

**Unofficial Translation from Hebrew to English by Human Rights Watch**

[on Official Israel Planning Administration, Senior Local Planning Division Letterhead]

March 19, 2020

To  
Eric Goldstein  
Acting Director  
Middle East and North Africa Division  
Human Rights Watch

Dear Sir,

**Re: Planning in the Arab communities of Jisr al-Zarqa, Ein Mahel and Qalansawa**

Ref: Your letter dated March 12, 2020.

Your letter in reference has been forwarded to me.

Prior to providing responses to your specific questions, I shall address the overall issue of planning and building in Arab communities in Israel and the claim made in your letter regarding Israeli policies that allegedly restrict and confine Arab villages. These remarks constitute a response to paragraph 2 of your letter as well.

The Planning Administration has been investing a great deal of effort over a number of years in promoting a broad planning strategy to update master planning in Arab communities, including Druz and Bedouin communities, as an outcome of a number of targeted government resolutions.

These government resolutions address multi-sector development, including, inter alia, strengthening and empowerment of local authorities; economic and employment development; development of infrastructure and social services, housing and public institutions, tourism, security, **planning** and more, under continuous government monitoring of implementation and spending of the generous budget allocated for this purpose.

Of the 132 Arab communities, 119 have current master plans that have been approved, are in the approval process, or are in preparation. These plans cover some 96% of the total population of these communities. The plans form a planning framework that encompasses the entire area of the community and determines zoning distribution for the coming decades as well as future development trajectories (residential, employment, tourism, public buildings, open public spaces and more), and they are made in a process that includes public involvement and participation.

These plans are complex and intricate, given the unique features of Arab communities, which are related to the structure of land ownership: Most of the land in these communities is privately owned, with few landowners in possession of a great deal of land (Some 20% in possession of some 80% of the land).

As a result of this, there are many unutilized agricultural enclaves. In addition, there is a short supply of land for public use, partly due to the inability of local authorities to utilize land for public purposes and authorize infrastructure on privately owned land. Most existing construction is in the ineffective form of diffused single-family dwellings. This precludes large-scale solutions for young couples and features multi-generational construction implemented over the years while forcing the authorities to deliver infrastructure over an expansive area, which constitutes both a financial and operational burden. All of this takes place in tandem with large-scale unregulated construction and challenging topographic conditions, particularly in communities in the Galilee.

The comprehensive plans promoted by the Planning Administration, as detailed above, address these issues on several planes: First, the plans recognize thousands of existing housing units, including ones located at a significant distance from the area approved for development. Second, the planning process includes great efforts to locate state-owned land that would allow both large-scale construction of housing units in order to provide solutions for individuals in need of housing, as well as the allocation of core public spaces needed for these additional housing units and as compensation for shortages in the older core. State-owned land is sometimes located at some distance from the existing community, with agricultural enclaves in between. These lands are included in the new development zones in order to produce a compact urban structure that is not detached from the urban tissue. The result of these measures is masterplans that include new areas for development on an extremely extensive scale, and are suited to contain a number of housing units far exceeding the programmatic and demographic needs of the community, as required by projected natural growth and internal migration over the coming decades. Some of the plans include vast development areas reaching beyond the jurisdiction of these communities. These plans bridge the gaps of the past and provide infrastructure for growth over the extended long term, while taking into consideration construction practices characteristic of privately owned land. All of this is in contrast to the compact high-density planning that is characteristic of planning in the Jewish sector.

It is important to note that the efforts made by the Planning Administration to promote and develop Arab communities are not confined to masterplans alone, but also include approval for tens of thousands of housing units as part of detailed plans that enable the issuance of building permits, with an upward trend in issuance of such housing units over the years. From 2012 to 2019, about 160,000 housing units were approved as part of detailed plans both on privately owned land and on state land, with some 42,000 housing units approved in 2019 alone.

Additionally, as part of the efforts made by the Planning Administration to promote detailed planning on privately owned land, a great deal of emphasis is put on the transparency of the process and participation by landowners in tandem with the development of a specialized planning apparatus adapted to the features described above in order to produce infrastructure for modern residential neighborhoods that offer quality of life.

With respect to the specific questions about the communities mentioned in your letter, please find our response below:

**Jisr al-Zarqa** - A comprehensive masterplan was approved for this community in 2018. The masterplan was advanced by the Planning Administration in collaboration with the local authority. The drafting process was overseen by a broad inter-ministerial steering committee that included various government ministries as well as many other institutions. The village in question is located near the source [sic] of Nahal Taninim [Crocodile River] on the Mediterranean Coast. To the north, the community borders the Ma'agan Michael kibbutz fishing farm and the Nahal Taninim nature reserve, to the south, it borders Caesarea, to the east a highway, the Coastal Highway (Road No. 2), and to the west, it borders the sea.

The plan allocates new development areas, some west of the built-up areas within the municipal boundaries and some east of Road No. 2 and outside the municipal jurisdiction, on land that belongs to the Beit Hanania moshav community. In answer to your question, the added development areas in the west necessitated the advancement of planning measures for zoning changes of “green” areas (a national park, a landscape conservation area, and agricultural land), which are approved as part of national masterplans, to allow residential use on state land for the purpose of developing new residential neighborhoods. The zoning changes were approved by the National Planning and Building Council Subcommittee.

With respect to the status of diverting Road No. 2 - in tandem with the preparation of the masterplan, and since 2007, the Ministry of Transportation has been advancing a national infrastructure plan designed to upgrade and expand the route of the Coastal Highway (Road No. 2). This plan opened a window of opportunity for creating an urban connection between the new development area added east of the highway and the existing community. Therefore, we vigorously pursued the diversion of the highway near Jisr al-Zarqa. After a lengthy and comprehensive process of considering planning alternatives and holding discussions with multiple planning bodies, state authorities and government ministries, the National Infrastructure Committee decided to approve the plan to upgrade Road No. 2, which includes diverting the section of the road near Jisr al-Zarqa, thus making available a planning solution that would allow for a contiguous community structure and prevent the creation of a neighborhood that is detached and estranged from the existing community. The plan providing for the diversion of the road (National Infrastructure Plan 31) was approved in 2016, and in answer to your question, it provides entry and exit directly from Road No. 2 to the community. The new development areas to the east are designated for additional housing units in the form of higher-density multi-story construction, as well as public spaces, while assiduously maintaining efficient land use, public space quality and connection to the existing community.

The proposed masterplan for Jisr establishes the overall planning framework for the community with a target population of 20,000 (the population is currently at 14,000) and constitutes the groundwork for the community’s development and growth as well as a planning platform for the preparation and approval of detailed plans that comply with the masterplan. The plan envisions a community with modern infrastructure that provides its residents with a quality of life and livelihoods, benefits from its unique location along the coast and Nahal Taninim and offers local residents a variety of high-quality public, educational, cultural, welfare and leisure services. All of the aforesaid will be achieved while protecting natural, environmental and landscape treasures and utilizing their potential for the development of the community as a scenic and tourist attraction.

The plan contains an implementation annex that offers tools for addressing the masterplan’s corresponding social, economic, administrative and logistical aspects and serves as an instrument for the formulation of a strategic plan to empower the community and fulfill the masterplan’s goals.

We note that several detailed plans for residential neighborhoods included in the comprehensive masterplan are currently being promoted. These would allow the issuance of building permits, some on privately owned land and a large number on state land:

- Site 5 - Detailed plan for a new neighborhood east of the highway (existing Road No.2, as noted above), promoted by a government corporation. The site is located on state land and includes some 700 housing units in higher-density multi-story construction, outside existing jurisdiction. The plan includes public spaces for the entire community, which are also designed to address the shortage of public spaces in the old tissue, as well as commercial and residential areas.

- Site 6 - This site is located in the northern part of the community, between the existing tissue and Nahal Tananim. The new neighborhood designated for this site is located on privately owned land and includes about 400 housing units in relatively high density. It also includes commercial and tourism areas as well as public spaces and a new ring road that is important for the community structure and connects its entrance to the coastal area. The plan for this site is promoted by the local council as part of the National Building and Planning Committee for Residential Priority Sites.
- Site 7 - This site is located in the western part of the community, in the coastal area. A plan for some 530 housing units at varying densities of higher-density multi-story construction as well as commercial, tourism and public spaces are planned for this site on state land. This site is nearing the implementation stage.

In addition, the comprehensive masterplan for Jisr al-Zarqa provides for some 1,500 additional housing units within the existing built tissue, enabling the promotion of localized plans for urban infill and added rights and uses at the single lot level. This allows for residents to take independent action towards urban infill, increased density and additional building rights with immediate, rapid availability.

**Qalansawa** - The city of Qalansawa has an approved masterplan from 2017. The plan provides for planning infrastructure for a target population of about 26,000 (the current population is 22,400). The areas north of the approved development zone are located within the boundaries of Nahal Alexander [Alexander River] and its vicinity (one of the most abundant rivers in the country), where development is restricted given that the area is protected for environmental and landscape reasons under the national and regional masterplans (recently, some mitigations have been introduced for some of this area as part of an amendment to the national masterplan). A new policy document for the entire area of the community is currently being advanced by a multi-disciplinary planning team, in cooperation with all government ministries. This process has included an examination of the extent to which the community requires additional development areas and the possible development trajectories. Once the policy document is adopted by the Regional Planning and Building Committee, compatible detailed plans may be pursued, allowing for issuance of building permits. It is noted that in the past five years, about 2,400 housing units have been approved in Qalansawa as part of detailed plans.

**Ein Mahel** - A comprehensive masterplan for the entire jurisdiction of the community is currently being advanced by the Planning Administration, using a multi-disciplinary planning team and in cooperation with the local government and all government ministries. In answer to your question, the plan includes an expansion of the area designated for development to accommodate a residential neighborhood while rezoning agricultural land for residential use. Some of the added development area is located outside the jurisdiction of Ein Mahel. Ein Mahel currently has some 3,000 housing units. The new masterplan designates a new development area that can accommodate some 12,000 housing units. In addition to the comprehensive masterplan, three more detailed plans that enable issuance of building permits for some 1,700 housing units are also being advanced

In conclusion, as demonstrated, the Planning Administration and other government ministries put a great deal of effort into planning through the entire hierarchy of planning institutions in order to advance and strengthen Arab communities, while legalizing thousands of existing structures and adding extremely vast development areas. There is a tremendous planning momentum in these communities, which has provided and will continue to provide highly significant infrastructure for their growth and development. **As such, we disagree with the contention arising from your letter that Israeli policy restricts and confines Arab towns and villages.**

Sincerely,  
[signed]  
Michal Meril  
Director, Planning and Supervision Division  
A, Planning Administration

CC: Dalit Zilber – Executive Director, Planning Administration  
Ehud Justman - Senior Director, Local Planning Division