further noted the efforts being made to encourage residents’ cooperation and gain their trust – through conversion of Jordanian property rights lists in the Land Settlement Office into legible and accessible Hebrew documents for residents’ use in their dealings with municipal and government officials, and in writing an explanatory Arabic document regarding the settlement of land title process and the documents required to prove land ownership.

In May 2021, the monitoring project discovered that settlement of land title had been completed in the Umm Haroun bloc of Sheikh Jarrah, for which permanent rights were registered in the names of Jews who had owned the land prior to 1948, without knowledge of the Palestinian residents (45 families in 40 buildings).<sup>48</sup> The authorities never announced the end of the pilot phase, yet the revelation of the underhand opportunistic action in Umm Haroun made it clear that the process was progressing in violation of the most basic obligation to notify residents.

Immediately after discovering the progress of settlement of land title in Umm Haroun, [we filed an urgent petition with the organization Bimkom: Planners for Planning Rights, to the High Court of Justice](#), demanding that it immediately freeze the settlement of land title and registration procedure in Umm Haroun, and nullify any proceedings prior to submission of the petition. The petition claimed that neglecting to notify Palestinian families who have lived in the neighborhood for decades, constitutes a grave violation of due process and denies them the possibility of protecting their land rights within the framework of the settlement of land title process. Following the submission of the petition, it became clear, however, that the process had been completed and registered shortly before the petition was filed. With unusual speed, and contrary to the requirements of the Land Settlement Ordinance, the bloc's plots were registered in the name of Jews who had owned the land prior to 1948. Due to the registration's completion, our petition was rejected, and an alternative remedy was offered of conducting individual civil proceedings.

Since the Umm Haroun case, ever increasing indications of exploitation of the settlement of land title process under Decision 3790 have been exposed, favoring political interests of the state and for Jewish settlement in East Jerusalem. In tracking the Ministry of Justice's publications (through the *Reshumot* gazette in which official records and laws are published), Ir Amim is aware of approximately 130 blocs in which land registration is taking place. Eight of these blocs

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<sup>48</sup> Per section 5 of the Legal and Administrative Matters Law.

are in the final stages of publishing property rights lists – in Sheikh Jarrah, Mount of Olives, Givat Hamatos, French Hill, Ramot Slopes and the area between Ramat Shlomo and Ramat Eshkol.

The selection of the blocs in which the settlement of land title procedure was announced exposes exploitation of the Decision to advance state and settler interests in the land being registered, not only against the residents' interests, but also severely harming them. Thus is the case in neighborhoods that are strategic targets for Jewish settler takeovers – such as Sheikh Jarrah and the Mount of Olives; in Jewish neighborhoods beyond the Green Line – Neve Yaakov, French Hill, Ramot; and in three of the areas designated for the largest plans for new Jewish settlements in East Jerusalem, namely Atarot, Givat Hashaked, and Givat Hamatos.

This is accompanied by the September 2021 KKL-JNF (Keren Kayemet L'Israel - Jewish National Fund) decision, to initiate a large-scale process to register land in its name in Israel and the West Bank, including at least 2,500 dunams of land in East Jerusalem. This registration is also liable to severely harm Palestinian residents and put many more of them at risk of displacement.

As if that is not sufficient, even in most of the blocs in which settlement of land title is taking place, it happens without informing residents on whose land it is being conducted. Apart from the blatant case in Umm Haroun, from the many conversations we conducted with land stakeholders – whether the landowners themselves, lawyers representing them in land eviction lawsuits or neighborhood community leaders, the vast majority knew nothing about what was taking place. Moreover, on the various occasions when we appealed to settlement of land title officials along with other stakeholders, whether orally or in writing, we were met with blatant unwillingness to share information or maps. Thus, in the Ministry of Justice's response to the freedom of information request submitted by Ir Amim on June 10, 2021, which was officially received about six months after its submission, our request for settlement of land title maps was denied and we were informed that the land settlement official lacks an orderly record of tracking notification of residents.

Beyond the state's exploitation of this section of the decision, it is also a blatant violation of the provisions of the Land Settlement Ordinance. This puts forth clear and orderly requirements, which are strictly laid out in the ruling for actively informing the public of settlement of land title proceedings. Making the proceedings public is in fact its primary guarantee for validity – the publication of advance notice of settlement of land title proceedings and updates on their progress are intended to enable all landowners to file and substantiate their claims, in order to create a definitive final record of all land rights for use by the state and individuals. When the process is conducted clandestinely and not openly published, the end product loses all value and defeats its own purpose.

The manner in which land settlement officials implement the process in East Jerusalem is troubling and grave. Yet even if the settlement of land title process was to be conducted legally and impartially, within the discriminatory legislative framework in the field of real estate in Israel, its very existence makes residents of East Jerusalem vulnerable to systematic dispossession. The actuality of a land regime under which Jews are permitted to claim and resume ownership over properties they owned prior to 1948 (under the Legal and Administrative Matters Law), while Palestinians are denied the same right (under the Absentee Property Law), places Palestinians at a distinct disadvantage within the framework of a process that aims to settle land rights.

The Absentee Property Law appears to pose a particularly significant danger, given the large and unknown scope of East Jerusalem residents who fall under the broad definition of the term “absentee”. Even via the approach according to which property owners in Jerusalem living in the West Bank will not legally be considered “absentees,” which is promulgated by various legal advisers and was previously recognized in the ruling, these appear to encompass vast swaths of the East Jerusalem public. Thus, any landowner who meets the law's definition of an “absentee,” and just shares their land with another person who falls under this definition, faces the tangible risk that their land will be registered in the name of the Custodian of Absentee Properties, whether in full or in part.



Another more basic layer of difficulty lies in the conditions put forth in the settlement of land title process's encounter with reality in East Jerusalem. The requirement to present documents to prove ownership for settlement of land title purposes poses a significant obstacle. Following decades without a formal settlement of land title procedure, many of the documents are extremely difficult to locate and obtain. Many are deposited in Jordan or Turkey, countries that do not cooperate with Israeli settlement of land title proceedings, and even those that could be obtained entail vast efforts and costs for the applicant. Lastly, even in rare cases where Palestinian landowners manage to overcome the obstacle course posed by the settlement of land title process, they will ultimately be required to retroactively pay various taxes on the land and any transactions made since 1967. In a reality wherein nearly 80% of East Jerusalem residents live below the poverty line, these obstacles turn settlement of land title into a race doomed to fail, even if one disregards its exploitation to advance 'other' interests.

Theoretically, residents' refusal to cooperate with settlement of land title proceedings would be sufficient to prevent it moving forward. Yet according to the Land Settlement Ordinance, when landowners do not participate in the process, the land will automatically be registered as state land under the Ordinance of Property Rights Settlement.

In view of the advancement of settlement of land title through these means under cover of Decision 3790, alongside the total disregard of the urgent need to address East Jerusalem residents' main hardship of residential planning, there is no alternative other than to conclude that under the guise of Government Decision 3790 and the reducing of socio-economic gaps, an unprecedented process that endangers the land rights of East Jerusalem residents of is being advanced, while clearly subverting the Decision's stated goals.

If the Government Decision's governing and implementing bodies seek to economically strengthen East Jerusalem, they must immediately cease the settlement of land title process currently being conducted, which does not benefit the residents, and move forward with residential planning in its place.

## C. Education

Government Decision 3790's total investment in the realm of education stands at NIS 445 million (approx. USD127 million) over the course of five years. The informal education system was allocated NIS 206 million. Investment in institutions that teach the Israeli curriculum amounts to approximately NIS 193 million, which constitutes 43.4% of the Government Decision's entire budget allocated for investment in education. This amounts to 80% of the total budget allocated to the formal education system, which stands at NIS 239 million, and includes the promotion of Hebrew language learning, technological education and, to a lesser extent, special needs.<sup>49</sup>

The education system was and remains one of hardest hit systems by the pandemic, which led at times to a partial or complete shut-down of the school routine. In East Jerusalem, the education system was hit particularly hard, given the profound problems from which it suffers following years of neglect and discrimination. [An Ir Amim Education Report from September of 2020](#) describes the far-reaching impact of the COVID crisis on the education system in East Jerusalem. According to an estimate by Ir Amim at the time, over 80% of students enrolled in the Arab education system in Jerusalem did not attend school at the start of the 2019-2020 school year. This figure is not surprising in light of the high population density and severe shortage of classrooms in East Jerusalem, along with poor infrastructure and sanitation conditions. According to Jerusalem Education Authority reports, partial functioning of the education system in East Jerusalem, characterized much of the school year (September 2019 - July 2020), and a return to in-school learning only began near the Ramadan holiday that year.

During the following school year, [the Jerusalem Municipality's response to Ir Amim's freedom of information request on August 16, 2021](#) reported the direct distribution of end-user devices to students – 13,785 devices were distributed in East Jerusalem by the Ministry of Education and the Jerusalem Municipality, compared to 7,377 distributed to the public sector, and 2,441

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<sup>49</sup> According to the Decision and [2020 Status Report](#), p. 8.

distributed to the ultra-Orthodox population. The distribution was determined without making a distinction between schools that teach the Israeli versus the Palestinian matriculation curriculum, known as the Tawjihi, as well as in recognized unofficial schools, and not only to official institutions. The municipality also reported that broadband was installed to improve the Internet infrastructure in 56 schools in East Jerusalem; 478 teachers were recruited by the municipality to open learning spaces for small groups in official schools; and new guidelines were formulated regarding cleanliness. According to the Jerusalem Education Administration, all educational programs planned as part of the Government Decision for the 2021-2022 school year commenced, for the first time since the start of the COVID crisis.<sup>50</sup>

According to the 2019 Status Report, the budget transferred from the government and the municipality to the field of education in 2019 (two thirds for the 2018-2019 school year, and one third for the 2019-2020 school year) has been used in full.<sup>51</sup> According to the 2020 Status Report, by the end of 2020 approximately NIS 255.3 million was transferred out of the NIS 267 million slated for transfer at the start of the five-year plan in 2018. This indicates that approximately 95% of the planned budget was used for the first three of the five years.<sup>52</sup> Compared to the other spheres of the Decision, this constitutes the highest implementation rate as of the end of 2020, relative to the budget planned for this period, despite significant upheaval within the education system throughout the COVID-19 crisis.

## 1) Formal Education

As detailed in [Ir Amim's 2021 Education Report](#), 138,219 school-age children (ages 3-18) resided in East Jerusalem at the start of the 2021-2022 school year. Among them, 100,571 children

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<sup>50</sup> Jerusalem Institute for Policy Research discussion on November 23, 2021, [Starting the School Year in East Jerusalem](#). According to Zion Regev, director of the government plan within the Jerusalem Municipality's Education Administration, only the "Extra-curricular Activity for Every Child" program has yet to open this year due to challenges in communicating with the Israel Association for Community Centers.

<sup>51</sup> [2019 Status Report](#), p. 6.

<sup>52</sup> [2020 Status Report](#), p.8.

studied in the official or recognized education system. 38% are enrolled in the official system; 34.7% in the recognized but unofficial system and the remainder (26.9%, “invisible children”) study at best in frameworks unknown to the Jerusalem Municipality Education Authority or the Ministry of Education.<sup>53</sup>

a. Budgetary and Organizational Bias in Favor of the Israeli Curriculum

According to Government Decision 3790, investment in East Jerusalem’s formal education system stands at approximately NIS 239 million, over 80% of which is allocated to exclusive investment in schools that teach the Israeli curriculum. Even in other clauses of the education budget, in which the stipulation is not absolute, the Government Decision prioritizes institutions that teach the Israeli curriculum (section 1(a)(2) of the Decision). This is despite the fact that prior to the Decision’s implementation, less than 7% of Palestinian students studied the Israeli curriculum.

Throughout the 2018-2021 school years, close to 50% of Decision 3790’s total education budget for the field of was allocated to initiatives encouraging the Israeli curriculum. In practice, the bias in favor of the Israeli curriculum was even greater, since for all programs, including informal education programs and technology courses, investment in schools that do not teach the Israeli curriculum is exclusively limited to the official education system. In other words, investment in the recognized unofficial education system is solely for the Israeli curriculum. Thus, after deducting the budget directed toward informal programs, the budget allocated to the Israeli curriculum throughout the 2019-2020 school year, constitutes over 83% of annual investment in education.<sup>54</sup>

Beyond the original budget distribution, toward the end of 2020, the Ministry of Education and the Jerusalem Municipality’s Education Authority submitted a request to divert budgets from

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<sup>53</sup> [The Jerusalem Municipality’s Response to Ir Amim’s Freedom of Information Request, August 16, 2021.](#)

<sup>54</sup> [2020 Status Report](#), pp. 9-19.

the informal education sector, which was significantly reduced this year in light of COVID-related restrictions to augmenting programs related to special needs, computers, Hebrew language and the Israeli curriculum. This was reported by Ministry of Education representatives during a [discussion held by the Jerusalem Institute for Policy Research on November 18, 2020, upon the start of the school year in East Jerusalem in the coronavirus era](#), emphasizing the large portion of the budgets intended to encourage adoption of the Israeli curriculum from the requested funding diversion.<sup>55</sup> Questions sent to the Ministry of Finance on the topic as part of our freedom of information request have remained unanswered over the past year, such that we are unsure whether the funding diversion was approved and what it ultimately included.

Also at the organizational level, special resources are invested in promoting the Israeli curriculum. A designated team appointed to embed the Israeli curriculum within the Government Decision, developed work plans per neighborhood to meet the goal of gradually increasing the number of first graders, such that by the fifth year 27 new first grade classes would be enrolled in the Israeli curriculum.<sup>56</sup> Minutes from a meeting conducted by the Standing Committee, the steering committee for Government Decision 3790, indicate that priority was granted to opening new elementary schools that will exclusively teach the Israeli curriculum, in order to prevent the influence of stakeholders from existing schools who oppose the program.<sup>57</sup>

Against the backdrop of investment in physical development, which the Decision reserves for schools that teach the Israeli curriculum, is the dire cumulative classroom shortage in East Jerusalem. Over the years, Ir Amim and other civil society organizations, along with the courts and the State Comptroller, have warned of a growing classroom shortage in East Jerusalem.

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<sup>55</sup> For more information see, [Background Materials Ahead of a Special Discussion on the Status of East Jerusalem Education System Students](#), November 22, 2020.

<sup>56</sup> [2019 Status Report](#), p. 6; [2020 Status Report](#), p. 8.

<sup>57</sup> [Minutes – Standing Committee – Implementation of Government Decision 3790 on October 29, 2019](#), Ministry of Jerusalem and Heritage.

Today, this shortage stands at over 2,840 classrooms, as detailed in Ir Amim's 2021 Education Report, and on the basis of data from the municipality itself.

The 2020 Status Report refers to a shortage of approximately 2,000 classrooms as a challenge that must be addressed,<sup>58</sup> noting that in 2020 three new schools were built, and three new schools were opened in rented buildings – it is unclear whether the budget was allocated by the Government Decision or externally. As published in [Ir Amim's 2021 Education Report](#), according to the data presented in the Jerusalem Municipality's response to Ir Amim's freedom of information request, there was a spike in the number of classrooms provided and populated during the previous school year. For the first time, the extent of annual construction exceeded natural growth, with an increase of 170 classrooms compared to the previous year. Nevertheless, the dire shortage requires an increase in the pace of planning and construction on a much larger scale.

On various occasions over the years of the Government Decision's implementation, representatives of the Jerusalem Municipality's Education Authority emphasized that the budgets allocated to the East Jerusalem education system are not limited to Decision 3790's budget alone. That is, theoretically, the municipality may direct resources toward a budget made available by the Government Decision, and not necessarily in accordance with the Decision's restrictions. Yet it is well known that both the Jerusalem Municipality and its Education Authority support favoring the Israeli curriculum as a project of paramount importance, which certainly also impacts their priorities regarding internal investment in the field.<sup>59</sup> [In a discussion held by the Knesset's Education Committee on November 30, 2021](#), the committee chair, member of Knesset (MK) Sharren Haskel (of the New Hope party), who initiated the discussion, demanded the submission of a formal plan for the closure of private schools in

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<sup>58</sup> [2020 Status Report](#), p. 8.

<sup>59</sup> Zion Regev, Director of the Government Plan within the Jerusalem Municipality's Education Administration during a Jerusalem Institute for Policy Research discussion, [Start of the School Year in East Jerusalem](#), November 23, 2021.

East Jerusalem (where approximately 20,000 students study in schools managed by UNRWA, the Waqf, and others). MK Haskel further demanded a more comprehensive plan for a transition toward the Israeli curriculum and sought clarification as to why the Palestinian curriculum is being studied in East Jerusalem. The discussion was attended by representatives from the Ministry of Education and the municipality, who reported an increase in the number of students studying the Israeli curriculum, noting that 13 new schools began operating with the Israeli curriculum and are rapidly being filled with students from East Jerusalem.

The bias in Israeli authorities' activities to transfer students into the Israeli curriculum is evident, yet the trend on the topic is unclear even according to various figures provided by the Jerusalem Municipality. While, during the 2018-2019 school year, 7,376 students studied in the framework of the Israeli curriculum, during the 2019-2020 school year this number increased by over 2.5 times to 18,953 (13,739 of them in the official education system and 5,214 in recognized unofficial education).<sup>60</sup> This constitutes 19.7% of all students in the officially recognized education system for that year.

On the other hand, according to data provided by the [Jerusalem Municipality's response to Ir Amim's freedom of information request](#), throughout the 2020-2021 school year, there was a decrease in the number of students in the Israeli curriculum compared to the previous year. Today, they amount to just 11,776 students (9,375 plus 2,401 in recognized unofficial schools), constituting 11.7% of students in the official recognized education system to date. In contrast, according to data presented by the Jerusalem Education Authority [at the Jerusalem Institute for Policy Research meeting at the start of the school year on November 23, 2021](#), 16% to 17% of students in East Jerusalem are studying the Israeli curriculum in the 2021-2022 school year. The percentage of first-grade students in the Israeli track increased from 9% during the 2017-2018

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<sup>60</sup> [The Jerusalem Municipality's reply to Ir Amim's freedom of information request on August 19, 2020.](#)

school year to 16.5% in the 2020-2021 school year, and, among twelfth-grade students, from 15% in 2017-2018 to 24% in 2020-2021.

The gap between the figures requires clarification. Nonetheless, it is clear that those responsible for implementing this section of the decision, both in the Municipality and Ministry of Education, consider this to be a main goal. According to Zion Regev, director of the Government Plan within the Jerusalem Municipality's Education Authority, this increase is the largest change evident in the various parameters related to the Government Decision in the field of education. According to Regev, the Jerusalem Education Authority's analysis indicates that the source of the increase is the changing image of the Israeli curriculum from one designed for dropout students, to a quality program that provides richer academic and employment opportunities in the Israeli market and academia. According to David Koren, who oversaw the Government Decision in the Ministry of Education through the end of 2021, the promotion of the Israeli curriculum, which is the Ministry's primary goal regarding the Government Decision, is executed through creating relative advantages for students on the Israeli track, ranging from infrastructure to teachers' professional development. Another factor in choosing the Israeli curriculum, according to Koren, is the response to special and emotional needs, which takes place in a more ordered and comprehensive fashion within the framework of the Israeli curriculum.<sup>61</sup>

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<sup>61</sup> Jerusalem Institute for Policy Research discussion, [Start of the School Year in East Jerusalem \[Hebrew\]](#), November 23, 2021.



### A CLOSER LOOK: LACK OF CLASSROOMS IN JABAL MUKABER AND ARAB A-SAWAHRA

The story of the education system in the neighborhood of Jabal Mukaber provides a closer look at the daily implications of the budget bias in favor of the Israeli curriculum. In the neighborhoods of Jabal Mukaber and Arab a-Sawahra, there are currently a total of 12 recognized schools, ranging from elementary to high schools. All schools in the neighborhood teach the Palestinian matriculation curriculum (Tawjihi). Like the other neighborhoods in East Jerusalem, the neighborhoods of Jabal Mukaber and Arab a-Sawahra suffer from a severe classroom shortage.

A large proportion of existing schools are not adapted for students. In all of them, without exception, there is a need for computer and science labs, and even if they exist in some schools, they are outdated, scarce and not functional in practice. Many of the neighborhood's schools either entirely lack a playground or sports field or have spaces that are not suitable for the number of schoolchildren and their most basic recreational needs. In some schools, even the classrooms themselves fail to meet basic requirements regarding size and safety.

The restriction of resources for the physical development of schools that teach the Israeli program alone, effectively implies that all schools in Jabal Mukaber and Arab a-Sawahra, neighborhoods that are home to at least 25,000 residents, will not benefit from the Decision's physical development budgets whatsoever, despite the schools' severe shortcomings.

Thus, over the past 20 years, only six new classrooms have been constructed in the neighborhood. Aside from these, all classrooms added over the course of these years are located in rented buildings, many of which are not suited to learning needs and regulation safety conditions.

Construction plans for new schools in the neighborhood have been lodged in the municipality for a long time yet have been delayed for many years. The plan to build an education

compound with five schools at Kunbar Junction has been under discussion since 2012 and was approved in August of 2017, yet no progress has been made on the site since then. According to the Moriah Jerusalem Development Corporation, the municipality and the Ministry of Transport and Road Safety's urban executive company, the fact that expropriations are yet to be completed is a major barrier toward advancing the plan. On the other hand, according to the head of the neighborhood Parents' Committee, the primary obstacle is that since implementation of Decision 3790, the municipality has conditioned the plan's ongoing promotion on opening schools that will teach the Israeli curriculum – to which residents object.

#### b. Dropout Prevention and Special Needs

The field of special needs was minimally budgeted within the framework of Decision 3790, and its investment stands at just NIS 1.5 million annually, according to Zion Regev, director of the Government Plan within the Jerusalem Municipality's Education Authority.<sup>62</sup> According to the 2020 Status Report, the package for special needs within the field of education amounts to an investment of approximately NIS 8.9 million over a period of five years.<sup>63</sup>

According to Regev, the ongoing consequences of the COVID crisis, including the sharp rise in rates of poverty and violence in the family and at school, have highlighted the importance of the sector over the past two years. He noted that this understanding led to a budget shift as part of the Government Decision, through which the budget was expanded in the wake of philanthropic funding, thereby enabling the introduction of social workers into schools through municipal

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<sup>62</sup> Ibid.

<sup>63</sup> [2020 Status Report](#), p. 16.

funding. However, in order to provide the necessary response, the sector must be budgeted on a larger scale as part of a follow-up Decision to Government Decision 3790.<sup>64</sup>

The Decision also indicates a lack of significant investment in preventing student dropouts. The dropout rate for ninth through twelfth graders in East Jerusalem in 2015–2018 stood at 26.5%<sup>65</sup> –nearly four times higher than the Arab sector’s dropout rate in Israel. In the 2020 Status Report, the section on education refers to the goal of reducing the dropout rate for ninth to twelfth grade students from 28% to 25.5% for all students by the 2020-2021 school year. However, no significant resources have been allocated for the initiative within the section on education. Beyond minimal investment in special needs in the Decision’s section on education, the dropout issue is also addressed in the Employment and Welfare section as part of a series of programs to encourage employment; dropout prevention among at-risk children and youth; and alleviate poverty. Yet a budget of NIS 75 million over a five-year period was collectively allocated for all such programs – a small amount considering the extent of the problem in comparison to the amounts invested in promoting the Israeli curriculum. This sheds light on the aforementioned statement by David Koren, according to which the special needs treatment options offered by the Israeli curriculum constitute one of the main factors in students’ switching to the program. Thus, this shortage is also exploited to influence transfer to the Israeli curriculum.

### c. Hebrew Language Learning

The standard hours outlined in the Hebrew-language learning curriculum are three hours per week in the Palestinian curriculum and four hours per week in the Israeli curriculum. Government Decision budgets are intended to be used in order to finance extra hours of Hebrew

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<sup>64</sup> Jerusalem Institute for Policy Research discussion, [Start of the School Year in East Jerusalem](#), November 23, 2021.

<sup>65</sup> State Comptroller, [Special Audit Report: Developing and Strengthening Jerusalem’s Status](#) – Part Two, Jerusalem, June 2019, p. 341.

language studies in schools, intensive Hebrew studies at school, certification of Hebrew teachers and more.

According to the June 2019 State Comptroller's report, students studying the Palestinian curriculum received 71% of the standard hours for Hebrew instruction in official schools that teach the Israeli curriculum, and those studying in recognized but unofficial schools received just 44% of these standard hours.<sup>66</sup>

According to Ministry of Education sources with whom we were in contact, as part of a cut that took place near the start of the 2020-2021 school year, extracurricular hours allocated to the Palestinian curriculum (two weekly hours in total) were canceled and the study hours for the Israeli curriculum were cut from two weekly hours to one.

Thus, as of the 2020-2021 school year, a total of three hours of Hebrew were taught in the framework of the Palestinian curriculum, as opposed to five for the Israeli curriculum.

According to Regev and Koren, who are responsible for implementing the Decision's section on education in the municipality and Ministry of Education respectively, steps taken within the framework of Hebrew studies have only had a limited impact, and the scope of investment in the field should be expanded ahead of the next five-year plan. According to Regev, Hebrew studies within the program should "be an integral part of the school day," since intensive Hebrew studies that provide a sporadic solution just for some hundreds of students are insufficient.<sup>67</sup> Regev further noted that it seems as if a factor in parents' current choices to enroll their children in the Israeli curriculum stems from the opportunity to learn more Hebrew in this framework.

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<sup>66</sup> State Comptroller, [Special Audit Report: Developing and Strengthening Jerusalem's Status](#) – Part Two, Jerusalem, June 2019, p. 396.

<sup>67</sup> Jerusalem Institute for Policy Research discussion, [Start of the School Year in East Jerusalem](#), November 23, 2021.

Assuming that decision-making bodies objectively seek to expand opportunities available to East Jerusalem students, and in understanding the importance of formal studies on the matter, it is worth supporting budgets for additional educational support for Hebrew instruction within the Palestinian curriculum, in which the vast majority of students in East Jerusalem currently study.

## 2) Informal Education

Government Decision 3790 allocates NIS 206 million (approx. USD59 million) to informal education over five years (from May 2018) constituting nearly half (46%) the total sum allocated by the Decision for investment in education. Of the total investment in the field of education, this is the largest scope of investment

Prior to the implementation of the Government Decision, informal education was hardly part of the official system in East Jerusalem at all. The Government Decision's investment in informal education appears to be the continuation and expansion of a process that began as part of Government Decision 1775 in June 2014, which was formulated following the wave of violence in East Jerusalem that summer, prompting municipal and government officials to promote after-school activities for youth.<sup>68</sup>

From the first year of the Government Decision's implementation, the field of informal education developed significantly and a wide range of programs for children and youth were introduced. During the 2019-2020 school year, 24,375 students participated in informal education programs in East Jerusalem from first through twelfth grades.<sup>69</sup> According to the Jerusalem Education Authority, the field was dealt a severe blow by the pandemic, and throughout the 2020-2021

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<sup>68</sup> Ramon, A. (2021). [Discovering East Jerusalem — Processes That Led to Israeli Policy Change and Government Decision 3790](#), Jerusalem Institute for Policy Research, p. 80.

<sup>69</sup> Maliha Zugair, Elisheva Milikowsky, accompanying research on the implementation of Government Decision 3790 for Socio-economic Development in East Jerusalem, [Informal Education as a Means of Reducing Gaps in East Jerusalem](#), Jerusalem Institute for Policy Research (2020).

school year, only about 18,000 students participated in these programs, some of which did not take place at all. There appears to have been a return to routine with the current 2021-2022 school year. The programs began to operate in full, aside from the “Extra-curricular Activity for Every Child” programs (intended for ages three to six and run by the Israel Association for Community Centers, under the auspices of the Ministry of Education) due to difficulties with the operating company.<sup>70</sup>

The informal education system in East Jerusalem currently consists of a wide variety of programs designed for children and youth, commencing in elementary school. It includes after-school enrichment and leisure programs (e.g., surfing, swimming, robotics, photography, basketball, and taekwondo), youth organizations, leadership programs (the most prominent being the “Steps” program for ninth to twelfth graders, and the “Yalla” youth organization for fourth to sixth graders), study programs, learning centers, extra-curricular activities, etc. Most of the programs take place in schools after hours, and a smaller number are conducted in community centers. In special cases, the informal system also includes enrichment activities during school hours.

Most programming in the informal system takes place in the official schools, while a few take place in recognized schools, although even then, only in those teaching the Israeli curriculum.<sup>71</sup> This is the case despite the fact that nearly 35% of Palestinian students study in the recognized but unofficial system, and at least half of them study there solely because of the severe classroom shortage.

In July 2020, Ir Amim published: [Informal Education in East Jerusalem – Study of Needs and Recommendations](#). The study was conducted by Dr. Samira Alayan and Shada Kashkoush,

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<sup>70</sup> Zion Regev, Director of the Government Plan within the Jerusalem Municipality’s Education Authority during a Jerusalem Institute for Policy Research discussion, [Start of the School Year in East Jerusalem](#), November 23, 2021.

<sup>71</sup> Maliha Zugair, Elisheva Milikowsky, [Informal Education as a Means of Reducing Gaps in East Jerusalem](#), Jerusalem Institute for Policy Research (2020).

researchers at the Hebrew University School of Education, as part of the joint monitoring project with the WAC-MAAN Workers' Association. The study examined the needs of East Jerusalem in the field of informal education, versus the response granted through implementation of Government Decision 3790. The study was based on structured in-depth interviews with various bodies involved in informal education in East Jerusalem: namely school principals, parents' committees, and senior Ministry of Education and Jerusalem Municipality officials.

As the study found, extensive informal education programming, especially in the first two years of the Decision's implementation, stood out especially against the backdrop of the existing lack of infrastructure in formal education, and the lack of physical infrastructure in the programs' implementation and execution. Given this shortage, both principals and parent representatives who were interviewed stressed the need for dropout prevention programs, and for programs that "prepare their children for the evolving world and labor market."

The analysis conducted as part of the study raised the need to increase the involvement of school principals and parents (parents' committees) in making decisions about informal education programs; through adapting the programs' cultural and social content; expanding the number of student program participants; transparency in criteria for program distribution among schools and selection of student program participants; budgeting for and opening classes – not only according to the number of participants, but also according to quality criteria; increasing oversight and training for instructors working through external contractors; and adding transportation and budgeting for nutritious meals for children. The study further indicated that the ongoing existence and expansion of informal education is contingent on vital infrastructure improvement in East Jerusalem. Moreover, many resources must be invested in addressing the vast shortage of sports fields, indoor activity halls, swimming pools and leisure time recreational sites.

The interviews conducted for the study further indicated that beyond the explicit conditioning of the allocation of the most sought-after informal education activities or programs for

recognized schools on their teaching of the Israeli curriculum, in practice a clear preference is also granted to official schools that teach the Israeli curriculum.

Accompanying investigation by the Jerusalem Institute for Policy Research on informal education as part of the Government Decision, brought to the surface several additional challenges that must be addressed, some of which overlap with those that came up in our research on the topic. The Jerusalem Institute's research indicates that as of the 2019-2020 school year there was compliance with the quantitative indices established in most respects, yet the implementation lacked a strategy, including qualitative goals and objectives. Moreover, the Institute's research noted structural challenges regarding a small number of programs and youth organizations, a lack of continuity among programs, and the lack of physical infrastructure. It also noted cultural barriers regarding content, especially incompatibility with cultural and political sensitivities and insufficient participation of parents, teachers and schools, in formulating programs.<sup>72</sup>

It is important to promote the field of informal education in a manner geared toward the resilience and success of youth and their communities in East Jerusalem. In recent decades, there has been an increase in the recognition of the importance of informal education and its capacity to promote social change and reduce social disparities. Much research, conducted both in Israel and internationally, has indicated that informal education is helpful in improving academic achievement and emotional resilience, developing familial and community relationships, and imparting skills for the labor market.<sup>73</sup> In this respect, this process has great positive potential. Yet the field requires immense socio-political sensitivity, especially with respect to leadership promotion, which gives rise to deep tension between residents and the Israeli government.

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<sup>72</sup> Ibid, pp. 42-46.

<sup>73</sup> Ibid, pp. 4-5.



To strengthen community resilience among youth, it is vital to maintain informal non-institutional activity, i.e., neither under the auspices of the Jerusalem Municipality nor the Ministry of Education but rather by local, organic community bodies in East Jerusalem. Sports organizations, such as the sports clubs and youth groups that exist in East Jerusalem, have constituted an important part of the social, political and communal fabric of life many years. They are often subjected to attacks by the state and police through various security or political allegations, particularly those related to cooperation with the Palestinian Authority, which is interpreted quite broadly.

Thus, implementation of this part of the Government Decision is welcome. Yet insofar as there is a genuine desire for the promotion of leadership and community resilience, programming on behalf of additional non-state frameworks must be promoted and certainly permitted to meet those needs.

### **3) Implementation Regarding Education – Conclusion**

Analysis of the Government Decision's education section is particularly complex given the entanglement of professional and political interests.

According to published data, the field appears to have been administratively implemented somewhat oddly. Despite the COVID-19 crisis that severely hampered the activities of the education system and prevented the implementation of some of the programs referred to in this section of the Decision, the budget was almost fully utilized in 2019 and 2020, through making appropriate budgetary shifts. The significant budgetary investment in the field of education, and the joining of professional bodies involved in education in East Jerusalem, cultivated important change and seem to have strengthened the education system in East Jerusalem in helping it contend with the pandemic. There is no doubt that involved in the Decision's implementation were those seeking expansion of options available to children and youth in East Jerusalem, and who see education as an engine for cultivating socio-economic leadership.

At the same time, through the privileged status granted to the advancement of the Israeli curriculum, the Government Decision perpetuates and intensifies the most severe weaknesses in East Jerusalem's education system. This precedence at times even undermined material considerations that should have been restricted toward the unequivocal promotion of education in East Jerusalem.

Studying in accordance with the Palestinian Authority's curriculum in East Jerusalem is not only supported by the Oslo Accords, but also by international law, in conferring children in East Jerusalem the right to education in accordance with their culture and national affiliation, and their right to equality in education, liberty and protection of identity. The choice between the Israeli and Palestinian curricula should remain in the hands of the parents of the East Jerusalem students of. It is the role of the government and municipality to allow parents freedom of choice, and not to make opportunistic use of the dire situation in East Jerusalem's education system to generate unfair pressure to transfer into the Israeli curriculum.

The significant flaws in East Jerusalem's education system – namely lack of classrooms, the phenomenon of “invisible children” and particularly high dropout rates – are a product of many years of neglect by Israeli authorities, and it is unacceptable for their rehabilitation to be conditioned upon further violation of Palestinian student rights.

## D. Higher Education

The third largest budget was designated for the higher education section of Decision 3790, amounting to a total of NIS 260 million (approx. USD74 million). The primary goal established by the Decision in this respect, was to double the number of East Jerusalem students studying in Israeli academic institutions. To this end, it was determined that over the course of the Decision's five years of implementation, NIS 170 million would be transferred from the Planning and Budgeting Committee, which operates within the framework of the Council for Higher Education, along with an additional NIS 90 million from the Ministry of Finance.

The budgets are allocated for four programs: guidance for academic studies as early as middle school (through the “Rawad Program”); a system of pre-academic preparatory courses for graduates of the education system in East Jerusalem; extracurricular guidance for students enrolled in academic institutions during their BA studies; and a program for outstanding high school students (the “Al-Bashair Program”) that aims to guide them before, during and after their academic studies.

There has been considerable success in meeting goals in this field. During the Standing Committee’s discussion in 2019, it was reported that the goals set for the 2022-2023 school year (the last year included in the Decision) were being approached, and that demand was much higher than supply. Thus, requests were made to update the Decision’s goals, and increase the budget accordingly.<sup>74</sup> Data from the 2020 Status Report also indicates quantitative success in almost all respects – regarding high school students, enrollment in preparatory courses, and admission to academic studies.

For example, the goal established for the number of students enrolled in academic programs through the Rawad Program during the 2019-2020 school year was set for 500, while in practice 638 students enrolled; in the 2018-2019 school year the goal stood at 500 registrants for pre-academic preparatory courses, and 569 residents of East Jerusalem enrolled; the following year the goal was increased to 550 and, in practice, 741 enrolled. The goal established for the number of first-grade students studying in academic institutions in Israel from 2019-2020 stood at 470 and their number reached 583. The Rawad Program for outstanding high school students grew from 80 tenth-grade students and 15 students from the first cohort (from 2017-2018), to 343 high school students and 68 students from 2020-2021.<sup>75</sup> In parallel, some goals are yet to be achieved,

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<sup>74</sup> [Summary of 2019 Standing Committee discussion](#) above, p. 3.

<sup>75</sup> [2020 Status Report](#), pp. 21-28.

such as the number of schools and classrooms in which the Rawad Program operates, yet publications show a positive overall picture for this section of the Decision.

According to the 2020 Status Report, of the planned budget of NIS 104 million slated for transfer in the first three years, approximately NIS 80 million was transferred in practice.<sup>76</sup> Surpluses will hopefully be directed towards further projects under consideration, including language barriers as an obstacle to progress in academia, and the challenge of directing graduates of the Al-Bashair Program toward quality employment. Among the projects intended for promotion that appear in the Status Report are: opening branches of the Israeli higher education system in East Jerusalem; integrating graduates of Palestinian institutions into advanced degree courses in Israeli academia; and analyzing information on obstacles faced by program graduates in higher education institutions in Israel.<sup>77</sup>

## E. Public Buildings

As noted by the State Comptroller, East Jerusalem is characterized by a significant lack of public buildings, sports and leisure facilities.<sup>78</sup> The severe shortage of public buildings is manifested in a significant shortage of public and community institutions, including youth centers, welfare offices, daycare centers, parent and child health clinics, daycare centers for the elderly, sports fields, swimming pools, public parks, playgrounds, libraries, cultural buildings and more. The disparity with the Jewish neighborhoods in the west of the city is very apparent.

According to the Ministry of Jerusalem and Heritage's 2019 Status Report, a detailed plan for the implementation of this section is yet to be approved.<sup>79</sup> In 2019, the Jerusalem Municipality submitted a request for support from the Ministry of Jerusalem and Heritage, which includes seven plots of land designated for various purposes, exclusively in the realm of parks and leisure

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<sup>76</sup> [2020 Status Report](#), p. 5.

<sup>77</sup> [2019 Status Report](#), p. 26.

<sup>78</sup> State Comptroller, [Government Actions Toward Socio-Economic Development in Jerusalem](#), 2018.

<sup>79</sup> [2019 Status Report](#), p. 27.

facilities, yet the plan did not progress. Thus, the budgets allocated for the sections of the Government Decision addressing the construction of public buildings and sports facilities were not transferred.

As was noted in the 2020 Status Report, the seven selected projects remained in planning stages, and implementation is yet to begin for any of them. Moreover, as of the Report's publication, authorization for the budget had not yet been granted. While it was due to be received by January of 2021, whether that happened is unknown. In the sphere of public buildings as well, it appears that by the end of 2020 the progress was mainly confined to an agreement between bodies familiar with the challenges and willing to commence joint work. Four buildings selected for development are in various stages of planning – all-purpose centers for education, sport, health and leisure in the neighborhoods of Umm Lissun, Wadi Joz, A-Tur, and Issawiya.

In December 2019, Ir Amim published [a study of obstacles and policy recommendations toward the implementation of the Government Decision's on advancement of public buildings](#). The study addressed the central problems and obstacles that led toward the severe shortage of public and community buildings in the Palestinian neighborhoods of East Jerusalem and made policy recommendations for their resolution.

The study identified four central problems that led to the shortage of public buildings:

- 1) Incompatible planning infrastructure, not taking residents' needs into account.
- 2) Insufficient resources to reduce long-term gaps in the development and maintenance of public areas and buildings.
- 3) Lack of suitable infrastructure for the development of public areas and buildings.
- 4) Lack of dedicated personnel and multiplicity of responsible bodies.

Precise obstacles were identified for each of these problems, regarding which the study outlined policy recommendations aimed toward their resolution.

Among the study's leading recommendations are the following: an essential increase in public land supply and accessibility by expanding local planning and development boundaries and increasing densely populated neighborhoods' territory; public participation and increased

transparency in steering and implementation stages; further resources for the construction and maintenance of public spaces and buildings; the creation of suitable infrastructure for the development of public spaces and buildings; the development of models suited to the construction of public buildings with reference to the existing terrain and planning conditions; a larger workforce and dedicated work plans on the topic.

Some of the recommendations offer solutions that recognize the current limitations and offer action within those bounds, so that results can already be evident in the short-term. Others aim for long-term systemic solutions – including increasing the supply of public land through the mechanisms as outlined.

Addressing the roots of the obstacles detailed here, through adoption of the policy recommendations and implementation of the Government Decision by governing bodies, will significantly assist in achieving a solution to the shortage of public buildings and spaces in East Jerusalem. As the community in East Jerusalem, like many others, currently contends with an economic crisis and significant communal upheaval – this field has grown all the more important.

## F. Health

Government Decision 3790's section on health includes one goal – to encourage HMOs to shift from a franchising model to an operating model in which medical services are directly provided in East Jerusalem by the HMOs themselves. To this end, NIS 30 million was allocated over five years as an incentive to lease buildings wherein new clinics would be established and directly operated. In June 2019, the Ministry of Health published support criteria for the distribution of funds to HMOs that would change the system to a direct operating model. Yet no significant progress has been made since then, so that the budget effectively utilized from the years 2018-2020, amounted to just NIS 3 million (out of a planned three-year budget of NIS 12 million).<sup>80</sup>

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<sup>80</sup> [2020 Status Report](#), p. 5.

According to the [2020 Status Report](#), Leumit Health Care Services was the only HMO to transfer five clinics to a direct operating model, with three of them opening in early 2018, thus meeting the criteria. The Ministry of Jerusalem and Heritage does not anticipate any further transitions to the direct operating model (aside from Maccabi Healthcare Services' intention to open a medical center). The alleged primary obstacle facing HMOs is property rental: "Most clinics cannot be rented from property owners, and elsewhere they cannot be rented for political reasons."<sup>81</sup>

This claim is difficult to accept, as HMOs were not asked to rent existing clinics from their current owners. On the contrary, they were encouraged to open new clinics and terminate contracts with franchisees. Yet it appears that the HMOs are not making effort toward moving forward with this process, perhaps because the current situation is comfortable for them. Unfortunately, the Ministry of Health only recently made the issue a priority. Thus, the main victims are naturally the residents of East Jerusalem, who continue to receive inferior health services compared to those enjoyed by the residents of West Jerusalem. Such gaps lead to genuinely compromised health, even within routine functioning, and certainly amid a health crisis.

Upon the initiative of Dr. Yael Assor, an activist in the field, and in collaboration with other organizations, a position paper was presented to the Ministry of Health in July 2021, offering operative measures to reduce gaps in health services between East and West Jerusalem. The position paper presented measures that can be implemented relatively quickly, including proposals for changes that will enable the transition from franchises to direct operation by HMOs; enforcing equivalent quality of health services in East and West Jerusalem; translating HMOs' forms and information into Arabic; and opening health centers in three spheres whose absence in East Jerusalem is particularly jarring – namely child development centers, women's health clinics, and mental health centers. Following the position paper, the issue is being

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<sup>81</sup> [2020 Status Report](#), p. 71.

examined by the Ministry of Health and will hopefully soon lead to an improvement in the state of health service provision in East Jerusalem.

## G. Transportation

The transportation section of the Government Decision was granted the largest budget of NIS 585 million (approx. USD167 million), which constitutes about 28% of the total budget earmarked for the Decision. Of that amount, NIS 500 million was designated for improving transport infrastructure, NIS 65 million for the planning of the northern section of the “American Road,” and NIS 20 million for public transport– to integrate multiple Rav-Kav bus routes and the operation of public transport lines that will connect East and West Jerusalem. According to the 2020 Status Report, NIS 148 million was transferred for transport in practice, out of the NIS 336 million allocated for the first three years of the project.<sup>82</sup>

The 2019 Status Report clarified that the original plans for the development of transport infrastructure were modified to address issues of road safety in accessing schools in East Jerusalem, and to reduce traffic accidents on these roads. As a result, a list was compiled of 29 roads, the development of which was approved under the plan. Among them, 13 are public roads defined as for public transport, and 16 serve as access roads to educational institutions.<sup>83</sup> The 2020 Status Report included a list of just 12 of those same 29 roads, all of which had been defined as for public transport in the previous report. Progress was indeed made, as project managers were appointed for all roads of relevance, and an investment estimate was presented for each road. Yet the status of progress on each road remains unclear. Moreover, the fate of the remaining 17 roads remains uncertain, including all access roads to educational institutions.

Planning for the northern section of the American Road as well as Asher Wiener Street (which connects to it), was completed back in 2020 and is now awaiting a budget for execution. The

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<sup>82</sup> [2020 Status Report](#), p. 5.

<sup>83</sup> [2019 Status Report](#), p. 69.



other two sections of the American Road are not part of Decision 3790, yet it is worth noting that despite completion dates scheduled for 2021, the southern section opened to traffic last year, while the central section is yet to open.<sup>84</sup>

Significant progress was made over the course of the past year as the ‘Rav Kav’ (Multi-Line) arrangement was put into effect in East Jerusalem.<sup>85</sup> Throughout the first two years of Decision 3790, its implementation was deemed a challenge that posed significant difficulties, as noted in both Status Reports. The process was completed in 2021, along with the installation of ticketing and GPS systems on all buses. Now, residents of East Jerusalem can also enjoy free travel on public transportation in the city for up to 90 minutes.

Regarding connecting public transport between East and West Jerusalem, the Standing Committee discussion in 2019 noted that there are challenges in improving service between both parts of the city due to minimal investment approved by the Budget Department.<sup>86</sup> Yet in the Status Report from that same year, the Ministry of Transport claimed to be formulating a new plan for bus routes in East Jerusalem that would increase the scope of transport services throughout the neighborhoods and expand toward West Jerusalem.<sup>87</sup> The 2020 Status Report indicates that significant steps have been taken. Regarding tenders, routes were designated to connect East and West Jerusalem, with an emphasis on employment centers, hospitals and academia.<sup>88</sup> Yet it is not at all clear how significant these steps will be: the report notes four new routes – three departing from Sur Baher, along with an additional route. In practice, checking a public transport search engine roughly one year after the report’s publication, revealed that only one of the four lines appears to have commenced operation, departing from East Talpiot rather than Sur Baher, without even passing through that neighborhood.

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<sup>84</sup> [2020 Status Report](#), p. 59.

<sup>85</sup> [Jerusalem Municipality notice, April 29, 2024.](#)

<sup>86</sup> [2019 Status Report](#), p. 5.

<sup>87</sup> [2019 Status Report](#), p. 69.

<sup>88</sup> [2020 Status Report](#), p. 58.

## H. Improving Civil Services and Quality of Life

Under this heading, Government Decision 3790 grouped together six different fields that aim to reduce gaps in government and municipal services provided to residents of East Jerusalem. These fields are budgeted from various sources (mostly government ministries, in collaboration with the Ministry of Jerusalem and Heritage), and each may be seen as a sub-section of this section, in and of itself.

With the exception of the sub-section on “Infrastructure and Leisure” which addresses the construction of public buildings and the development of parks and sports facilities, already addressed in detail above, the five additional sub-sections include: updating and registering addresses in East Jerusalem; expansion of the Ministry of Public Security’s activities in East Jerusalem – with an emphasis on strengthening the activities of the Israel Anti-Drug Authority (formerly the Israel Authority to Prevent Violence, Alcohol, and Drug Abuse); sewage infrastructure management; drainage infrastructure; and sanitation.

This section makes evident extensive under-reporting on everything relating to the implementation of Decision 3790, alongside inaccuracies from some previous reports. There is a puzzling gap between the abundant data published at the end of the inaugural year of the Government Decision’s implementation, and the minimal data presented after two years. This is reflected in both the Status Reports published thus far, and in the minutes published following the Standing Committee’s respective year-end review meetings in 2019 and 2020.<sup>89</sup> The minutes from the 2019 year-end review meeting and inaugural Status Report from that year, present details on each of the five fields, while the Status Report also notes budgetary data on an annual basis and throughout the five-year plan.<sup>90</sup> However, at the end of 2020, a great deal of information for the public was unavailable. Standing Committee year-end review meeting

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<sup>89</sup> [2019 Status Report](#), p. 4, 8.

<sup>90</sup> [2019 Status Report](#), pp. 50-65.

minutes from 2020 indicate that there was no discussion whatsoever regarding “Improving Civil Services and Quality of Life,”<sup>91</sup> while the second Status Report fails to present budgetary data for two of the five fields, or progress made therein.<sup>92</sup>

Under clause D of this section in Decision 3790, a budget of NIS 10 million was allocated, to be divided between the Ministry of Public Security and the Ministry of Jerusalem and Heritage over five years, to achieve two aims in East Jerusalem – strengthening activity of the Israel Authority to Prevent Violence, Drugs and Alcohol Abuse, and the Israel Fire and Rescue Services. Yet official documents relating to the Decision’s implementation contain no information regarding enhancing the Israel Fire and Rescue Services’ activity in the area.

Strengthening the activities of the Israel Authority to Prevent Violence, Drugs and Alcohol Abuse is evident in documents published amid the formulation and promotion of a plan to lower the threshold of violence in East Jerusalem and create a decent fabric of life with the help of neighborhood agents of change. The 2019 Standing Committee noted that the “City Without Violence” program operates in four neighborhoods, noting that only NIS 300,000 was used out of a budget of NIS 2 million, and therefore a decision was made to transfer the unused NIS 1.7 million to the 2020 budget.<sup>93</sup> The Status Report from that year lists the neighborhoods and the budgets that were to be transferred.<sup>94</sup> Yet the minutes from the 2020 Standing Committee note that the Ministry of Public Security’s portion of the budget had not been transferred in the previous two years.<sup>95</sup> The 2020 Status Report summary makes no reference to budgetary data or progress that year,<sup>96</sup> so that there is no way of knowing how the amount transferred in 2019 was put to use, or the amount allocated from the outset for 2020.

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<sup>91</sup> Ministry of Jerusalem and Heritage, [Standing Committee – Government Decision 3790 – 2020 Summary](#).

<sup>92</sup> [2020 Status Report](#).

<sup>93</sup> Ministry of Jerusalem and Heritage, [Summary of Standing Committee meeting on October 29, 2019](#), p. 4.

<sup>94</sup> [2019 Status Report](#), pp. 54-61.

<sup>95</sup> Ministry of Jerusalem and Heritage, [Summary of Standing Committee meeting on October 29, 2019](#), p. 4.

<sup>96</sup> [2020 Status Report](#), p. 66.

The sub-report at the end of the second year of Decision 3790's implementation, also noted an issue regarding the expansion of sanitation services in East Jerusalem. The 2019 Status Report included a reference to all the projects being carried out in the field, the neighborhoods in which they are being carried out, modes of implementation and budget planning.<sup>97</sup> However, the 2020 Status Report only relates generally to the remaining sums invested in sanitation activity in East Jerusalem within the framework of the plan, as part of the overall investment in sanitation. Nonetheless, it is worth noting favorably that the entire government budget devoted to sanitation was transferred to the municipality both in 2019 (NIS 15 million) and in 2020 (NIS 11 million), as well as the fact that publications indicate that many activities were carried out and further sums were invested in improving sanitation in East Jerusalem, beyond those noted.<sup>98</sup>

The sole fields for which adequate information was presented and backed up by data at the end of the first two years of the Decision's implementation, are those of **sewage** (which is the responsibility of the Gihon Water Company) and **drainage** (which is the municipality's responsibility). A work plan was formulated for these fields including 20 projects, further to a comprehensive examination of the most severe infrastructure problems in East Jerusalem.<sup>99</sup> Yet contrary to what emerged from the 2019 Status Report, data from the Ministry of Finance's Budget Division for October 2019 indicates that the budget earmarked for these fields was not transferred as the work plan required for improvement of infrastructure was not submitted.<sup>100</sup>

In general, it is worth noting that the Standing Committee's meeting minutes from October 2019 indicate that even in the first year of the Decision's implementation, there were difficulties in transferring budgets under this section (aside from sanitation), and a need arose to create a budget mechanism.<sup>101</sup> The second Status Report clarified that this hurdle was only resolved at

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<sup>97</sup> [2019 Status Report](#), pp. 64-66.

<sup>98</sup> [2020 Status Report](#), p. 67.

<sup>99</sup> [2019 Status Report](#), pp. 62.

<sup>100</sup> Response to Ir Amim's freedom of information request on behalf of the Ministry of Finance's Budget Division, October 22, 2019.

<sup>101</sup> Ministry of Jerusalem and Heritage, [Summary of Standing Committee meeting on October 29, 2019](#), p. 8.

the end of 2020, and the decision to transfer the budget in 2021 was changed so that it would be executed within the framework of a contract between the Ministry of Jerusalem and Heritage and the municipality.<sup>102</sup> In light of the aforementioned, with regard to the gaps in the report, it is difficult to estimate the impact of the impediments on activities during the first two years of the Decision's implementation.

## IV. IMPLEMENTATION OF DECISION 3790 – FROM POLITICAL TO SOCIO-ECONOMIC MOTIVES

Government Decision 3790, adopted in May 2018, was a significant first step toward investing large sums of money in East Jerusalem's socio-economic development. Many deemed it a turning point in Israeli policy toward East Jerusalem, and a long overdue genuine examination of the distress and long-standing neglect of East Jerusalem in the spheres of infrastructure, education, employment, and services, with the aim of providing an adequate response. In parallel, the plan was promoted and presented from the outset as an initiative through which to apply Israeli sovereignty over East Jerusalem and as another means of uniting Jerusalem as the capital of Israel, for both internal and external consumption. Among the abundant significant factors that led to the Government Decision, the State of Israel's responsibility for the residents of East Jerusalem is both a means of applying Israeli sovereignty and a tool to demonstrate and strengthen sovereignty and governance.

As an organization that has warned of a deliberate policy of neglect and discrimination in East Jerusalem for years and has urged authorities to act on the issue for a considerable time, Ir Amim perceived the Decision to invest such significant sums as a welcome step. In parallel, as an organization that operates in recognition of Jerusalem as the home of both nations and their

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<sup>102</sup> [2020 Status Report](#), p. 62.

future capital, we were compelled to examine the socio-economic changes also from the perspective of protecting the Palestinian community's rights in the city.

This position also obliges us to conduct complex examinations of the processes carried out by authorities within the framework of Decision 3790, which raise in-depth questions in light of which the Decision's implementation should be evaluated: what is the socio-economic horizon outlined for East Jerusalem by the Government Decision? Is it possible to detach it from the political vision it involves for Israel? Is the Decision indeed innovative with regard to East Jerusalem, or does it regenerate familiar dynamics, with a new facade and tools?

As is evident in this comprehensive mid-period report, the creation of many motives and opportunities are evident for residents of East Jerusalem in the field of employment. On the other hand, in the absence of a planning section – and amid implementation of the Decision's Settlement of land title section – risks and political interests have been exposed to the extent of the Decision being used to exploit residents. The approach in the sphere of education ranges between the two poles – consideration of the benefit to residents and acting in the government's political interests.

Amnon Ramon's in his research study at the Jerusalem Institute for Policy Research, on the backdrop and processes that led to the adoption of Decision 3790, describes a long and tumultuous process regarding Israel's stance toward the Palestinian residents of East Jerusalem from 1967 through the adoption of Government Decision 3790.<sup>103</sup>

Ramon describes a complex set of motives and interests that motivated the Government Decision's inception. First and foremost – the **security motive**. According to Ramon's analysis, this is the dominant motive for engaging in reducing disparities from 1968 to the present. In general, the approach perceiving East Jerusalem as a ticking time bomb for terror and unrest is

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<sup>103</sup> Ramon, A. (2021). [Discovering East Jerusalem — Processes That Led to Israeli Policy Change and Government Decision 3790](#), Jerusalem Institute for Policy Research.

the most consistent aspect of the establishment's stance. This has resurfaced over the past few decades, in line with the changing political reality in East Jerusalem.

The security motive is joined by the **economic motive** promoted by officials from the Ministry of Finance and its **Budget Division** in particular, through the perception that improving residents of East Jerusalem's economic circumstances and expanding the business sector, will contribute to poverty reduction, thus reducing the payment of government benefits, and increasing tax revenues for municipal and state coffers. Without the integration of Palestinians into the Israeli labor and consumer market, they believe Israel is missing out on enormous economic potential.

Finally, the **political motive** constitutes a fundamental basis for advancing the process, both in its presentation to the public and in the content of the Decision itself. As detailed by Ramon, this motive has been evident in nearly every Israeli investment in East Jerusalem over the years. It gained renewed validity following failed negotiations between Israel and the Palestinians, with the support of Minister Elkin and then-President Rivlin, among others. According to this motive's logic, the bearing of responsibility for East Jerusalem's socio-economic needs is a tool to demonstrate Israeli sovereignty on the ground, thus shrinking the influence of other locally operating bodies, particularly that of the Palestinian Authority.

Thus, Decision 3790 was a significant turning point in terms of mobilization of officials and budgets, and in the establishment's willingness to pursue this direction. Yet it is difficult to perceive it as a reversal in approach, but rather as another new link driven by the same perception on the part of the establishment vis-a-vis East Jerusalem. In this context, critical theoretical approaches to interventions through economic development are desirable, so as to emphasize the political nature of poverty, along with state interventions for its eradication. Just as poverty is a product of an array of political forces, so too is development, according to this approach, a political process stemming from the state's desire to control the development of

those living in poverty, to uphold good governance, and make the state more relevant to people's lives.<sup>104</sup>

Nonetheless, from the moment socio-economic investment through Decision 3790 was launched and budgeted, with officials being recruited, many of whom were indeed glimpsing an unfamiliar reality for the first time, new horizons, planned and unplanned, emerged. Various aspects of the Decision's implementation, driven by many diverse officials, are not directed at realizing the overarching political goal.

It is thus important to add and provide a political and state context for the activities of the Decision's implementing bodies, and the steering bodies working toward the next Decision, so as to reinforce it with the comprehensive information in our possession. In this regard, an important aspect of civil society's role is to confront the bodies acting on behalf of the establishment with the various means in which the Decision's implementation serves political motives that conflict with, or even undermine, residents' well-being and harm the realization of the Decision's other goals. In places where political barriers toward East Jerusalem's socio-economic development appear, it is civil society's role to point them out and push toward a more equitable reality.

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<sup>104</sup> Gal Kramarski, *Designing lives: Israeli aid strategies in Occupied East Jerusalem* (Forthcoming), pp 25-26



## V. SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

### WITHIN THE SCOPE OF THE MONITOR REPORT

1. Partial compliance with **transparency** requirements, including those set out in the Decision itself. A thorough amendment of transparency and information accessibility mechanisms for the Decision's implementation is required.
2. As may be learned from the **transparency and publicity mechanisms** introduced in the implementation of Government Decision 922, the website dedicated for the implementation of Decision 3790 should serve as an ongoing platform for progress updates in addition to consultation with members of the public and officials in the field for optimal implementation. A dedicated website must publish Hebrew and Arabic status updates and mechanisms for implementing the Decision regarding each of the government ministries involved; summaries and presentations from steering committee meetings; meeting summaries in the various spheres of the Decision; a list of relevant contacts in government ministries; annual budget transfers; and the various ministries' open calls for proposals.
3. **Employment**
  - a. The COVID-19 crisis has greatly exacerbated the state of poverty and unemployment, both locally and globally.
  - b. Even in the shadow of the COVID-19 crisis, there is low budget utilization with reference to the Decision's employment and welfare section.
  - c. As a result of the COVID-19 crisis, over a third of the East Jerusalem work force lost their jobs (whether entirely or in part). The crisis primarily impacted employment for youth, uneducated and unskilled workers – common features of the East Jerusalem labor force.
  - d. Data indicates placement in low-wage jobs. Such findings are consistent with figures indicating an increase in the poverty rate, despite the increase in women's employment in recent years. This trend intensified with the sweeping crisis generated by the pandemic

in regard to employment, which reversed changes brought about by government investment over the years, modest as they were.

- e. It is evident that the Rayan Center for employment counseling succeeded in realizing its budgets and meeting goals. However, the vast majority of women who used the center's services were hired into jobs with lower than minimum wage, and less than 1% of the women were able to find jobs with salaries approaching the average wage.
- f. Difficulties were evident in carrying out employment incentive programs. Implementation objectives were only partially realized and accordingly the budget was only partially utilized.
- g. In 2019–2020, 11 Hebrew preparatory courses were opened with 239–287 participants, 78%-81% of whom were women.
- h. Courses must be advertised far more widely, and steps taken to make relevant information accessible.
- i. A significant portion of professional trainings commenced. Training, education completion and Hebrew studies programs must be adapted and budgeted for participants who have not completed basic formal education of 9-12 years.
- j. Adult education completion programs should include adequate grants for participants and take place during convenient hours for studies. It is recommended to establish placement programs for quality employment that will encourage parallel integration in education completion programs, through funds or grants designated for this purpose.
- k. According to the Jerusalem Municipality, as of January 2020, 242 daycare centers and nurseries were lacking in East Jerusalem. As of November 2021, only one new daycare opened in the neighborhood of Shuafat, and ten more centers remain in various stages of planning.
- l. Subsidizing parental payments for daycare centers must be addressed, along with amending threshold conditions for receiving a subsidy from the Ministry of Welfare and Social Affairs, in order to provide subsidies for women engaged in job searches or

vocational training, or for women juggling part-time positions. Moreover, the scope of the subsidy should be increased to take into account the wages of women in the early stages of integration into the work force, and the high poverty rate in East Jerusalem.

- m. All information regarding registration procedures for daycare centers, simulators to check eligibility for subsidies and the required forms that are currently available only in the Hebrew language, must be made accessible in Arabic.
- n. In light of the complexity involved in planning and building daycare centers, as evidenced by the Decision's implementation, and due to the concern that daycare centers will only be suitable for some neighborhoods in East Jerusalem, it is worth initiating supervised nurseries, even if only as an interim solution.

#### **4. Settlement of Land Title**

- a. The settlement of land title process determined by the Government Decision constitutes a significant policy change. After a freeze of this process in East Jerusalem that lasted over 50 years, the goal, according to the Decision, is now full settlement of land title by the end of 2025.
- b. Years of carrying out this section of the Decision have shown that it jeopardizes the rights of a large proportion of Palestinian residents of East Jerusalem to their land and homes. Despite official reports noting its slow, almost negligible progress, it became clear that settlement of land title had not only been completed in the Umm Haroun bloc of Sheikh Jarrah in the name of Jews – but also concealed. Since that discovery, ever more indications of settlement of land title exploitation have been exposed, and it is currently clear that this section is being used to advance the process in neighborhoods that are strategic targets for Jewish settler takeover – such as Sheikh Jarrah and the Mount of Olives; in Jewish neighborhoods beyond the Green Line – Neve Yaakov, French Hill, Ramot; and in three of the areas designated for the largest plans for new Israeli settlements in East Jerusalem – Atarot, Givat Hashaked and Givat Hamatos.

- c. The choice of blocs in which the state has declared the settlement of land title process reveals its exploitation of the Decision to advance state and settler interests through the process, not only where this is not in the interests of the residents but also severely harms them.
- d. While residents' lack of cooperation throughout settlement of land title proceedings could theoretically be considered sufficient to prevent their progression, the law declares that whenever owners do not participate in the process the land will be registered as state-owned under the Land Settlement Ordinance.
- e. Under these circumstances, along with further impossible restrictions placed on residents to prove ownership, and the imposition of retroactive taxes, promotion of this section of the Decision should cease immediately.

## **5. The Failure of the Decision to Address Residential Planning**

The sphere of residential planning is entirely absent from Decision 3790, although it is clear that the lack of outline plans constitutes a significant obstacle to the realization of the objectives put forth by the Government Decision itself – such as construction of public buildings and educational institutions, commercial zones, and roads. Above all, suitable housing is a prerequisite for any socio-economic growth, healthy and normative family life and academic motivation. As the Government Decision's governing and implementing bodies seek to socio-economically strengthen East Jerusalem, they should immediately cease the settlement of land title processes and advance residential planning instead.

## **6. Education**

- a. As at the end of 2020, the budget utilization for this section constituted the highest in comparison to other Decision sections. Upon application of the strategy dealing with the education system in East Jerusalem, the process was strengthened, and was reflected in the addressing of consequences for the education system of the COVID crisis.

- b. In 2020, three schools were constructed, and three new schools were opened in rented buildings – but it is unclear whether this emanated from government or external budgets. Despite this, the classroom shortage in East Jerusalem is growing and not being directly addressed by the Decision. The shortage currently stands at over 2,840 classrooms.
- c. The Decision contains a significant budgetary bias pushing students to enroll in schools using the Israeli curriculum. Representatives of the Ministry of Education and the municipality report an increase in the number of students studying the Israeli curriculum and noted that 13 additional schools have begun operating according to the Israeli curriculum. Conflicting data exists regarding the increase in the number of students studying the Israeli curriculum. Some data indicates an 11.7% increase in the number of students, while others note a 16-17% increase among all students in the recognized and official education system this year.
- d. A budget shift regarding special needs was reported and the budget was expanded through philanthropic support, which enabled the introduction of social workers into schools funded by the municipality. In order to provide a sufficient response, special needs should be budgeted on a new scale, and significant investment in dropout prevention must be determined.
- e. Extra educational support for Hebrew studies was cancelled for the Palestinian curriculum (from a total of two hours per week) and cut back from two weekly hours to one in the Israeli curriculum. As of the 2020-2021 school year, a total of three hours of Hebrew were taught in the Palestinian curriculum and five hours in the Israeli curriculum. The budget should be increased to allow additional hours for educational support for Hebrew language learning as part of the Palestinian curriculum, which the vast majority of students in East Jerusalem currently study.
- f. The field of informal education has developed significantly, and a wide range of programs for children and youth have been opened. The field suffered severe setbacks in the wake of the COVID-19 crisis, yet there appears to have been a return to routine in

the current school year. The programs commenced full operation, aside from the “Extra-curricular Activity for Every Child.”

- g. Studies conducted by Ir Amim and the Jerusalem Institute for Policy Research note the following needs in this context: the participation of school principals and parents (parents’ committees) in making decisions regarding informal education programs; cultural and social adaptation of the programs’ content; expanding the number of participants; transparency in criteria for allocating programs among schools and in selecting participants; budgeting and launching extra-curricular activities, not only in accordance with the number of participants, but also qualitative criteria; increasing the oversight of instructors working through external contractors, and conducting training for such instructors; an additional budget for transportation and meals for children participating in the programs.
- h. The ongoing existence and expansion of informal education in East Jerusalem depends on substantive vital infrastructure improvement in East Jerusalem. Many resources are required to address the massive shortage of sports grounds, indoor activity halls, swimming pools and recreational sites.
- i. In order to strengthen community resilience among youth, it is vitally important to maintain informal, non-institutional activity, which is neither promoted by the Jerusalem Municipality nor the Ministry of Education, but rather by local, organic community bodies in East Jerusalem.
- j. The successful implementation of this section of the Decision, also involves the current tendency to grant preference to the Israeli curriculum. Thus, the decision retains many of the most troubling flaws that currently exist in the education system in East Jerusalem and a bias toward interests that do not focus on the unequivocal promotion of education in East Jerusalem. The choice between the Israeli or Palestinian curriculum should remain with East Jerusalem parents. It is role of the government and municipality to

enable parents to choose freely, and not take advantage of the East Jerusalem education system's dire condition to create unfair pressure to transfer to the Israeli curriculum

## 7. Public Buildings

- a. There was a major delay in implementing this section of the Decision. Seven projects selected for different purposes in the realm of park and leisure facilities remain in planning stages, and work on them is yet to begin. By the end of 2020, four public buildings were selected for development, and these are currently in various stages of planning.
- b. The following needs may be noted among the central recommendations from Ir Amim's research in the field: an essential increase in public land supply and accessibility, through expanding local planning and development boundaries and adding territory to densely-populated neighborhoods; public participation and increased transparency in steering and implementation stages; further resources for the construction and maintenance of public spaces and buildings; the creation of suitable infrastructure for the development of public spaces and buildings; the development of models adapted for the construction of public buildings amid existing terrain and planning conditions; a larger work force and dedicated work plans in East Jerusalem.



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In the wake of Government Decision 3790 from May, 2018, for reducing socio-economic gaps and economic development in East Jerusalem, Ir Amim began to monitor its implementation. Beginning in January, 2020, the monitoring project is being carried out jointly by Ir Amim and the workers' organization WAAC-Maan. You are invited to read the quarterly monitoring reports [here](#).



Ir Amim is an Israeli nonpartisan organization that deals with the complexity of life in Jerusalem within the context of the Israeli-Palestinian conflict. The organization acts to promote stability, equality and a agreed-upon political future in Jerusalem.

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