



CLOSED OPEN SPACES

The Loss of Open Spaces in Jerusalem -
A Situation Report





Regavim Movement (registered nonprofit)

Regavim is a public movement dedicated to protecting Israel's national land resources.

Regavim works to prevent the illegal takeover of state land and to promote clean and transparent administration and governance in all matters concerning the State of Israel's land policy.

Regavim operates in the public, parliamentary and legal arenas by publishing articles, reports, research studies and policy papers and by initiating legal proceedings.

This activity is undertaken to advance the movement's objectives and restore the Zionist vision to its primary place in determining the day-to-day policy of the State of Israel.

In Regavim's view, the Zionist vision is first and foremost a confident Jewish vision. At the same time, it is also a humane, just, and moral vision, expressed in part through insistence on integrity and the rules of proper administration.

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Executive Summary

Jerusalem's open spaces are a fundamental component in shaping the city's character. Since the beginning of the 20th century, throughout the developed world, urban planning has placed major emphasis on open spaces. Over the years, the open spaces of Jerusalem were carefully preserved as part of this global approach, but also as means of preserving the unique character of Jerusalem. An important element of this approach focuses on connecting past and future, and ensuring that the built environment maintains balance with the natural landscape.

Despite this deliberate planning, construction in Jerusalem's open spaces is steadily increasing, mainly in the eastern part of the city. This construction harms the continuity and hence the value for the public of these green lungs, and impairs the government's ability to create and implement a sustainable planning regime. The disappearance of open spaces is accelerating amid population pressures, gaps in regulated outline plans, and a lack of effective enforcement, and it is gradually changing the Jerusalem landscape. Instead of enforcing the law and preserving open spaces, the authorities choose to "whitewash" illegal construction through retroactive permits and legalization. This study examines the phenomenon through focused mapping of illegal construction throughout Jerusalem's open spaces.

Key Findings

Marked disparities in the extent and pace of illegal construction between East and West Jerusalem: Although the eastern and western sides of Jerusalem have a similar amount of open spaces, the similarity



Image 1: Aerial photo of Jerusalem, 1918. The open spaces create natural divisions between neighborhoods and developed areas (Government Press Office/Luftwaffe photo in the public domain)

ends there: 2,593 illegal structures have been built on land designated as open space in east Jerusalem since 1999, compared with only 68 in the western side of the city - a disparity of 38 to 1. Construction in the eastern part of the city occupies 3,503 dunams of open space, compared with 18 dunams in the west. The average annual rate of construction in open spaces is 104 structures in the east, compared with 2.7 in the west.

Clear geographic concentration: Approximately 50% of all illegal construction is concentrated along the Kidron Valley corridor, from the Mount of Olives to Jabal Mukaber. This area was designated in outline plans during both the British and Jordanian periods as public open space that is historically, archaeologically, and environmentally sensitive.

Insufficient enforcement: Over the past fifteen years, an average of only 67 illegal structures per year have been demolished in the eastern part of the city, in both open spaces and developed areas combined. At

Eastern Jerusalem



3,503

dunams of open space
overtaken



2,593

illegal structures



Annual construction rate

104

structures

Lax enforcement and loss of
natural and scenic assets

Western Jerusalem



18

dunams of open space
overtaken



68

illegal structures



Annual construction rate

2.7

structures

Strict enforcement
protects green spaces

the same time, an average of 104 new structures is erected each year in the open spaces alone. Despite recent improvement in enforcement activity, this gap creates an ongoing situation in which the number of illegal structures continues to grow, causing continuing harm to the open spaces and to the authorities' ability to halt its spread.¹

Conclusions

In eastern Jerusalem, extensive construction has erased approximately 3,500 dunams of open space, compared with negligible damage to open spaces in western Jerusalem. Against the backdrop of the implementation of the Kaminitz Law (2017), there was a 49% decline in the rate of new illegal construction, while the number of demolition orders increased and the number of demolitions rose by approximately 300%. This change indicates that deterrent enforcement can be an effective tool for alter the course and scope of the phenomenon.

This trend was accompanied by a substantial increase in self-demolitions, reflecting effective deterrence. Nevertheless, the large gap between the pace of construction and the pace of enforcement remains, resulting in the erosion of governance and the rule of law. Illegal construction damages the landscape and ecological systems, burdens infrastructure and service systems, deepens social and demographic disparities, and undermines the authority of the government on the ground.

It should be stressed that the problem is not a shortage of land for housing, but a failure to realize existing construction potential. Urban-density data for Arab neighborhoods, which is exceptionally low compared with west Jerusalem, refute the claim that lawful construction is impossible. Suitable housing solutions can be provided within existing built-up areas without consuming open spaces.

1 Data on Enforcement of Construction Offenses in Eastern Jerusalem, Knesset Research and Information Division 2025 (Hebrew).

Policy Recommendations

Focused and coordinated enforcement: Establish a permanent, multi-agency enforcement directorate that will prioritize resources for the most severely affected areas. Set a clear five-year target under which the number of demolitions each year will at least equal the volume of new construction in open spaces - no fewer than ninety demolitions annually in open spaces. Because these areas are particularly sensitive and enforcement is often accompanied by friction, recruiting inspectors has proved difficult. Higher pay should therefore be offered to inspectors in these areas in order to attract more qualified candidates.

Active development and governance: Turn open spaces into managed areas by developing leisure infrastructure, including parks, walking paths and heritage sites. Proactive presence and hands-on management of open spaces will prevent future encroachment and rehabilitate damaged areas.

Creation of lawful construction alternatives: Reduce the incentive for unregulated construction by rapidly advancing densification and urban renewal within existing neighborhoods, while continuing land-title settlement in east Jerusalem to remove bureaucratic obstacles and make building permits easier to obtain in approved areas.

Environmental restoration and reinstatement of the previous condition: Introduce a corrective-enforcement mechanism that includes removal of construction waste and immediate ecological rehabilitation following demolition of illegal structures.



Image 2: The Kidron Valley, from the Temple Mount to the City of David – illegal construction harms irreplaceable cultural and historical assets (photo credit: Avraham Greiser, CC BY-SA license 3.0)

Introduction

For nearly two decades, the Regavim Movement has employed a range of policy, legal, research and communications tools to protect Israel's state lands and to facilitate the implementation of Zionist land-use policy. Regavim's activity arises from a direct connection and intimate familiarity with the changing reality on the ground, and the understanding that protecting our land resources is not merely a matter of policy, but a foundation of national identity as well as a national responsibility.

The matter of Jerusalem's open spaces has strategic municipal implications. Open space in Jerusalem is, on the one hand, the city's "lungs," its green heart and, on the other, a feature of its historical, demographic, and security uniqueness. But as in other parts of the country, questions of land and sovereignty in Jerusalem are not merely planning issues. They are fundamental questions of justice, identity, and belonging, with strategic implications for the State of Israel as a

whole - and beyond our borders, across the Middle East.

The study before you, which is the product of Regavim's activity in the city, examines this aspect in depth for the first time. It combines an up-to-date planning analysis of the condition of Jerusalem's open spaces with a broad strategic examination intended to map the scale and characteristics of the problem, identify its causes, and outline a vision for possible action to resolve it.



Chapter I: Open Spaces in Jerusalem - Historical Background

Open spaces are unbuilt urban areas used for public purposes, leisure, nature, and scenic backdrop, and they are an integral part of urban planning. Their importance extends beyond geography: they create urban infrastructure essential for maintaining balance between development needs and protection of the environment and the quality of life of residents and visitors.

Open spaces enable a city to grow in a controlled manner. They preserve natural and scenic areas, prevent excessive population density, and ensure access to natural and recreational resources. They thereby contribute to public health, community cohesion, and urban quality of life, and serve as a mechanism for regulating development and shaping city boundaries through prudent management of land resources.

Recognition of the importance of open space has accompanied the history of planning in Jerusalem from the beginning of the twentieth century to the present. In the 1918 plan prepared by British town planner William McLean, extensive open areas around the Old City were designated in order to preserve its scenery and protect its uniqueness. McLean concentrated most development in the western part of the city, where topographic conditions were more favorable, and emphasized preserving the Kidron Valley, Mount Scopus, and the Mount of Olives as

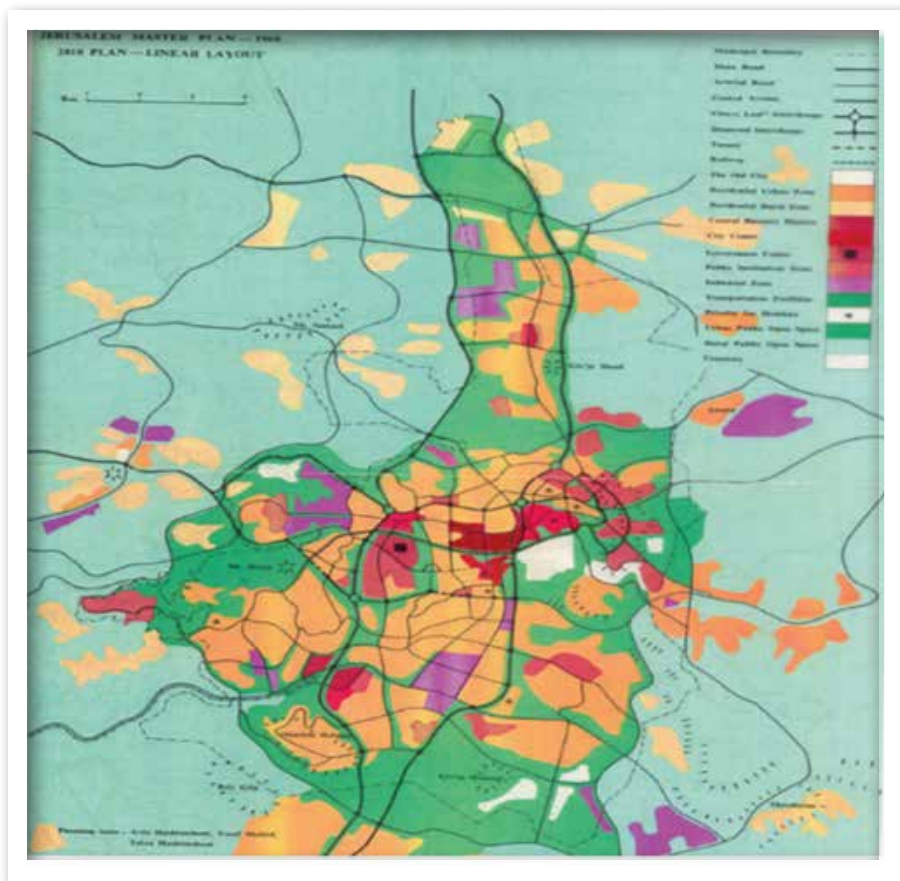


Illustration 1: Master Plan for Jerusalem, 1968. Shimshoni, Schweid and Shimshoni, 1972.

green spaces surrounding the "Holy Basin."²

During the period of Jordanian rule, the guiding principle of preserving open spaces was likewise carefully maintained. The 1944 Kendall Plan and the 1962 outline plan expanded the city limits eastward, but stipulated that most of the expanded area would be used for landscape, forests, and agriculture, and that the streambeds and wadis would remain free of construction.³

2 William MacLean, City of Jerusalem Town Planning Scheme, 1918. See the map and background material, accessible on Israel National Library website: https://www.nli.org.il/en/maps/NNL_ALEPH990023700730205171/NLI

3 See these and other planning documents in the Israel National Library collection.

Approximately one year after the reunification of the city in the Six-Day War, architect Arie Sharon prepared a 1968 municipal master plan that continued to regard open spaces as a strategic planning and security component. The plan maintained an open scenic belt around the Old City, particularly to the south and east - on the Mount of Olives, Mount Scopus, and in the Valley of Hinnom - and prohibited construction in the main wadis and on major ridgelines in order to preserve open views toward the Old City. At the same time, it designated broad urban parks in the Arazim Valley and Motza, creating a continuous urban green corridor. This approach was renewed in Jerusalem Outline Plan of 2000⁴ and in District Outline Plan 30/1⁵, which emphasized the need to preserve open spaces and strengthen the urban green continuum, especially in eastern Jerusalem.

Thus, for more than a century, open space has remained a central element of Jerusalem's identity and planning. In this city, history, nature, and security considerations are intertwined and together constitute its unique character.

Environmental, Social, and Security Considerations

ENVIRONMENT

Jerusalem is built on a system of mountains, valleys, and streams that create a distinctive topographic landscape unlike that of any other city in Israel. Its open space, particularly on the eastern side of the city, is a green expanse that functions as a vital ecosystem that regulates climatic processes through shade, heat absorption and water evaporation, moderating the effects of urban warming. It permits the natural seepage and filtration of rainwater, thereby reducing surface runoff, preventing flooding and helping replenish groundwater. It also preserves biodiversity through parks, streams, and urban forests that form contiguous habitats connecting different natural areas and enabling the movement of species and ecological renewal and regeneration.

4 Jerusalem Outline Plan – Number 2000 – General Plan for the City of Jerusalem. Website of the Jerusalem Municipality, 2004.

5 Municipal Master Plan 1/30 - Regional Outline Plan for Jerusalem, Israel Planning Administration.

QUALITY OF LIFE AND SOCIETY

Jerusalem's open spaces also play a central social and economic role. They provide accessible areas for recreation and are essential to a normal urban social fabric. The presence of parks and natural areas near residential neighborhoods also raises property values and improves the city's attractiveness and desirability. Conversely, disruption or neglect of the continuum of open spaces may reduce the attractiveness of residential neighborhoods, lower property values, and harm residents' well-being.

SECURITY AND PERSONAL SAFETY

Many of Jerusalem's eastern neighborhoods border Arab villages that are under Palestinian Authority jurisdiction. This gives the open spaces in the eastern part of the city an essential security role. Open space in eastern Jerusalem is not merely green space: when it is kept free of illegal construction, it creates natural buffer zones that clearly demarcate built-up areas, enhances lines of vision and enable monitoring, and restricts the unregulated movement of people and vehicles. By contrast, the spread of dense construction into the valleys blurs these boundaries, prevents effective oversight, and enables criminals and terrorist operatives to move freely along unregulated routes.

The Crime Prevention Through Environmental Design (CPTED) approach⁶ provides a framework for understanding how spatial design affects crime and security. It is based on the idea that deliberate environmental design can prevent crime, increase residents' sense of security, and improve natural surveillance in public space. The approach emphasizes several key principles: creating high visibility that deters offenders; using physical elements to direct movement and distinguish public from private areas; strengthening residents' sense of ownership over their surroundings; and maintaining the area routinely in order to prevent neglect and the creation of crime hot spots.

In summary, proper planning of Jerusalem's open spaces is important for the environment, quality of life, and personal security. Proper design, protection, and prudent use of open space make it possible to combine environmental, social, and security objectives and establish a safe, healthy, and sustainable city.

6 Cozens, P. , McLeod, S. and Matthews, J. (2018). Visual representation in crime prevention: Exploring the use of building information modelling (BIM) to investigate burglary and crime prevention through environmental design (CPTED).



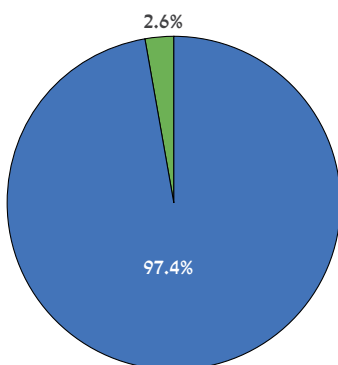
Chapter II: The Problem of Encroachment into Open Spaces

In recent decades, Jerusalem has suffered from extensive illegal construction in open spaces, almost entirely concentrated in the eastern part of the city. The scope of this construction expanded gradually from the 1980s and even more markedly from the 1990s,

as a direct result of ineffective enforcement by the authorities and unique challenges that made implementation of regulated planning regimes in eastern Jerusalem's neighborhoods extremely rare. These problems result, among other things, from the absence of conventional ownership registration for most of the land in east Jerusalem.⁷

Between 1999 and the beginning of 2025, 2,661 illegal structures were

FIGURE 1: SPATIAL DISTRIBUTION: ILLEGAL STRUCTURES IN OPEN SPACES



Green – western Jerusalem

Blue – eastern Jerusalem

⁷ See Regavim's 2026 research and recommendations regarding land regulation in Jerusalem, "Jerusalem: The Lay of the Land, (Hebrew).



Illustration 2: Aerial photos document the vanishing open spaces of the "King's Garden"

built in Jerusalem's open spaces. This construction led to the takeover of areas intended for public use and their conversion into unregulated residential and agricultural compounds. This construction was carried out without any legal infrastructure and without coordination or consideration of municipal plans and official planning institutions, in blatant violation of existing development plans. Analysis of all illegal construction in Jerusalem's open spaces shows that approximately 2,593 illegal structures were built in the eastern part of the city, compared with only 68 in the western part. Approximately 97% of all illegal construction in Jerusalem's open spaces is therefore in the east side of the city.

By neighborhood, most illegal construction is concentrated in Silwan, Isawiya, Jabal Mukaber, and Ras al-Amud - the greater Kidron Valley. The immense disparities between the two sides of the city reflect cultural differences between the respective populations, but no less significantly, disparities in enforcement.

For years, the Jerusalem Municipality and enforcement bodies did not pursue an effective policy against illegal construction, which often took place in full view of the authorities. As a result, an enormous number of illegal structures accumulated, and demolition and enforcement against them became almost impossible, both politically and from a planning perspective. A dense carpet of illegal construction, lacking

basic infrastructure and public institutions, became entrenched on the ground. Illegality became the norm, and the law no longer served as a guiding force – or even a consideration.

A clear example is the King's Garden (al-Bustan) compound in Silwan, a 45-dunam open area designated since the British Mandate as public open space of archaeological importance. Over 130 illegal structures have been built there over time, forcing the municipality to formulate a compromise that would partially enforce the building violations while retroactively legalizing the remaining structures.

TABLE 1. NUMBER OF ILLEGAL STRUCTURES IN THE KING'S GARDEN COMPOUND OVER THE YEARS (ACCORDING TO A 2010 REPORT BY STATE COMPTROLLER MICHA LINDENSTRAUSS)

Year	Number of illegal structures
1967	13 structures
1995	Approximately 30 structures
2004	Approximately 80 structures
2009	Approximately 130 structures

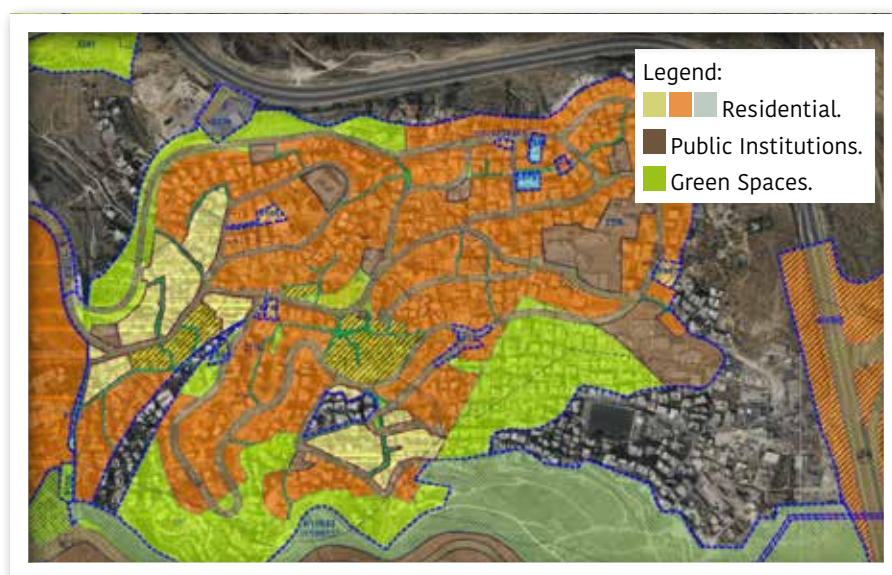


Illustration 3: Master Plan – Isawiya, Jerusalem

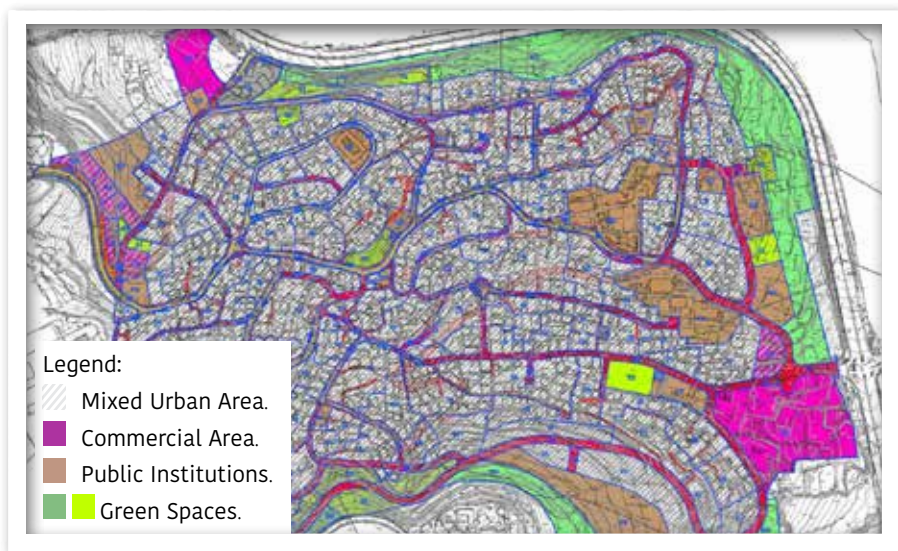


Illustration 4: Current Planning Map (101-0790758)

The dynamic of “post-facto approval” created a mechanism for legalizing building offenses, which in practice makes illegal construction the instrument that retroactively dictates urban planning. The normative order – planning, followed by development and construction – has been reversed: rather than planning that precedes construction and shapes the boundaries of neighborhoods and open spaces that serve them, construction itself now draws the boundaries, and infrastructure is often coordinated with these building deviations. In other words, instead of operating under the Planning and Building Law, a de facto “Building and Planning Law” is imposed.

The cumulative destructive result is reactive rather than proactive planning. Instead of shaping reality, the municipal system tries to catch up with it, at the cost of lost open space and improvised infrastructure. This process weakens state authority in the urban sphere because the authorities lose their power to set boundaries and exercise authority.

Another example is the Isawiya neighborhood in northeast Jerusalem, which covers approximately 1,000 dunams and has about 20,000 residents. For many years, Outline Plan 2316 governed the development

of the neighborhood. Approved in 1991, it was considered a sound plan at the time and even allocated land reserves for natural population growth. In many respects, it maintained basic principles of urban planning, including preservation of open spaces and designation of land for public institutions. In the absence of enforcement, many residents erected structures without permits, and the neighborhood developed exceptionally high rates of illegal construction, currently comprising 80%-90% of the built-up area.⁸

In 2023, a new outline plan for Isawiya (101-0790758) was approved, covering 1,049 dunams. The new plan sought to regulate the existing situation and retroactively legalize most of the illegal construction, rather than initiating effective urban densification plans. It presented several development tracks, including regulation of existing buildings, granting additional building rights, densification in existing built-up areas, and in some cases relocation-demolition-reconstruction programs. It designated only approximately 22 dunams as open space⁹, compared with approximately 104 dunams of public open space designated in the old plan.

Again, instead of advancing genuine densification within the existing area, retroactive legalization rewards offenders and grants them immediate building rights. Illegal construction has effectively become municipal policy, and it is highly profitable for those who engage in it.

In the Isawiya Outline Plan 101-0790758 drafted by Engineer Ari Cohen, the severe consequences of illegal construction in open spaces are on full display. Its regulatory provisions for legalization several types of illegal structures demonstrate that there is no genuine densification policy for this neighborhood: some structures are entirely excluded from demolition-and-reconstruction options, while similar structures in western Jerusalem neighborhoods are included in such projects.¹⁰

Municipal data and the neighborhood plans described above reveal that the unequivocal recommendations and urban densification policy

8 Although no official data has been published, various organizations active in this field concur on this estimate.

9 This refers to areas specifically designated as green spaces.

10 See Outline Plan for the Isawiya Neighborhood (101-0790758), Jerusalem Municipality and Engineer Ari Cohenm September 2020.

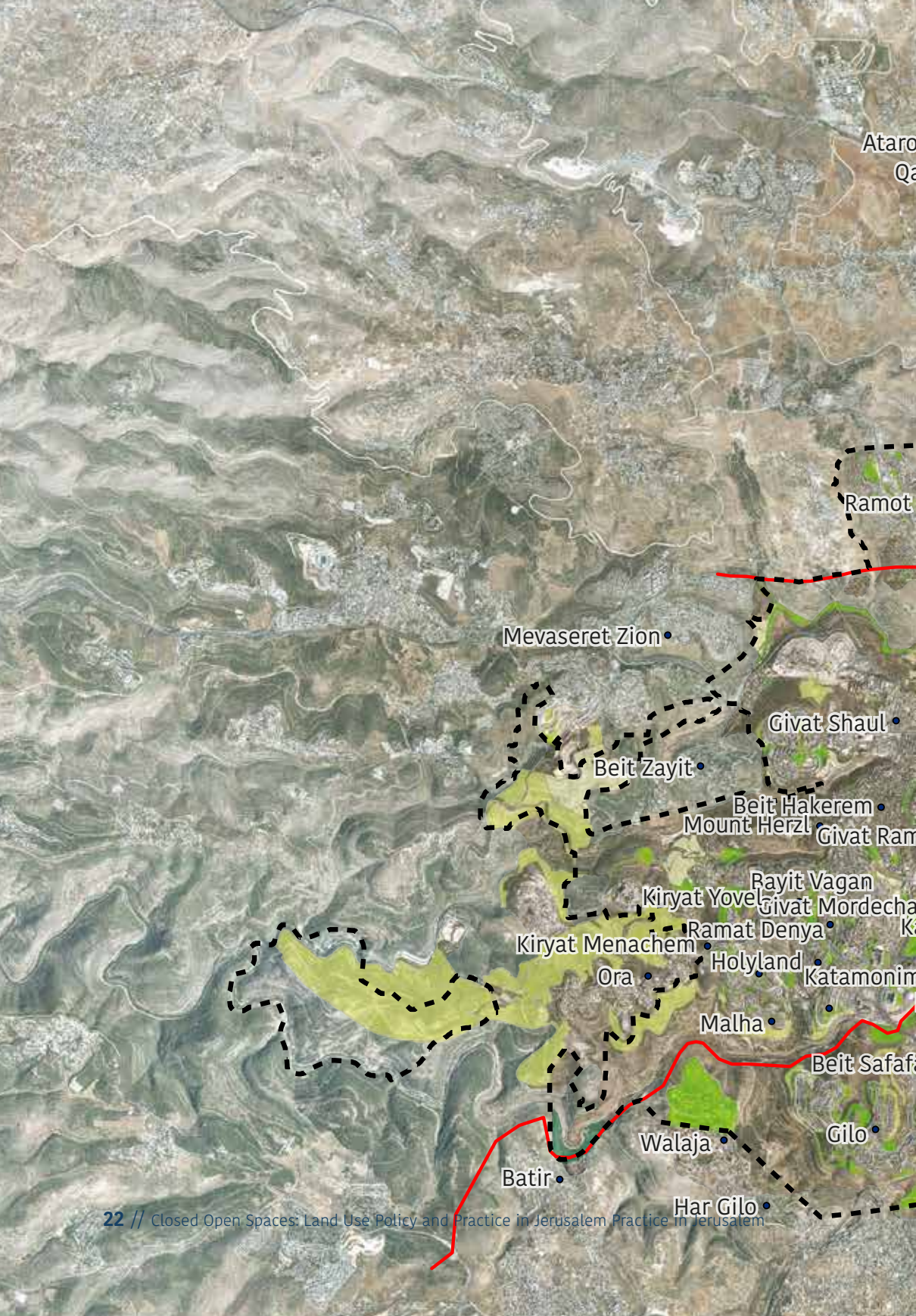
of the Jerusalem Outline Plan 2000 and District Outline Plan 30/1 have not been incorporated or implemented in the planning regime for the neighborhoods of eastern Jerusalem. **Open space has been reduced, and the mechanism of “post-facto planning” has continued- and even intensified and expanded.**

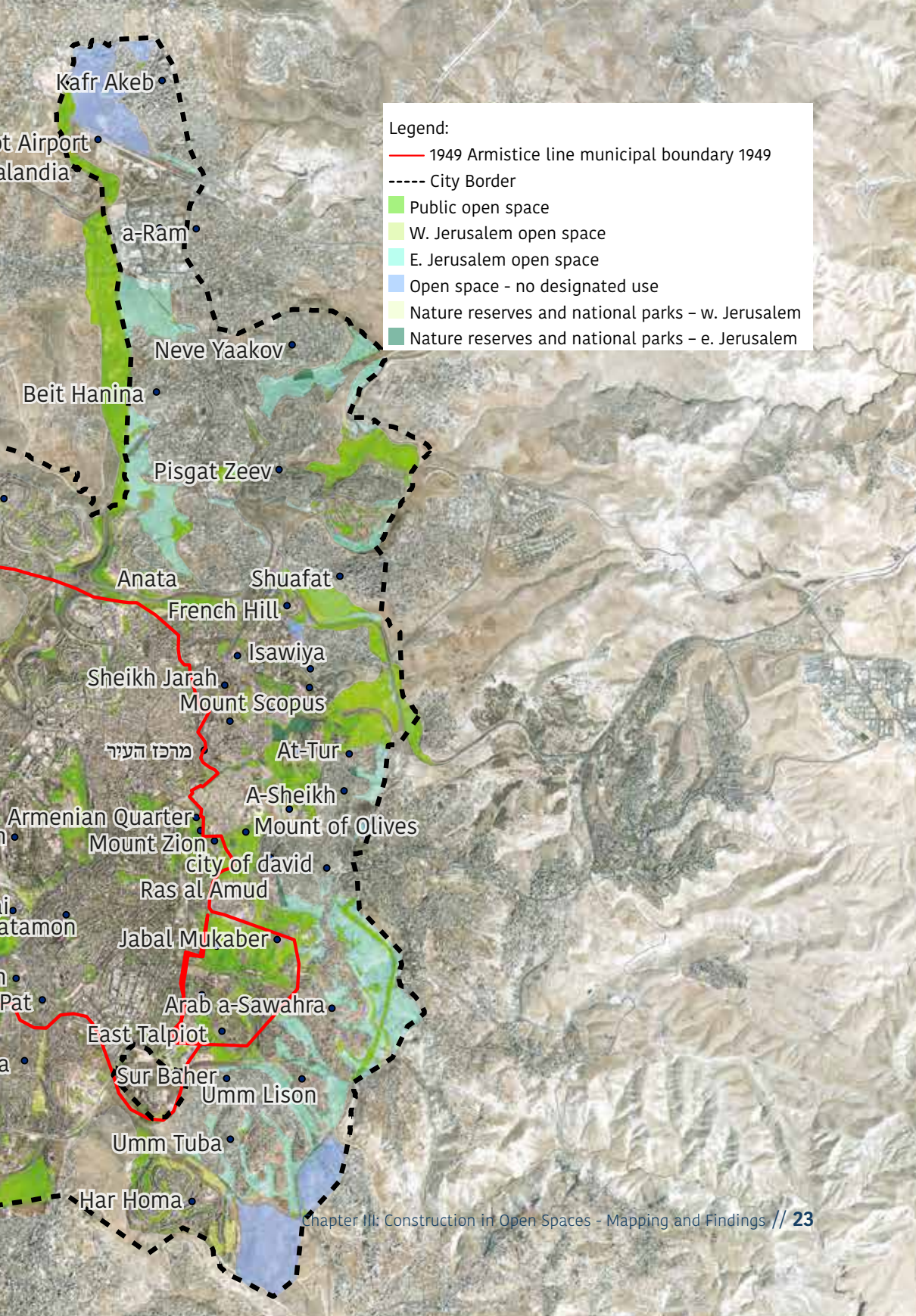


Chapter III: Construction in Open Spaces - Mapping and Findings

To assess the scale of the phenomenon and formulate effective policy, the Regavim Movement conducted unique mapping that focuses for the first time specifically on Jerusalem's open spaces. The mapping provides an up-to-date picture of the condition of the city's open spaces and the extent of illegal construction within them, and presents an enforcement map identifying key problem areas.

Regavim's GIS Department mapped the spread of illegal construction in Jerusalem by comparing aerial photographs overlaid with land-designation mapping layers from the Jerusalem Municipality's official website. The data document all structures located in open spaces - nature reserves, forests, public open spaces, and land not designated for residential use - from 1999 through 2024, including public buildings, agricultural structures, industrial and commercial structures and residential structures. The mapping divides the city from north to south into separate geographic areas, allowing focused documentation and analysis of annual construction averages and the amount of land taken up by construction and development in each of the distinctly delineated areas.





Legend:

— 1949 Armistice line municipal boundary 1949

----- City Border

Public open space

W. Jerusalem open space

E. Jerusalem open space

Open space - no designated use

Nature reserves and national parks – w. Jerusalem

Nature reserves and national parks – e. Jerusalem



Image 3: Anata, as seen from Isawiya – invasion of open spaces (Photo: Daniel Malk Levy, 2005, license CC BY-SA 2.5)

Findings of the Mapping Project

TABLE 2. GENERAL FINDINGS

Type of area	Dunams (dispersed) Eastern Jerusalem	Dunams (dispersed) Western Jerusalem
Public open space	9,448	6,115
Other open space	6,046	8,570
Nature reserves and national parks	562	1,510
Undesignated open space	3,429	3,429
Total open space	19,485	19,624
Designated land outside the municipal area	9,648	-

TABLE 3. ILLEGAL CONSTRUCTION IN OPEN SPACES

Year	Eastern Jerusalem	Western Jerusalem
1999	1,005	29
2008	749	17
2019	1,498	42
2024	346	9
Total	3,598	97
Annual average – illegal construction	103.7	2.7
Area occupied by illegal construction, current mapping (dunams)	3,503	18

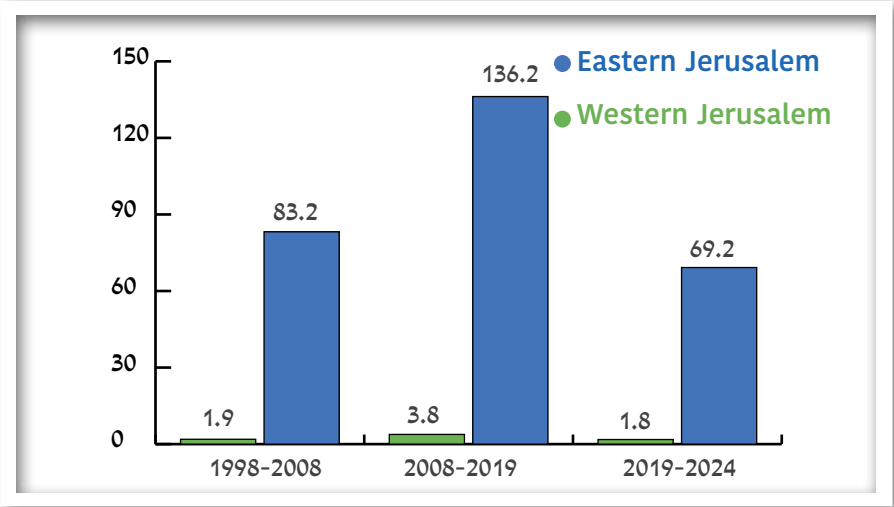
Although the amount of open space in the eastern and western parts of the city is almost identical, the illegal-construction situation differs dramatically. **Since 1999, 2,593 structures not permitted by law have been built in eastern Jerusalem's open spaces, an average of 103.7 structures annually; in the western part of the city, only 68 such structures were built during the same period.** In total, as of the latest mapping, 3,503 illegal structures were recorded in East Jerusalem's open spaces.

The annual figures also show a clear disparity. The average volume of illegal construction in eastern Jerusalem's open spaces is 104 new structures each year, compared with an average of three in the west. In the eastern part of the city, the extent of land occupied further illustrates the depth of the phenomenon: illegal construction is spread across 3,503 dunams, compared with only 18 dunams in the west.

Analysis of enforcement disparities between the two parts of the city shows ineffective enforcement that does not reflect or respond to conditions on the ground. In the past fifteen years, the Jerusalem Municipality demolished some 2000 illegal structures, half of them in the eastern part of the city.¹¹ An average of 67 illegal structures are demolished annually in all of eastern Jerusalem, including the built-up areas, while an average of 104 new structures per year are built in the open spaces alone.

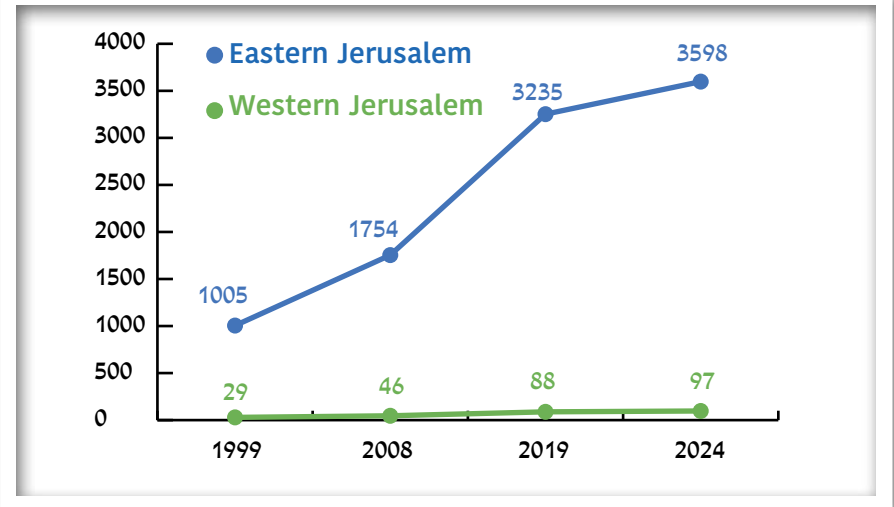
11 Jerusalem Municipality provided these numbers in response to a Channel 14 inquiry on illegal construction in Kfar Akeb, 2025.

FIGURE 2 – AVERAGE ANNUAL CONSTRUCTION RATE



Between 2008 and 2019, there was a substantial increase in illegal construction; beginning in 2019, its pace moderated. Enforcement activity rose accordingly, but still does not match the scale or consequences of illegal construction. The change is explained by the Knesset's 2017 approval of Amendment 116 to the Planning and Construction Law (the "Kaminitz Law"), which gave enforcement bodies effective and consequential tools, chiefly heavy administrative fines against construction offenders.

FIGURE 3 – MULTI-YEAR TRENDS



As in the eastern part of the city, the peak period of illegal construction in western Jerusalem was 2008-2019, compared with a marked decrease in 2019-2024.

Spatial Distribution of Illegal Construction in Eastern Jerusalem

Spatial analysis of East Jerusalem shows that close to 50% of all illegal structures in open spaces are concentrated in one principal area: the southeast, in the greater Kidron Valley corridor, from the Mount of Olives through Jabal Mukaber to Arab al-Sawahra. The remaining areas divide the other half of illegal construction in broadly similar shares. This insight assists in focusing enforcement efforts and identifies clear hot spots requiring heightened attention.

FIGURE 4 - DISTRIBUTION BY NEIGHBORHOOD:

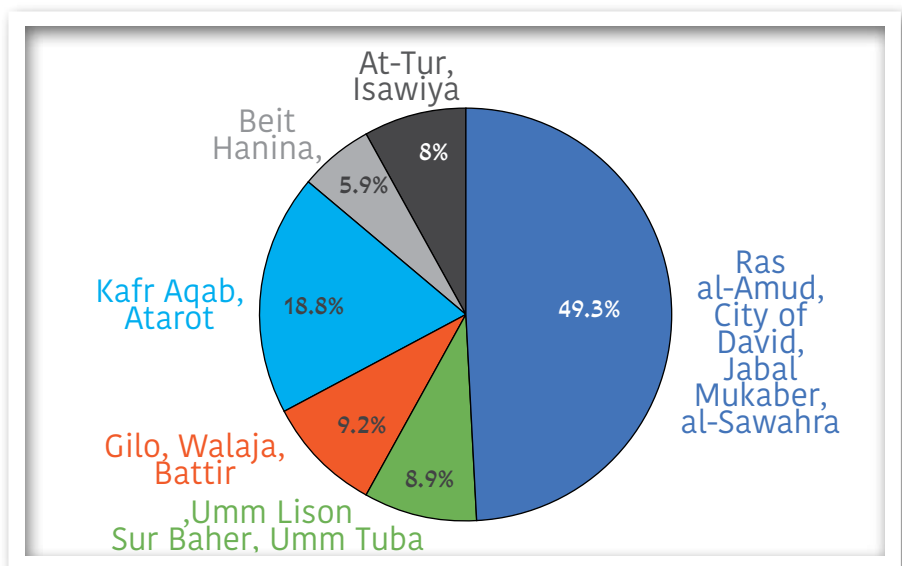
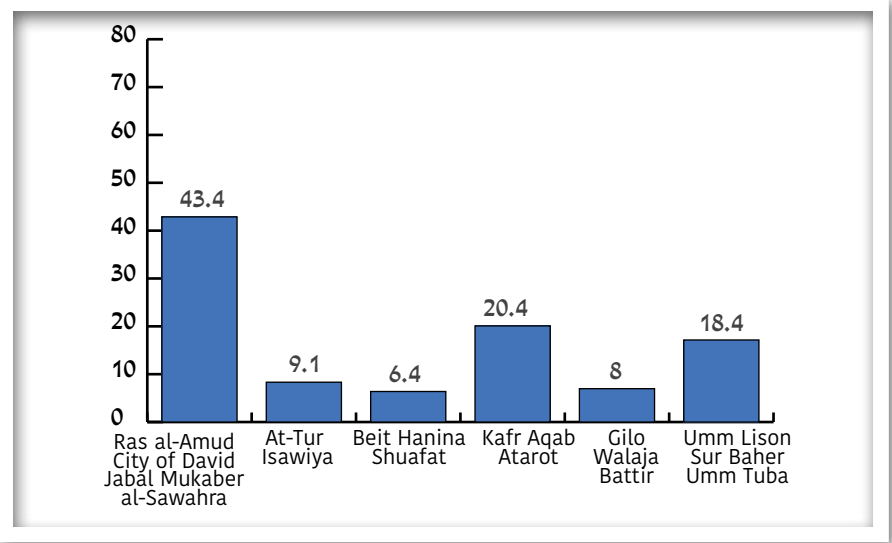


FIGURE 5 - AVERAGE ANNUAL CONSTRUCTION RATE SINCE 1999



As noted, analysis by area indicates that almost all parts of the city experienced moderation and a slower rate of illegal construction starts in open spaces in 2019-2024. Differences remain among the areas, indicating varying enforcement levels and local patterns of activity. Some areas recorded a particularly sharp decline; others showed a more moderate reduction, indicating continued construction at a lower rate. The area with the smallest decline in illegal construction starts was Umm Lison - Sur Baher - Umm Tuba.



Image 4 – Delineation of residential areas, Sur Baher and Umm Tuba

Mapping Panels, 1999-2024

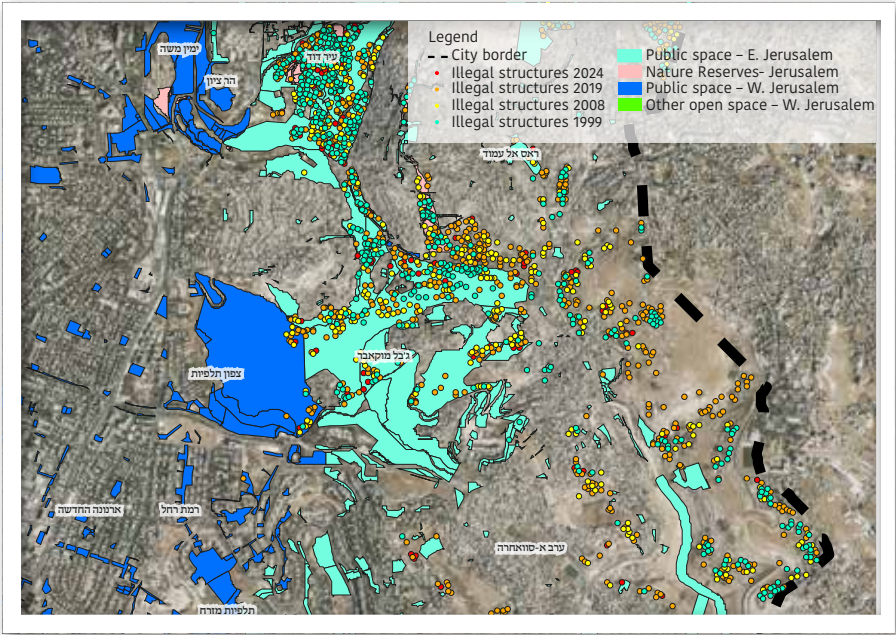


Image 5 - Illegal construction in public spaces – Ras al Amud, City of David, Jabal Mukaber, al-Sawahra

RAS AL-AMUD, CITY OF DAVID, JABAL MUKABER, AL-SAWAHRA, AND A-SHEIKH:

Year	New Illegal Structures
1999	561
2008	330
2019	652
2024	104
Total New Illegal Structures	1,647
Annual average – new illegal structures	43.4

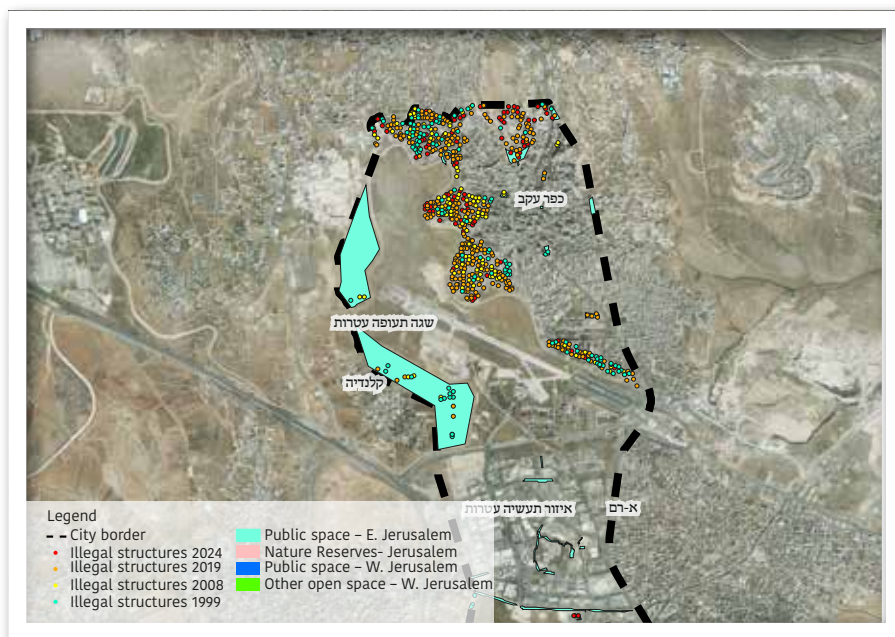


Image 6 – Illegal construction in public spaces – northeast Jerusalem

NORTHERN AREA - KAFR AQAB AND ATAROT

Year	New Illegal Structures
1999	120
2008	101
2019	327
2024	81
Total New Illegal Structures	629
Annual average – new illegal structures	20.4

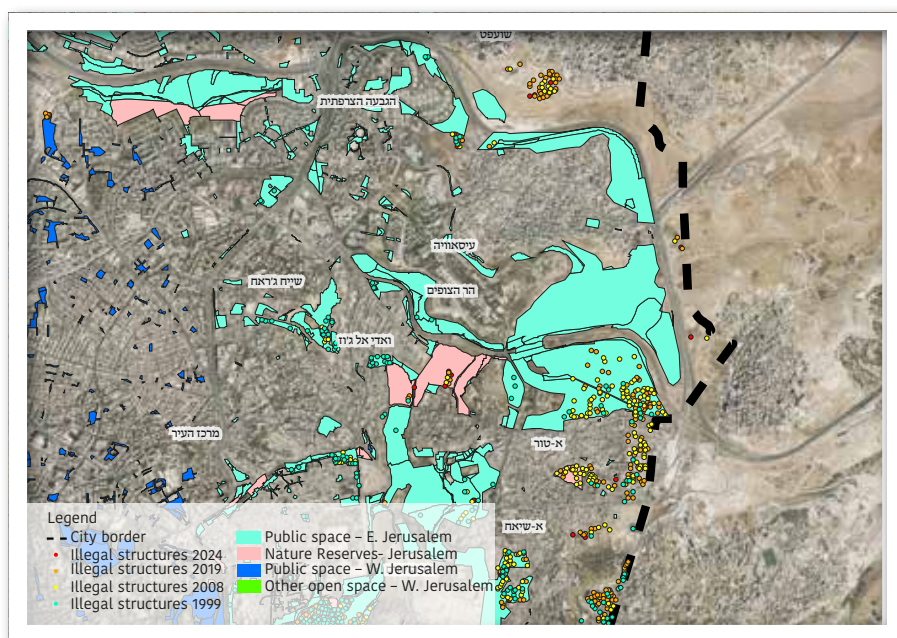


Image 7 : Illegal construction in public spaces -, Isawiya, A-Sawana, At-Tur, a-Sheikh

AT-TUR, ISAWIYA, A-SAWANA

Year	New Illegal Structures
1999	41
2008	127
2019	87
2024	13
Total New Illegal Structures	268
Annual average – new illegal structures	9.1

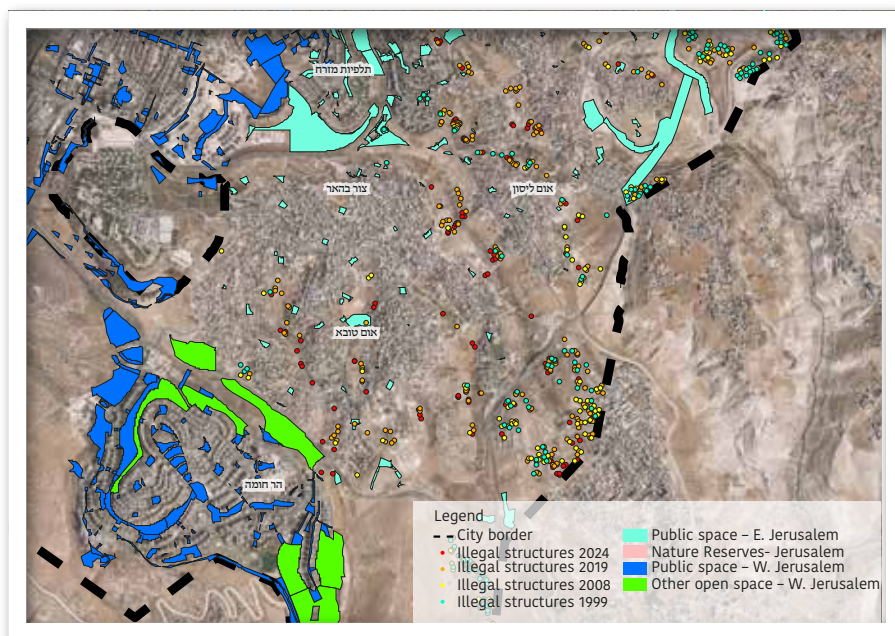


Image 8 – Illegal construction in public spaces – southeast Jerusalem

UMM LISON, SUR BAHER, UMM TUBA

Year	New Illegal Structures
1999	84
2008	76
2019	193
2024	108
Total New Illegal Structures	461
Annual average – new illegal structures	18.44

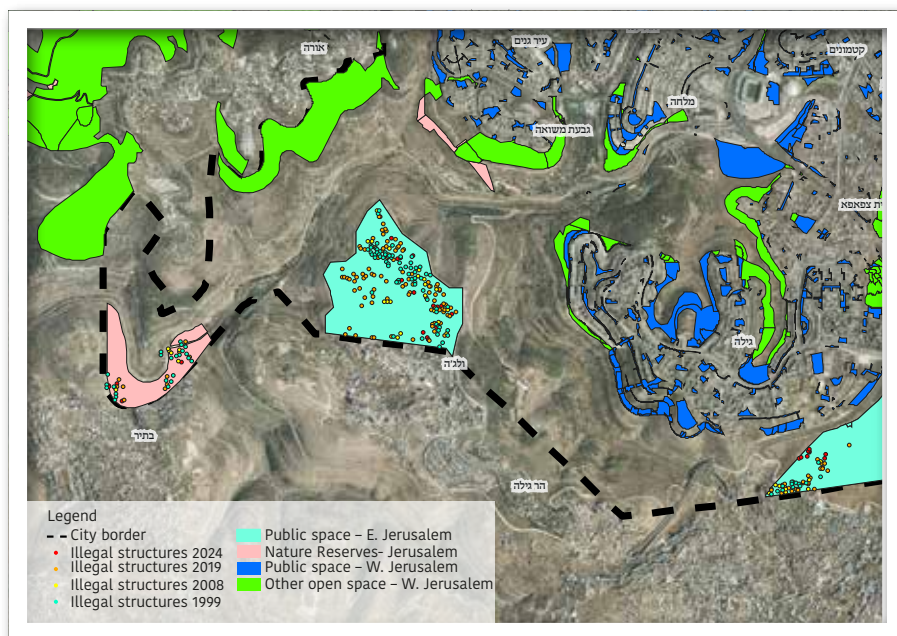


Image 9 – Illegal Construction in public spaces – southern Jerusalem

GILO, WALAJA, BATTIR

Year	New Illegal Structures
1999	105
2008	35
2019	132
2024	34
Total New Illegal Structures	306
Annual average – new illegal structures	8

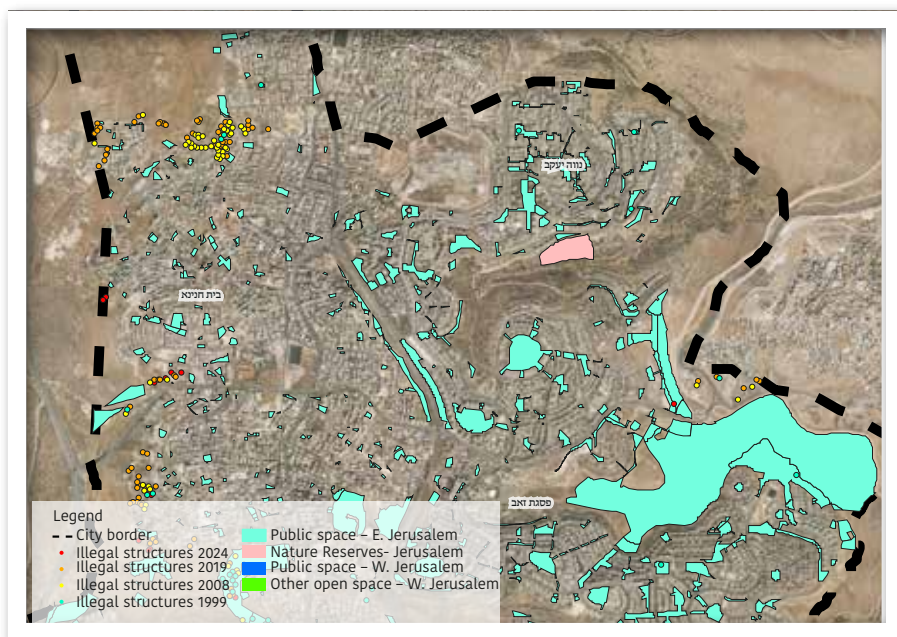


Image 10 – Illegal Construction in public spaces – Beit Hanina, Shuafat, Pisgat Ze'ev, and Neve Yaakov

BEIT HANINA, SHUAFAT, PISGAT ZE'EV, NEVE YAAKOV

Year	New Illegal Structures
1999	35
2008	66
2019	81
2024	14
Total New Illegal Structures	196
Annual average – new illegal structures	6.4

Spatial Breakdown: Western Jerusalem

Because illegal construction in the western portion of Jerusalem is limited, only two representative examples are presented, illustrating both the general rule and the dramatic difference from the situation in eastern areas of Jerusalem.

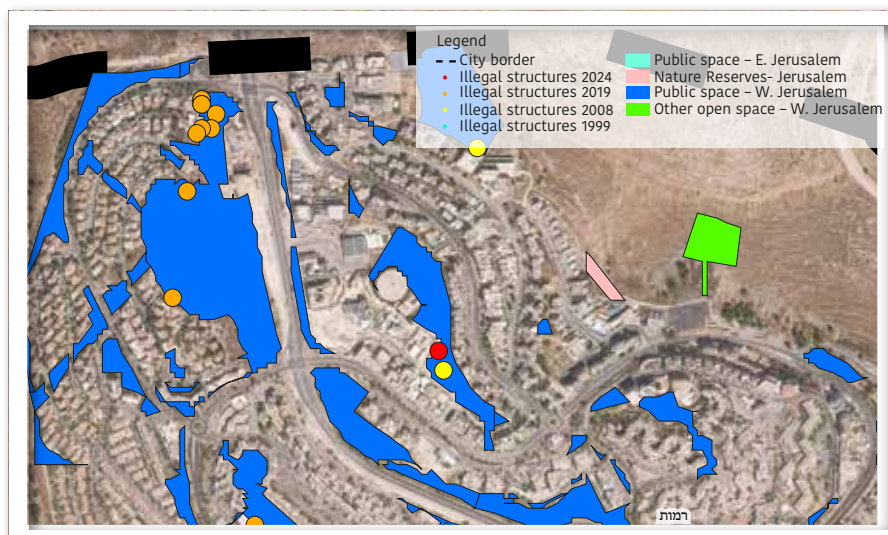


Image 11 – Illegal construction in public spaces – Ramot

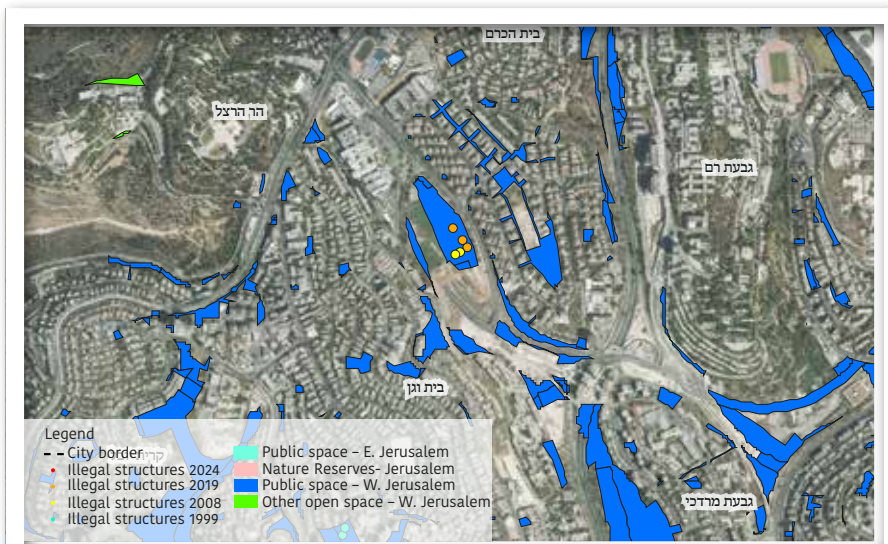
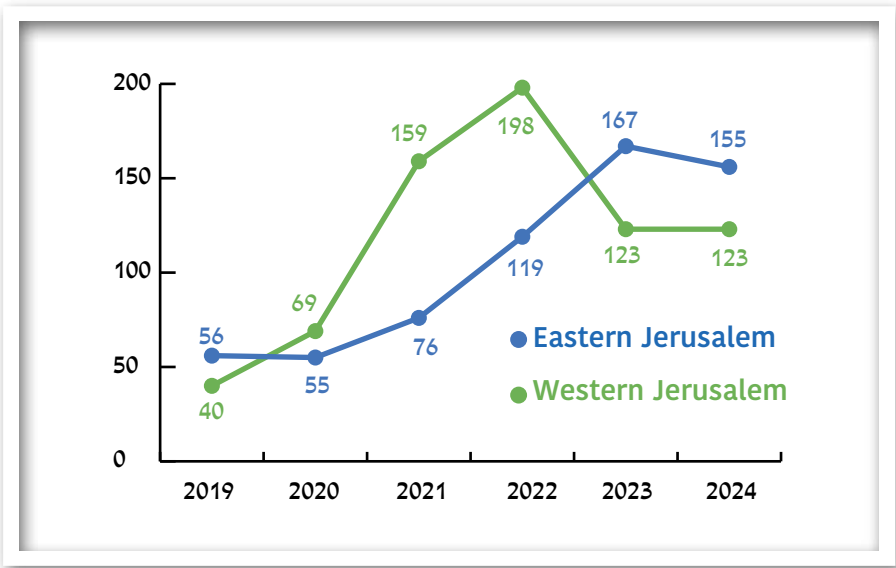


Image 12 – Illegal construction in public spaces - Bayit Vagan

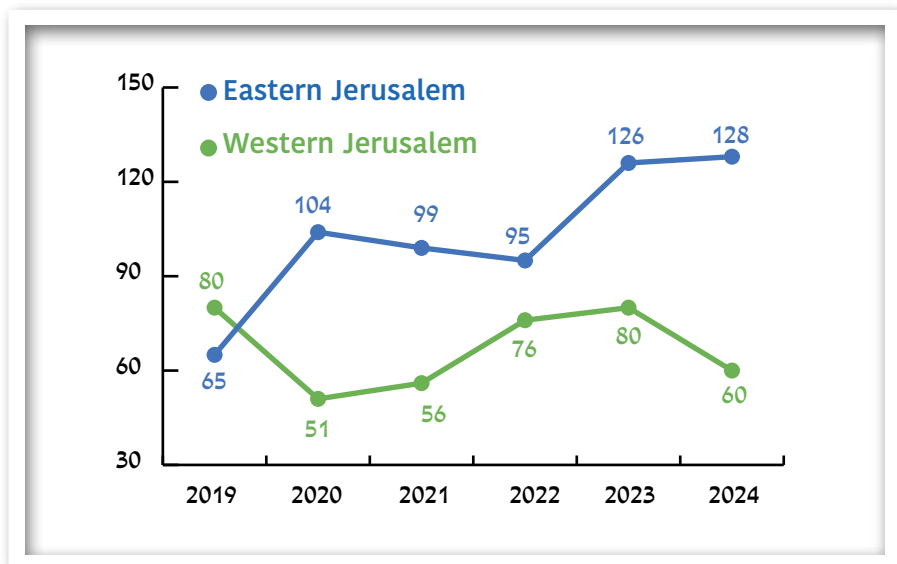
The mapping indicates that construction violations in the western portion of the city are marginal. For example. In Ramot some 10 structures have “spilled over.”

Current Enforcement Efforts

GRAPH 6 –DEMOLITION ORDERS ISSUED BY MUNICIPAL INSPECTION AUTHORITIES



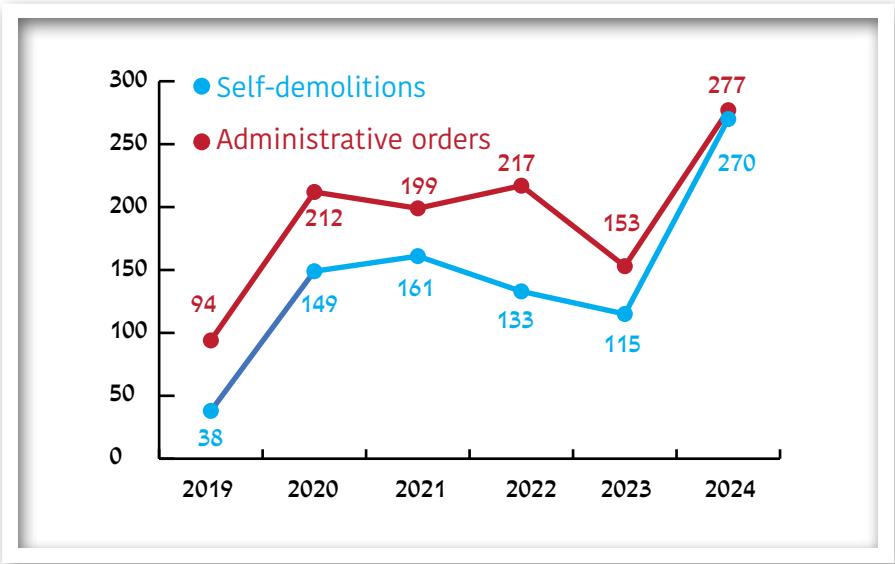
GRAPH 7 - EXECUTION OF DEMOLITION ORDERS (PER JERUSALEM ENFORCEMENT UNIT)



Jerusalem Municipality data show a clear increase in demolition orders and their effect on the decline in the rate of construction starts.¹² Between 2019-2024 there was an increase of more than 300% in the number of demolition orders issued by the municipality. This increase was reinforced by more effective enforcement. Alongside enforcement, and because of Amendment 116 to the Planning and Construction Law (the Kaminitz Law), there was a sharp increase in self-demolitions by the building offenders themselves, intended to avoid the financial costs imposed on property owners guilty of construction offenses against whom enforcement is carried out, and to avoid possible criminal consequences.

12 Data on Enforcement Against Construction Offenses in Eastern Jerusalem, Knesset Research and Information Center, 2025.

GRAPH 8 - SELF-DEMOLITIONS COMPARED WITH ADMINISTRATIVE ORDERS



The correlation between the number of orders issued and the number of self-demolitions demonstrates the effectiveness of demolition and fines as enforcement tools.

The charts show a dramatic increase in demolition orders in 2019-2024 and their effect on the decline in construction starts. At the same time, it is important to note that the ratio of demolitions to the total number of illegal structures is many times higher in western Jerusalem than in the neighborhoods of eastern Jerusalem. In 2024, for example, the municipality demolished 128 structures in east Jerusalem but only 60 in west Jerusalem. At first glance, this seems to show higher enforcement in the east, but the full picture is the opposite: the 128 structures demolished in east Jerusalem constituted only 4% of the illegal structures there, while the 60 structures demolished in west Jerusalem constituted 62% of all illegal structures in that area.

The rise in demolition orders was accompanied by increased enforcement, both by the authorities and by building offenders themselves. The reversal of the previous trend created genuine concern about undertaking illegal construction in east Jerusalem, and had an important deterrent effect.

As we have noted, this significant change is directly connected to Amendment 116, which came into force in late 2018 and gave enforcement agencies significant tools. Nevertheless, despite the rise in enforcement and self-demolitions, a conspicuous disparity remains between the Jerusalem Municipality's treatment of construction violations in the east versus the west. The municipality allocates 25 inspectors to west Jerusalem but only 8 to east Jerusalem¹³, despite the enormous disparity in the scale of building offenses between the two parts of the city. Demolition-order data reflect similar distortion: In 2024, 123 demolition orders were issued in western neighborhoods of Jerusalem, compared with 155 in the eastern portion of the city, illustrating that although enforcement has increased, it has failed to translate into an appropriate distribution of resources and is out of sync with the actual dimensions of the problem on the ground.

13 See Protocol of Knesset Interior Committee, Chaired by MK Yitchak Kreuzer, and the testimony of Shai Nehemiah, Director of the Enforcement Division.



Chapter IV:

Summary and Policy Recommendations

Illegal construction in Jerusalem, especially in the open spaces of the east portion of the city, has broad effects whose impact is far beyond urban planning.

The economic impact: Illegal construction costs the municipality and the State of Israel hundreds of millions of Shekels in lost revenue each year through nonpayment of fees, levies, transaction taxes, accurate assessment of municipal property tax, in addition to the high costs of enforcement, administrative procedures, demolition orders and legal proceedings.

The planning impact: Illegal construction distorts the real estate market, creates planning uncertainty and deters developers from advancing lawful plans for fear that they will become economically unviable.

The infrastructure impact: Hundreds of buildings are constructed without regulated planning, burdening water, sewerage, electricity, and transportation systems. These burdens raise operating costs and reduce the quality of municipal services.

The environmental and strategic impacts: Illegal construction has consumed approximately 3,500 dunams of open space - essential



The open spaces in eastern Jerusalem, backdropped by the Old City (Photo license CC BY SA 4.0)

land reserves for the city's residents and future development. This unregulated sprawl has created areas that are difficult to control and supervise, increases tensions between communities, and undermines public confidence in the rule of law and Israel's sovereign standing vis-a-vis international actors.

The optimal strategy for addressing illegal construction in Jerusalem's open spaces must be based on close integration of three complementary components: **enforcement, creation of lawful alternatives, and development of open spaces**. The point of departure is the understanding that no single solution can resolve the complex challenges of Jerusalem's open spaces: enforcement alone, planning alone, or environmental rehabilitation alone will not suffice. A combined approach is needed that simultaneously creates effective deterrence, a genuine lawful alternative for residents, and transformation of Jerusalem's open spaces from abandoned assets into protected and developed area with a clear public and law enforcement presence.

The Regavim Movement has therefore formulated detailed recommendations to solve the problem and preserve open spaces to the greatest possible extent:

- **Strengthen enforcement and make it a consistent, effective, and deterrent tool.** The objective should be a reality in which the relationship between new illegal construction and demolitions is reversed: demolitions should be on par with the pace of new construction in open spaces, in accordance with predetermined five-year targets. This would enable a fundamental change in the condition of Jerusalem's open spaces.
- **Concentrate corrective enforcement and allocate resources properly.** The concentration of 97% of illegal construction in open spaces in eastern Jerusalem requires a corresponding allocation of enforcement resources. Despite the positive change in the number of demolition orders carried out in east Jerusalem, there remains a real gap between the rate of demolitions and the rate of construction offenses. In 2024, 128 demolitions were carried out in the eastern portion of the city, compared with 60 in the west - a ratio of less than two to one despite the enormous difference in the volume of offenses. Because inspectors are difficult to recruit for certain areas of east Jerusalem, a higher-pay model should be established for inspectors in the eastern part of the city.
- **Establish a permanent enforcement directorate.** The enforcement directorate should receive a formal mandate and earmarked budget, enabling it to serve as the strategic headquarters for managing Jerusalem's open spaces. It should bring together representatives of the municipality, relevant government ministries, the Israel Land Authority, the Israel Nature and Parks Authority, the Israel National Police, legal bodies and representatives of the public. It should formulate an integrated five-year plan with enforcement, planning, rehabilitation, and densification targets. It should have authority to remove bureaucratic barriers, coordinate planning policy with operations on the ground, and execute those plans. A professional project director should head it, and it should publish annual progress reports for public review.

- **Actively develop open space.** Open space is not merely an area to preserve but a space that must be defined, designed, and given a public purpose through parks, gardens, walking paths, community agriculture, hiking routes and accessible heritage and nature sites. Designation, development and maintenance of these spaces should place particular emphasis on eastern Jerusalem's undeveloped areas. Structured ongoing maintenance creates a visible government presence, reduces offenses and reinforces the message that open space belongs to the public.
- **Create lawful alternatives and incentives for construction within existing neighborhoods.** The authorities should rapidly advance a regulated program for registering land rights in east Jerusalem. Only through full registration of all property rights will it be possible to approve construction permit requests and plan the neighborhoods' development prudently and professionally, including demolition-reconstruction and urban renewal projects.

These recommendations are based on principles and programs already anchored in the city's official planning documents - District Outline Plan 1/30 and Jerusalem Outline Plan 2000. It is therefore advisable to adhere to them, implement them consistently, and give priority to executing their provisions in the annual work plans of the municipal enforcement and planning bodies.

In conclusion: Integrated policy creates a mechanism to halt further deterioration, making new construction and rehabilitation possible. Consistent enforcement stops the spread of damage and creates deterrence; planning, densification, and lawful channels meet housing and development needs; and rehabilitation and active development return open spaces to the public and prevent recidivism.

Protecting Jerusalem's open spaces means protecting the capital of the State of Israel, the beating heart of the world, which is the responsibility of the State of Israel.



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