

האגודה לזכויות האזרח בישראל

جمعية حقوق المواطن في اسرائيل

The Association for Civil Rights in Israel



Life in the Garbage:

A Status Report of Sanitation Services in East Jerusalem

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1. General Background

Anyone taking a walk through the streets and neighborhoods of East Jerusalem cannot fail to notice the bleak sights: garbage strewn all over the streets and trash bins not visible through many parts of the eastern side of town. On other streets, bins are filled to overflowing, broken down, and leaking. Sanitation is so poor, it was recently given special mention in the State Comptroller Report, which noted, **“Cleanliness in East Jerusalem is much worse than in the other parts of the city. Municipal attention to the cleanliness and care of East Jerusalem is deficient and reflective of ongoing neglect.”**¹

The Association for Civil Rights in Israel (ACRI) recently conducted an investigation into this subject based on fact-finding trips to several East Jerusalem neighborhoods, discussions with Residents’ Committees, and correspondence with the Jerusalem municipality. The investigation revealed that the municipality is not meeting its obligations, and this failure prevents residents from living in pleasant surroundings free of health risks. The main findings, more fully discussed below, are as follows:

- **Entire streets in East Jerusalem lack trash collection services or any form of cleaning.**
- **East Jerusalem neighborhoods have an insufficient number of sanitation workers, despite the urgent need for them.**
- **Street sweeping vehicles do not operate in most East Jerusalem neighborhoods. In areas where such vehicles do operate, they service only a limited number of streets.**
- **Most trash bins placed in East Jerusalem are dilapidated, burnt out, or otherwise in disrepair.**
- **Small public waste receptacles are virtually entirely lacking in the streets as well as commercial, cultural, and public areas.**
- **Vermin and stray dogs are a severe environmental blight and pose a danger to children.**
- **The privatization of cleaning services for neighborhoods on the other side of the Separation Barrier has exacerbated the sanitation conditions.**
- **In an effort to cope with the sanitation and environmental problems, residents are compelled to provide solutions at their own expense.**

The neighborhoods with the worst sanitation problems are those on the other side of the Separation Barrier in East Jerusalem. Sanitation services in these neighborhoods were privatized and do not function properly in the absence of municipal supervision. Entire sections in these neighborhoods lack trash collection services, leading to the accumulation and burning of mounds of garbage along the sides of the roads. A recent State Comptroller Report harshly criticized the shortage of sanitation services in this area, noting, “There is a need to clarify the jurisdiction of the State of Israel and the City of Jerusalem with regard to meeting the needs of this population, and enhancing coordination between the government ministries and the municipality.”² To date, no progress has been made to solve this problem.

The severe sanitation conditions described in this status report reflect a continuing violation of the rights of East Jerusalem residents to health, life, and a clean environment free of sanitation risks.

2. Sanitation Conditions in Selected Neighborhoods

To illustrate the severity of the problem, sanitation conditions will be surveyed in three areas of East Jerusalem: the neighborhoods of Tsur Baher and Umm Tuba in the southern part of the city, the neighborhood Bir Ayyub Silwan in the center of East Jerusalem, and the neighborhood of Ras Khamis beyond the Separation Barrier in the northern part of Jerusalem.

a. Tsur Baher and Umm Tuba neighborhoods

Approximately 15,000 people live in the southern Jerusalem neighborhoods of Tsur Baher and Umm Tuba.³ Much of this population receives no trash collection service whatsoever. **Trash is collected from bins placed only on the main streets of the neighborhood.** To date, 104 trash bins were located on the main streets of the neighborhood, of which 72 are small, 900-liter bins, and 32 are large, 8-cubic meter bins. **The great majority of these trash bins are dilapidated, in disrepair, and lack lids and wheels.** Following recent correspondence between ACRI and the head of the Jerusalem Department of Sanitation, several trash bins in the neighborhood were replaced and others added. **However, most of the trash bins that arrived are used and lack lids.**

As noted, trash bins are placed only on the main roads, **leaving dozens of neighborhood streets without any trash collection services whatsoever.** Mr. ‘Amad Sabah, in charge of the district outside the wall for the municipal Sanitation

Department, noted that these streets are too narrow to accommodate waste collection trucks. It should be underscored that these are not a couple of streets or alleys, but dozens; clearly, the municipality must find a solution for trash collection in these areas.

In addition, **street sweeping vehicles service only the main street of the neighborhood**, while dozens of other streets are not cleaned. This leads to the **accumulation of mounds of garbage in the gutter**, creating an environmental, sanitation, and health blight for all the neighborhood residents, especially the children, as well as an esthetic eyesore.

Only three small waste receptacles were placed on the sides of the road for use by the residents. Clearly these do not suffice for neighborhoods with thousands of residents and a large number of public institutions – schools, health fund clinics, community centers, mosques, businesses, private medical clinics, and stores.

Residents report that in the late afternoon and evening, dogs regularly prowl the neighborhood, scattering the garbage and terrorizing the residents.

b. Bir Ayyub Silwan neighborhood

In the Bir Ayyub Silwan neighborhood in the center of East Jerusalem where thousands of residents live, sanitation services are partial at best. **Most streets have no trash bins and no waste collection whatsoever, while in other streets these services are inadequate.**

On Wadi Road, the main street of the neighborhood where public institutions such as a mosque and school are located, there are only four lidless trash bins to meet the needs of this busy area. This street, which is a central artery connecting Silwan's sub-neighborhoods and linking Silwan with other East Jerusalem neighborhoods such as Jabel Mukaber and Tsur Baher, is **the only road in the entire neighborhood serviced by a waste collection vehicle.**

Other neighborhood streets have only a few trash bins, and many streets have none at all. On 'Auda Street, for example, there are no trash bins whatsoever, with the exception of a small receptacle that the residents themselves placed there, and garbage piles up in the gutter. In the first section of the street, a tractor collects the trash bags that residents place outside the doors of their homes; however the tractor does not collect the trash from the rest of the street, which curves away above these

homes. Therefore, residents of homes along the continuation of this street are forced to bring their trash to the first section of the road serviced by the tractor. No part of this street is serviced by a street-sweeper, vehicle or human. In ACRI's tour of the area in early June 2009, it was evident that some of the garbage in the gutter had not been collected for a very long time. Signs were also evident of the regular burning of trash at the side of the road – the only choice left to residents who want to rid themselves of the uncollected trash.

The situation is similar in Marajeh Street. This narrow street has no trash bin except for two small receptacles placed by the residents themselves. In this street, too, residents bring their trash to the beginning of the road, which is near the area that the tractor does service (see photos 1 and 2). Residents who live on this street told ACRI, **“By day, cats scatter the garbage and by night the street fills up with mice”**. This becomes even worse during the summer months.



Photo 1: Marajeh Street, in the Bir Ayyub Silwan neighborhood, June 2009



Photo 2: Marajeh Street in the Bir Ayyub Silwan neighborhood, June 2009. A trash-collection point improvised by the residents.

c. Ras Khamis neighborhood

Sanitation services in the Ras Khamis neighborhood – located on the other side of the Separation Barrier – were privatized by tender to a company under contract to the Jerusalem municipality. The sanitation in this neighborhood is awful: **For over 10,000 residents, only ten trash bins are allocated. All the bins are rusty, burnt, and bent out of shape. None has a lid.**

The severe shortage of trash collection services and cleaning, and the attendant damage, have also led residents of the Ras Khamis neighborhood to undertake private initiatives in an effort to find solutions. For roads without sanitation services, **the residents hired a cleaning worker at their own expense** to collect trash from the buildings and transfer it to the bins near the boys school (this arrangement ended four months ago). And because of the acute shortage of trash bins, **the residents purchased one at their own expense** and placed it in the neighborhood. **The residents also poison dogs and rats regularly, and dispose of the carcasses on their own.**

Although the garbage is collected four times a week – more than usual in Jerusalem – **the bins are already half full several hours after the collection** (see

photographs 3 and 4). This suggests a severe shortage of trash bins in the neighborhood.

Street sweeping vehicles do not enter this neighborhood and there are no public trash receptacles on the side of the roads, not even on the main road near the school or commercial center. The street cleaner works in the neighborhood once a week, and does not get to all the streets.

The contract employees perform their work in a negligent manner. Lately, for example, they were caught by neighborhood residents burning the trash in the bins. Around the bins, and even inside them, uncollected garbage always remains. This stems primarily from the problematic terms of the tender and the poor compensation of the employees as a result of the transfer of tenders to subcontractors, each taking a cut at the expense of the service to the residents and the cleaners themselves.

Nothing is done in the neighborhood about the vermin or prowling dogs, and the municipality has not properly addressed the residents' appeals. Last summer, for example, the residents complained to ACRI about the municipality's shirking of responsibility for dealing with a large band of roving dogs that entered the neighborhood, preying on animals and frightening the children. ACRI approached the municipality in the name of the residents and met with those charged with handling the matter, but only after two months did the veterinary service enter the neighborhood and attend to the matter.



Photo 3: Ras Khamis, June 2009



Photo 4: Ras Khamis, June 2009, a trash bin almost full several hours after trash collection

3. Legal Status

The obligation of the municipality to safeguard public health by addressing sanitation needs is anchored in Section B of the Municipalities Ordinance (Amended Version). In particular, paragraph. 242 details the responsibility of the municipality to install trash bins and ensure waste collection in an orderly manner. In light of the importance of this law, we quote it in full:

242. In the matter of sanitation, public health and comfort, the municipality shall undertake the following actions:

- (1) take measures to eliminate or prevent any public hazard and undertake inspections to identify existing hazards;
- (2) **order the collection of rubbish and garbage from every house** and set the fees for said collection;
- (3) order the inspection, regulation, maintenance, cleaning, and emptying of sewers, drains, lavatories, toilets, septic tanks, passageways, gutters, watercourses, cesspits, and sanitary fixtures;
- (4) **install and maintain in good working order public trash bins and other receptacles to be placed for the collection of waste, and ensure their maintenance in a way that will not constitute a nuisance or health hazard;**
- (5) install and maintain in good working order latrines, urinals, and public septic tanks, and ensure they are built and maintained in a way that will not constitute a nuisance or health hazard;
- (6) **ensure the sweeping and cleaning of streets that are not private property;**
- (7) **prevent the accumulation of waste in public or private places to an extent that constitutes a public health hazard and take measures to eliminate all public hazards** resulting from a septic tank or drain, whether private, public, or from any other source;
- (8) prevent the contamination of streams, ditches, watercourses, or wells, and prevent the placement of trash on the banks of a stream, ditch, watercourse, or well that could lead to their contamination;
- (9) prevent the use of pipes intended for the runoff of rainwater for the removal of sewage or waste from bathrooms or toilets, and prohibit the connection of drains to public sewer pipes without permission;
- (10) **order the inspection of houses and buildings to examine the state of their cleanliness or another matter for purposes of exterminating rats, mice, and other vermin.**

(emphasis not in the original.)

In accordance with paragraph 22(a) of the Jerusalem Bylaws (Maintaining Order and Cleanliness) (1978), the authority for trash collection in Jerusalem is granted solely to municipal workers who receive a special permit for that matter from the mayor.

The Jerusalem municipality is therefore obliged by law to provide sanitation services that include, inter alia, the installation of trash bins and receptacles in good working order, trash collection, sweeping and cleaning the streets, exterminating rats, mice, and vermin, and eliminating any sanitation hazard that could affect the health of the residents. From all the above, the Jerusalem municipality is clearly not performing its duty or meeting its legal obligations.

Neglect of sanitation by the Jerusalem municipality harms the rights of residents to live in a clean environment free of health risks and hazards, and prevents realization of their right to an adequate standard of living. These rights are enshrined in the right to health and derived from the right of every person to life, security of person, and dignity.

D. Summary and Recommendations

As evident from this survey, sanitation conditions in East Jerusalem are currently in a terrible state. This is the result of ongoing neglect and discrimination in the allocation of resources to East Jerusalem by the Jerusalem municipality. Neglect and discrimination of the eastern part of Jerusalem are manifest in every municipal and governmental area, but they are particularly obvious and tangible with regard to sanitation.

We recommend the immediate allocation of resources and budgets required to substantively improve the sanitation conditions in East Jerusalem – to safeguard the rights of the residents to a healthy environment, free of hazards and dangers. In particular, the following measures are needed to address the problem:

- a. Replace non-functioning trash bins and add new ones in accordance with the number of residents in the neighborhood and their needs.**
- b. Add trash collection services and find solutions for collecting trash from narrow streets that currently have no trash removal service. Place waste receptacles, distribute garbage bags, and set a regular schedule for trash collection.**
- c. Add a sufficient number of cleaners to meet the cleaning needs of the neighborhoods. Cleaning workers are particularly important in East Jerusalem because the street cleaning vehicle cannot enter many narrow or steep streets.**

- d. Conduct major cleanup days in various areas, especially near centers of commerce, health, education, and sport.**
- e. Exterminate and treat vermin thoroughly and on a regular basis.**

¹ State Comptroller Report, *Local Authorities in 2008*, issued 25 March 2009, p. 757:
<http://www.mevaker.gov.il/serve/contentTree.asp?bookid=541&id=96&contentid=9964&> (Hebrew).

² State Comptroller Report 59A, issued 2 March 2009, p. 91:
<http://www.mevaker.gov.il/serve/contentTree.asp?bookid=532&id=2&contentid=9895&p> (Hebrew).

³ Data from 2007, Jerusalem Institute for Israel Studies, *Jerusalem Statistical Yearbook 2007-2008*, Table C/9: http://jiis.org/.upload/yearbook/2007_8/tables/shnaton%20C0907_w.xls.