



# THE STATE OF EDUCATION IN EAST JERUSALEM: FAILING INFRASTRUCTURE

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## Introduction

On June 2, 2019, the State Comptroller published a special report on the topic of Jerusalem (hereinafter – the State Comptroller’s Report), which found that profound gaps continue to persist in the scope and quality of educational (and welfare) services provided to the population of East Jerusalem:

The failure to narrow these gaps impairs the ability of the population in East Jerusalem to improve its socioeconomic condition. This is liable to exacerbate deprivation among this population and to endanger the resilience of Jerusalem as a whole.<sup>1</sup>

Since 2001 – nearly two decades ago – the Supreme Court has consistently found that the Israeli authorities are violating their constitutional obligations in the field of education in light of the acute classroom shortage in East Jerusalem (HCJ 3834/01 *Hamdan et al. v Jerusalem Municipality*; HCJ 5185/01 *Badriya v Jerusalem Municipality* (unpublished, partial ruling granted August 29, 2001); HCJ 5373/08 *Abu Libda v Education Minister*, granted February 6, 2011).

Despite the court’s findings, and as illustrated in the report along with previous ones, the dearth of classrooms in East Jerusalem is continuing to grow. **The construction rate stands at just a few dozen new classrooms per year, which fails to adequately address the ever-increasing gap. The classroom deficit has now risen to over 3000.**

Nearly a decade after publication of a previous report on the topic, the State Comptroller’s most recent report notes that, “not only has the classroom shortage in East Jerusalem not been reduced, it has actually increased over the years” (p. 378). **As described below, the scarcity of classrooms is also inextricably linked to the alarming dropout figures and the number of children unaccounted for in any educational institution (“invisible” children).**

The Municipality’s declared intent to rectify the situation is undermined by the growing deterioration of the state of education in East Jerusalem and the absence of a substantive solution. Israel bears the obligation to ensure immediate infrastructural reforms to the education system in East Jerusalem, which has been in a constant state of decline throughout the 52 years since Israel’s annexation of the eastern part of the city. The state must likewise refrain from interfering with the curriculum taught in East Jerusalem schools, which should remain connected to the national heritage, culture and identity of the community as an essential condition for safeguarding the life of the Palestinian population in Jerusalem and ensuring the future of its children.

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<sup>1</sup> State Comptroller, [Special Report: Developing and Strengthening the Status of Jerusalem – Part 2](#) (Hebrew), Jerusalem, June 2019 (hereinafter: “State Comptroller’s Report,”) p. 338

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## I. Abstract of Findings

1.	Percentage of Palestinian students studying in the education system (official and recognized-but unofficial schools) out of total number of students in Jerusalem	35%
2.	Percentage of Palestinian students studying in the official education system out of total number of Palestinian students in East Jerusalem	41.3%
3.	<b>Number of Palestinian children of compulsory school age who are unaccounted for (“invisible”) in official municipal data and records</b>	<b>26,341</b>
4.	<b>Percentage of “invisible” children out of total number of Palestinian children of compulsory school age in East Jerusalem</b>	<b>19%</b>
5.	<b>Current classroom shortage in East Jerusalem</b>	<b>3,026</b>
6.	Average number of classrooms constructed annually in East Jerusalem	36
7.	Number of classrooms required annually just to accommodate natural growth in East Jerusalem	70
8.	<b>School dropout rate between grades 9-12 (2015-2018)</b>	<b>26.5%</b> <b>1 in 4 students</b>
9.	<b>Rate of school dropouts in East Jerusalem out of total number of all dropouts in the city</b>	<b>70%</b>
10.	Youth Advancement Unit in the Jerusalem Municipality: Proportion of staff positions assigned to East Jerusalem Percentage of unit’s budget allocated to East Jerusalem	17% 25%
11.	Proportion of education budget conditioned on adoption of the Israeli Matriculation curriculum pursuant to Government Decision No. 3790	43.4%
12.	Percentage of Palestinian students studying for the Israeli Matriculation out of total number of students in Arab education in Jerusalem	6.7%

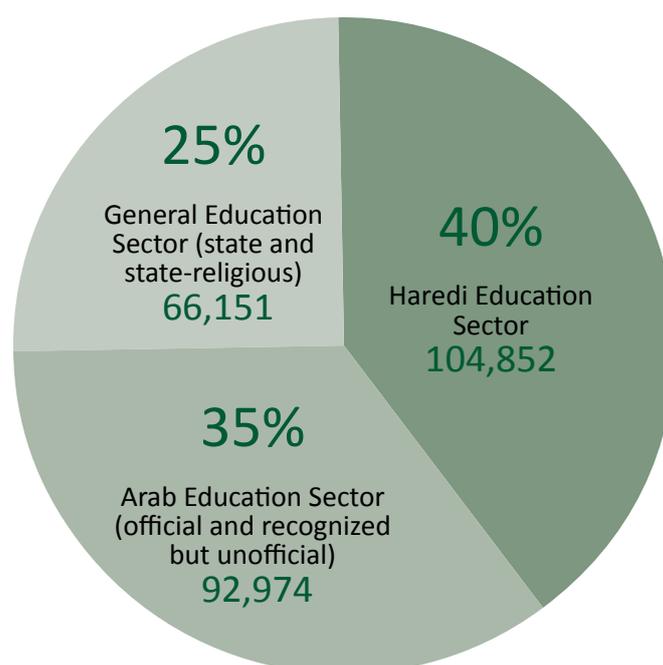
## II. Distribution of Palestinian Students in the Education System(2018-2019 school year)

### A. Distribution of Students in the Education System in Jerusalem

According to the Jerusalem Education Administration (JEA) Data 2018-2019 <sup>2</sup>	Institutions	Classrooms	No. of Students	Percentage of students
<b>General Education Sector (state &amp; state-religious)</b>	706	3,040	66,151	25%
<b>Haredi Education Sector</b>	1,172	4,113	104,852	40%
<b>Arab Education Sector (official &amp; recognized but unofficial)</b>	1,008	3,727	92,974	35%
<b>Total</b>		10,880	263,977	

### Number of Students in the Education System in Jerusalem

According to JEA Data 2018-2019

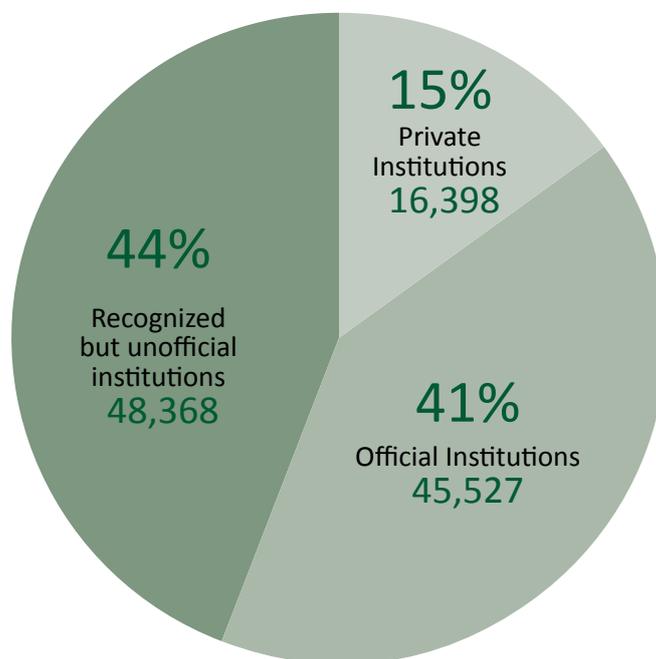


2 [Jerusalem Education Administration Data, 2018-2019](#)

## B. Distribution of Palestinian Students in the Education System in Jerusalem

According to the Jerusalem Municipality's response to Ir Amim's Freedom of Information request <sup>3</sup>	Number of students in the Arab education sector	Percentage of students in the Arab education sector
<b>Official institutions</b>	45,527	41.3%
<b>Recognized but unofficial institutions</b>	48,368	43.9%
<b>Private institutions</b>	16,398	14.9%
<b>Total No. of Students in the Arab education sector in East Jerusalem</b>	110,293	

Number of students in the Arab Education Sector



3 The Jerusalem Municipality's response to Ir Amim's Freedom of Information request, 13 August 2019

While the increase in the number of students in official and recognized (but unofficial) educational institutions, relative to the previous year, is consistent with the population growth (2-3%), the number of students in private education dropped by around four percent.

As noted in the State Comptroller’s Report, the proportion of students attending official institutions in East Jerusalem is vastly lower than that in Arab communities inside Israel (82%). The report likewise notes that the amount of students attending official education institutions in East Jerusalem is on a decline compared to the rate five years ago (approximately 59%; p. 374).

### C. “Invisible” Children (unaccounted school-age children)

According to the Municipality’s response to Ir Amim’s Freedom of Information request <sup>4</sup>	Number of Children
Total number of Palestinian children of compulsory school age (3-18) in Jerusalem	136,634
Total number of students in Arab education in East Jerusalem	110,293
Number of “Invisible” Children	<b>26,341</b>

A comparison between the figures for the number of Palestinian children of compulsory school age in Jerusalem and the total number of students in educational institutions reveals that **26,341 Palestinian children, comprising over 19%, are not registered in any known educational framework.** According to the Municipality’s August 13, 2019 response to Ir Amim’s Freedom of Information request, 12,600 of these children are three-year-olds who have not yet entered an educational framework or 18-year-olds who have since completed their education. However, the Jerusalem Municipality itself recognizes that there are some 15,000 unaccounted children who are not being tracked by the authorities in the education system.

For the first time, the State Comptroller’s Report addressed the phenomenon of “invisible” children. As noted in the report, according to figures from the Ministry of Education, the number of children not registered in any educational framework known to the authorities in the State of Israel as a whole (excluding East Jerusalem) is approximately 20,000 (p. 383). This figure is less than the total number of “invisible” children in East Jerusalem alone. The report states:

4 The Jerusalem Municipality’s response to Ir Amim’s Freedom of Information request, 13 August 2019

These findings point to the incompetence and apathy of the Ministry of Education and the [Jerusalem] Municipality in locating these missing East Jerusalem children in order to provide them a basic education...

The Jerusalem Municipality and the Ministry of Education should act immediately in accordance with their legal obligation to locate the place of study or whereabouts of some 23,000 child residents of East Jerusalem [the figure quoted in the State Comptroller's report] who are not registered in any educational framework known to the authorities. They should also act to establish a database concerning all children of compulsory school age in East Jerusalem and to create an effective mechanism for locating unaccounted for children in the future, in order to ensure they receive a basic education (State Comptroller's report, p. 348).

### III. Classroom Shortage in East Jerusalem Continues to Rise

#### A. Over 3000 Classrooms Missing in East Jerusalem

As determined by the State Comptroller’s Report,<sup>5</sup> the number of missing classrooms needed to accommodate the “invisible” or unaccounted for children must be added to the total classroom shortage, based on the national average of 27 children per classroom.

The Number of Missing Classrooms in East Jerusalem		
Classrooms needed to replace substandard ones	550	550
Classrooms needed to accommodate half of the students from recognized, but unofficial institutions and private education, as well as for natural growth	1,300	1,300
Classrooms required for drop-out prevention	200	200
Additional classrooms required to accommodate the “invisible” children	976	
Additional classrooms necessary to accommodate the “invisible” children according to the Municipality’s response		556
<b>Total Shortage of Classrooms</b>	<b>3,026</b>	<b>2,606</b>

According to the State Comptrollers’ Report

5 State Comptroller’s Report, p. 378 (note 40).

The shortage of classrooms in East Jerusalem has already surpassed 3,000. Even with a conservative estimate based on the municipality's response concerning the number of "invisible" children (see above), the amount of missing classrooms would still eclipse 2,600.

According to Ir Amim's reports over the past seven years (since the year following Israel's adoption of free compulsory education from age three), the average classroom shortage in East Jerusalem has fluctuated around 2,600. The discrepancies between the various figures were sometimes due to calculations on account of students who transferred from recognized to official educational institutions if space opened up.

As the State Comptroller emphasizes in the report's key recommendations section:

**Failure to fulfill the obligation to provide free education due to the shortage of classrooms:** The Jerusalem Municipality and the Ministry of Education must fulfill their obligation to enable students and kindergarten children to realize their right to free education at official educational institutions, or alternatively at recognized but unofficial institutions if a solution is unavailable in an official institution. Ahead of the 2019-2020 school year, it is incumbent upon the Municipality to inform parents of students and kindergarten children who do not study in the official educational system of their right to submit a request to the Municipality, asking for placement in the official system.

In the event their request is denied, the Municipality must refer them to a recognized, but unofficial educational institution. This should be undertaken after the Municipality and the Ministry of Education reach the appropriate financial agreements with the respective institution in a manner which ensures the parents will not be required to bear the cost of their children's elementary studies, as stated in the Israeli High Court ruling [in the case of] Abu Libdeh [vs. Minister of Education] (p. 382).

## B. The Pace of Classroom Construction: 2001-2019

According to Ir Amim’s annual monitoring, together with the latest data from the Municipality, from 2001 to the start of the current school year (nearly two decades), the construction of only 629 classrooms has been completed:

Number of Classrooms in the Building Process						
At the start of the school year	Completed	Under Construction	Under Planning and Implementation	Under Process of Land Identification & Expropriation	Planning yet to begin	Total in all Stages
2001 – 9/2009	257					
9/2010	24					
9/2011	7	89	193	86		375
9/2012	32	85	173	84		374
9/2013	61	75	110	147		393
9/2014	57	56	157	108		378
9/2015	38	44	168	259		509
9/2016	42	46	124	245		457
9/2017	32	35	266	131		464
9/2018	35	444		355		834
<b>9/2019<sup>6</sup></b>	<b>44</b>	<b>108</b>	<b>26</b>	<b>752</b>	<b>382</b>	<b>1,312</b>
Total number of classrooms completed	<b>629</b>					

The pace of construction has not changed significantly and continues to average 36 classrooms per year. The number of classrooms at various stages in the construction process has ostensibly risen, yet the Municipality’s response reveals that out of 1, 312 classrooms cited, no planning has commenced for 382.

6 According to the Jerusalem Municipality’s response to Ir Amim’s Freedom of Information request, 13 Aug. 2019

Based on an annual 3% natural growth rate in the population of East Jerusalem, the JEA estimates that approximately 2,000 new schoolchildren enter the education system each year, requiring an additional 70 classrooms.<sup>7</sup> That being said, **the average pace of construction (36 classrooms per year) is not even keeping pace with population growth (70 classrooms per year).**

As long as the current pace of construction persists, not only will the authorities fail to reduce the shortage of classrooms, but the deficit will continue to grow on an annual basis.

### C. The Municipality's Five-Year Plan for the Construction of Classrooms Increases Disparities and Reinforces Discrimination

As Ir Amim reported last year, on June 27, 2018 Ir Amim filed a request to join as amicus curiae to the petition submitted by the Jerusalem Parents Association concerning the classroom shortage in Jerusalem (HCJ 6183/16).<sup>8</sup> This petition is still pending.

According to the Municipality's response to the petition, the shortage of classrooms in East Jerusalem accounts for over 50% of the total classroom shortage in the city. A thorough examination conducted by Ir Amim revealed substantial discrepancies between the Municipality's declarations on plans to construct classrooms in the Arab sector and its own official data. In accordance with the Municipality's statements before Court, its five-year plan will lead to the construction of 2,486 classrooms in the Arab sector. However, official municipal figures indicate that the actual number of classrooms to be constructed totals no more than a few hundred, ranging from just 459<sup>9</sup> to 834 classrooms.<sup>10</sup>

Rather than narrowing the gaps, the Municipality's five-year plan instead exacerbates the disparities between the various sectors. While all missing classrooms in the general and Haredi sectors will be constructed, by the end of 2022 the classroom shortage in Jerusalem will be confined to the Arab sector alone.

Following the petition and per the recommendation of the court, a joint team comprised of the Ministry of Education, the Ministry of Finance, and the Jerusalem Municipality was formed in July 2018 to address the shortage of classrooms in the city. The state not only refused to allow a representative of the Jerusalem Parents Association to participate in the team's discussions, even as an observer, but it also declined to publish minutes of the proceedings.

The latest court decision from June 17, 2019 gave the Ministry of Education and the Ministry of Finance until December 31, 2019 to submit an updated response.

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7 From the Municipality's presentation at the Knesset Education Committee, 1 Feb. 2016.

8 HCJ 6183/16 Jerusalem Education System Parents' Organization v Ministry of Education et al.

9 According to the "Five-Year Plan for Construction of Classrooms in Jerusalem" app

10 According to the Municipality's January 23, 2018 response to Ir Amim's Freedom of Information request

## IV. School Dropout Rates in East Jerusalem

As noted in the State Comptroller's Report, a total of some 10,800 children between the ages of six to 18 have cumulatively dropped out of recognized school institutions (p. 341). The dropout rate for students in East Jerusalem between grades 9 through 12 (2015 – 2018) is 26.5%. In other words, around one in every four students drops out of school. This rate is not only high in comparison to the national average (5.4%), but also in relation to the dropout rate (7.4%) in the Arab sector as a whole in Israel (excluding East Jerusalem). According to the State Comptroller's findings, East Jerusalem children account for 70% of the entire dropout rate in the city.

School dropout is more severe in recognized schools than in official schools in East Jerusalem despite the fact that the Ministry of Education does not administer any dropout prevention programs in these official institutions, with the exception of the few which teach the Israeli curriculum.

The State Comptroller's Report likewise reveals substantial disparities in budgets earmarked for addressing school dropout in East Jerusalem as opposed to West Jerusalem. The Youth Advancement Unit, which operates in the framework of the education department in the Jerusalem Municipality and under the responsibility of the Division for At-Risk Children and Youth in the Ministry of Education, employs a total of 200 staff members – 34 in East Jerusalem and 166 in West Jerusalem. Although as noted above, students from East Jerusalem account for 70% of all school dropouts in the city, only 17% of the unit's staff positions and 25% of its budget are allocated to East Jerusalem. The State Comptroller's Report also found that during the 2016-2017 school year, the unit processed only a small number of dropouts from East Jerusalem – 260 out of over 10,000 students. Likewise, the unit only worked with 73 dropouts as part of its HILA program – Complementary Education for School-Excluded Youth (State Comptroller's Report, p. 381).

The State Comptroller's Report similarly noted that despite the high dropout rates and the growing needs in education in East Jerusalem, budgetary allocations by the Municipality and the Ministry of Education for youth advancement and dropout prevention programs in East Jerusalem have scarcely increased.

As laid out in the key recommendations section in the State Comptroller's Report: "In light of the scale of school dropouts in East Jerusalem, the Ministry of Education and the Jerusalem Municipality should significantly increase their activities to tackle the phenomenon of school dropout in East Jerusalem" (p. 346).

## V. Government Decision No. 3790 – Education

### A. Implementation

In May 2018, the Israeli government announced Government Decision No. 3790 - Narrowing Socioeconomic Gaps and Promoting Economic Development in East Jerusalem – a 5-year investment plan of up to approximately NIS 2.1 billion. The decision includes six key areas of activity – education and higher education, economy and employment, transportation, improving services for citizens and quality of life (leisure facilities and water and sewage infrastructures), health, and land registration. Education is one of the main areas earmarked for investment in the decision with a five-year budget of up to NIS 445 million, which constitutes the second highest budget in the plan following transportation.

Special coordinators were appointed in both the Jerusalem Municipality’s Education Administration (JEA) and in the Ministry of Education to oversee the coordination and advancement of the five-year plan in the education sector. As part of its monitoring of the plan’s implementation, Ir Amim was informed that the education budgets were transferred by the government and the Municipality already in 2018 in contrast to the majority of the other sectors in the plan, for which budgets were only transferred in 2019.

In the area of informal education, the JEA and the Municipal Culture, Society, and Leisure Administration reported progress in the “Activity Group for Every Child” reform (operated by the Israel Association of Community Centers). Progress was also reported in municipal youth organizations (a youth leader program and *Yalla* youth organization) and in a variety of enrichment programs provided as part of the informal education framework for schools (in subjects such as sport, art, debating, computer programming, etc). According to the above-mentioned authorities, enrichment programs were held in 42 schools last year from junior-high school onwards with priority given to institutions that teach the Israeli curriculum. It was likewise reported that infrastructure for Hebrew instruction as well as teacher training in this field had been expanded.

## **B. Nearly Half of the Education Budget Conditioned on Adoption of Israeli Curriculum**

Out of an expected government investment of 445 million shekels in the education sector, approximately 193 million shekels, constituting around 43.4% of the total budget designated for education in East Jerusalem, is explicitly conditioned on use of the Israeli curriculum. In others items of the education budget in which this stipulation does not explicitly apply, the Government Decision still provides that the funding is designated primarily for institutions teaching the Israeli curriculum.

Over a year after the announcement of the government decision along with its conditioned allocation of funding, the proportion of students studying according to the Israeli curriculum in the education system in East Jerusalem continues to remain low. In the last school year, a total of 7,376 students (4,976 in official institutions and 2,400 in recognized but unofficial institutions) studied by the Israeli matriculation curriculum.<sup>11</sup> This figure indicates that the number of students studying according to the Israeli curriculum rose negligibly by less than one hundredth of a percent despite the massive investments. As a result, nearly half of the education budget is designated for less than 6.7% of the total student population in East Jerusalem.

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11 According to the Jerusalem Municipality's response to Ir Amim's Freedom of Information request, 13 Aug. 2019

## VI. Neighborhood Spotlight: Education in Abu Tor (A-Thuri)

by Mitqal Jaber, Ir Amim Community Organizer

The following report is based on a grounded theory study conducted over a period of approximately three months. The study included observations in the neighborhood, a survey conducted among parents and students in senior grades, focus groups, and interviews with residents, educators, and neighborhood activists.

Abu Tor is located in the center of East Jerusalem to the south of the Old City and southwest of Silwan. After the 1948 War, Abu Tor was divided between Israel and Jordan. In the west, an Israeli-Jewish neighborhood was established on properties that belonged to displaced Palestinian families, while the east remained Palestinian. Even after 1967, the two parts of the neighborhood continued to function as separate entities.<sup>12</sup>

A-Thuri, the Palestinian part of the neighborhood, is comprised of 911 dunams and 25,000 residents. There is only one public park and a small playground in the entire neighborhood. 438 dunams, accounting for 48% of the total area of A-Thuri, is designated as open space, however the land does not effectively serve as public grounds.

There are a total of six schools in A-Thuri – four official schools operated by the Jerusalem Municipality, one private school recognized by the Ministry of Education, and another school run by the Muslim Waqf. Only 20 dunams, constituting 2% of the area of A-Thuri, is zoned for public buildings – two schools and one kindergarten have been built on only three out of the seven designated sites,<sup>13</sup> while the remaining schools are located in rented buildings.

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12 Bimkom – Planners for Planning Rights Organization, [Survey of Palestinian Neighborhoods in East Jerusalem](#), June 2014.

13 Ibid.

<b>Name of School</b>	<b>Educational Framework</b>	<b>Grades</b>	<b>No. of Students</b>
Dar al-Aytam	Waqf	1 <sup>st</sup> – 10 <sup>th</sup>	50
Nur al-Quds Girls High School	Recognized	10 <sup>th</sup> – 12 <sup>th</sup>	120
Ahmad Samah Boys Elementary School	Official	1 <sup>st</sup> – 6 <sup>th</sup>	450
Ahmad Samah Boys Elementary & Junior High School	Official	1 <sup>st</sup> – 9 <sup>th</sup>	500
A-Thuri Girls Elementary school	Official	1 <sup>st</sup> – 6 <sup>th</sup>	600
A-Thuri Girls Junior High School	Official	7 <sup>th</sup> – 9 <sup>th</sup>	350

According to the neighborhood’s community administration, the total number of children of compulsory school age in the neighborhood is approximately 6,500. As noted above, the number of children attending schools in the neighborhood is just 2,070, comprising less than one-third (31.8%) of the number of school-age children in the neighborhood. Ir Amim’s survey conducted among junior-high and senior-high school students revealed that over half of those who do not attend a neighborhood school prefer to study elsewhere due to the poor state of infrastructure in neighborhood schools.

The students who participated in Ir Amim’s focus groups likewise stated that some were harassed by other students on school bus rides organized by the municipality. Many students spend long periods of time traveling to schools outside their neighborhood, and most of the drivers and those who escort the students are not adequately equipped to deal with these issues.

Neighborhood activists noted that many students in the neighborhood drop out of school although no quantitative data exists. The reasons stated for the dropouts include, the absence of a boys’ high school and the existence of only one girls’ high school, which accommodates just 120 students, as well as an overall preference on the part of students to find work due to a lack of adequate educational institutions.

All neighborhood schools suffer from substandard infrastructure and overcrowding - there are neither laboratories nor computer classrooms and no sufficient space for students to gather for recess. For example, the Ahmad Samah elementary school (an official institution) is located in a residential building in the center of the neighborhood. The Municipality rents the building, but it has never been adapted for educational use. Despite the school’s official status, there are 22 classrooms in operation, while this figure climbed to even 26 classrooms in the 2017-2018 school year – nearly twice the official standard of only 14 classrooms per

school established by the Israeli Ministry of Education. The school is severely overcrowded, and its hygienic conditions are appalling. The school includes makeshift classrooms situated on balconies where children are forced to climb over desks in order to enter and leave the classroom. There are only a few restrooms for hundreds of students, and there is no proper heating, while the school is likewise located at an unsafe distance to the road. The school does not have a playground, soccer field, basketball court, computer classroom, science laboratory or even a library.

One of the focus groups comprised of teachers was asked to state the key issues facing the school. Most of the staff indicated that the main problem is physical and verbal violence. A psychological counselor in one group noted that all attempts to intervene with the students in this area have failed; he further added that he has begun to feel the need to receive intervention and assistance himself rather than the students.

All of the teaching staff agreed that the pedagogical condition in the schools is extremely poor. One teacher suggested the term “academic vacuum” to describe the current state. Other teachers asserted that one of the main issues is the absence of any sort of communal or personal attachment among students to the school as a physical place; many of the staff mentioned the phenomenon of vandalism of school property, including lighting, doors, and windows in the classrooms. On a fundamental level, students do not attend school on their own volition, but rather due to having no other choice, and their families show little interest in what happens at school. A teacher described the situation by stating, “There is no love for the place – only hatred.” The teaching staff explained that this phenomenon stems from an overall lack of a sense of belonging to a homeland or to society.



## **Ir Amim (“City of Nations/ City of Peoples”)**

**Ir Amim (“City of Nations” or “City of Peoples”)** is Israel’s longest standing NGO focused on Jerusalem within the context of the Israeli-Palestinian conflict. The mission of Ir Amim is to render Jerusalem a more equitable and sustainable city for the Israelis and Palestinians who share it and to help secure a negotiated resolution on the city.

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