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ACCESSIBILITY FOR PEOPLE WITH DISABILITIES IN THE OLD CITY OF JERUSALEM - WHAT ELSE IS LEFT TO BE DONE?

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Much has been written about the great efforts that have been made, and are still being made, to make the public space in the Old City of Jerusalem accessible to people with disabilities. I too have made my humble contribution both to the accessibility and to writing about it. An article I wrote in 2011 is republished in this issue (see p. 11). It was written when the big accessibility project passed from the initial planning phase to the actual implementation phase.

Architect Yael Danieli Lahav, see p. 11

There is no point in rewriting it again. I will use the ideas that came up in the previous article as a starting point for the current article before us. Presenting the difficulties faced by those who wish to make a built property accessible in the Old City of Jerusalem was done in the wake of Naftali Levy of the Jerusalem Municipality, who described so well the statutory situation in what he wrote regarding this matter especially for us (see page 44).

The Old City of Jerusalem is a single and unique place. There is no equal in the entire world. It is a crowded built space used for a mix of residence, commerce, tourist services and a variety of institutions addressing the general public or closed communities. The Old City is one of the most crowded living spaces in Israel. On an area of 850 dunams live 35,000 inhabitants, i.e., 45 people per dunam. It is also one of the most significant tourist destinations in Israel, if not the most significant one. The number of tourists visiting the Old City exceeds two million people a year. Successfully integrating people with disabilities into the local community or the growing stream of visitors is a huge challenge. The challenge did not go unnoticed by the initiators of the large accessibility project and its managers. They did everything in their power to make the public space under their responsibility accessible. Streets, alleys, open spaces, public buildings, transportation services and parking. The main limitation they face is statutory. As part of the project, they are not allowed to carry out construction work in a land where they do not have possession. When they complete what they are capable and are allowed to do, it will be necessary to make accessible all the rest.

This article deals with some of what remains to be done.

The Old City of Jerusalem is a multi-layered Kasbah. It has a morphology of a multi-layered Kasbah built on two hills and a wide valley between them. The eastern hill houses the Temple Mount and most of the Muslim Quarter. The western hill houses the Christian Quarter, the Armenian Quarter, and the remaining part of the Muslim Quarter. The Jewish Quarter is located in the Valley between the two hills. The slopes of the eastern hill are relatively moderate, the slopes of the western hill are steeper. Herod's Gate, Damascus Gate and the New Gate in the northern wall and the Jaffa Gate in the western wall connect the Old City with the new city. Zion Gate and the Dung Gate in the southern wall connect it with Silwan neighborhood (Kfar Hashiloah) and the City of David Antiquities complex and the southern wall, whereas the Lion's Gate in the eastern wall connects it with the Mount of Olives. The New Gate, Jaffa Gate and Zion Gate are the high gates. All three are on the slopes of Mount Zion, the summit of which is higher than them. The Dung Gate is the lowest of all, at the outlet of the inner valley to the Kidron River which is lower.

The hierarchy of streets characterizing the Kasbah has a deep cultural root – “The king's daughter is all glorious within”. The main street is the most public place, the residence is the most private and hidden place. The hierarchy of streets begins with urban main streets, from which one moves to secondary neighborhood streets, from them to dead-end allies semi-public, semi-private. From the alley one moves to a private living space which is also hierarchic. The alley opens to a courtyard common to several apartments, and from there one passes to a private foyer that leads into the inside of the apartment. The rule is that the private living space will be completely hidden from the public eye. The height of a window sill facing a main street should be above the eye level of a person riding a camel, i.e.

about 350 cm above street level. The front door of the house should be in a place hidden from the eye of a passer-by, that is, in the wall of the house opposite the wall facing a public street. In Jerusalem, this rule created a multi-layered Kasbah. The sides of the buildings facing the main and secondary streets are mainly used for commerce and public buildings. The living spaces extend above, or behind, the public stratum. Almost without exception, access to the living spaces, including the alleys, courtyards and apartments themselves, is by stairs. Finally, as if there are not enough barriers to accessibility, there is that too. You almost always have to go up or down a few steps when passing from the street to the yard or to the store and vice versa. Where there is no height difference between the street and the yard or shop, the threshold is nevertheless raised to prevent unwanted passage of rainwater and dirt from side to side.

Interim Summary - When it comes to accessibility for people with disabilities, the Kasbah on both hills is not a simple business at all. The Old City of Jerusalem has mountains around it. It is a Kasbah of many hundreds of years old, built on two hills with a fairly convenient topography. Despite this, those who are unaccustomed to it feel in a multi-layered Kasbah as if they have entered a spaghetti plate and now have to find their way in it.



Entrance to a residence in the Old City of Jerusalem. © Badahos | Dreamstime.com

Access to property ownership

In ancient cities, and Jerusalem is not unusual in this regard, it is rare to find an arrangement for registering the rights¹ of residential apartments and shops that constitute independent property units that may be transferred from hand to hand by inheritance or real estate transactions, as is customary in new cities. Exceptions are buildings built in their entirety under modern planning and building

laws (Mandatory, Jordanian and Israeli). In these cases, the manner of registering the rights in the properties in the real estate books allows for transfer by sale or inheritance, as is customary in the new city. As mentioned, in most parts of the Old City it is not possible to separate ownership of a particular apartment from the ownership of the cluster of apartments and the common yard attached to it. Some of the built properties and the vacant land were bought with full money or given as a gift or inherited to organizations and individuals recognized as their official owners, and the tenants rent the apartments from them and use them for their own needs. Some of the properties and vacant land are recognized “since time immemorial” as belonging to certain clans of which the tenants are members. Be that as it may, the tenants without separate property rights are entirely dependent on the kindness of the property owners when it comes to carrying out significant construction and maintenance operations. When the ownership is registered in the name of an official party, the situation is still relatively good because there is someone to turn to. When the ownership is amorphous, such as in the hands of some clan, there is no one to turn to.

Accessibility to the traffic system in a vehicle and on foot²

The immense effort invested in the accessibility project of the Old City is designed to create an accessible public space for pedestrians who are people with disabilities. Around the old city, parking lots of enormous capacity were built. Visitors’ entry by vehicle was prohibited in order to dilute vehicle traffic and increase the number of parking spaces available to residents. During the day, entry is only allowed for residents’ vehicles, for owners of vehicles with a disability card and for merchants with a special tag, who have arranged the matter in advance. On very busy days entry is only allowed to residents and people who have a reserved parking space. Transportation of goods is only possible in a small van.

Egged and the light rail operate a high-capacity accessible public transportation that encircles the Old City from all sides, (except the Lions Gate) and allows pedestrians to enter at one gate and exit at another. As far as possible, given the topography and morphology, including the width of the streets, ramps were



The light rail passing by the old town.

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- 1 A necessary condition for the completion of real estate transactions is the registration of the land in the name of the proprietor.
- 2 See more about the traffic system in this issue, in my article that is republished under the heading “People, Donkeys, Wheels and Stairs”, and in an article by Meirav Devish Ben Moshe and Judy Bendel, which is also republished under the heading “Accessibility in the Old City of Jerusalem – Audit planning and implementation”.)

built on top of stairs, stairways were dismantled and rebuilt to make them more comfortable, handrails were installed next to stairs and along relatively steep sloping streets.

Unfortunately, despite the enormous effort, some issues remain unresolved.

- **To get out of the house alone, to walk down the street** - Those who depend on personal mobile devices cannot move on the street without help, even though the situation is immeasurably better than it was before the ramps were built. In very many streets, due to the terrain conditions, the ramps built as part of the accessibility project are too steep. A person using a walker or a cane needs a close attendant to assist and support him as needed. Due to overcrowding, there are no benches for rest on the streets. For some people the effort to walk the steep streets is too great, so their walking distances are quite small.
- **To travel elsewhere, away from home** - Despite the effort, residents of the Old City, who are people with disabilities, do not enjoy effective public transportation. The distance from the house to the transport stations is too great. Most of them are too poor to rely on door-to-door taxi service. Agile entrepreneurs, who have recognized the need and potential offered by the accessible streets, operate paid shuttle and transport services in a scooter or an electric tricycle. The Catholic Patriarchate's Charity Association has purchased scooters that provide designated shuttle and transportation services for people with disabilities. The Jewish Quarter Community Center has purchased scooters operated by charity, which provides a similar service to the residents of the Quarter. There are more and more residents riding electric bikes, pushing shopping carts and wheelbarrows, or any other means of transportation that has small wheels.

It is proposed to establish an array of subsidized and supervised public transport. - "Regular" taxis go inside the old city. A taxi ride makes it easier to get out of the house because it reduces walking distances. The trouble is that the possible travel route for a "regular" car is very limited. Service in small taxis with high passability would revolutionize the quality of life of all residents, all the more so residents with disabilities. Even if the small taxis do not reach the very door of the house, they will be very close in it. The small vehicle will squeeze into the narrow streets and will ride on ramps with a "reasonable" slope. It is proposed to establish a dedicated service for the residents of the Old City that will take them outside the walls, all the way to multi-capacity public transportation stations. Of course, the vehicles will be of an accessible design for people with mobility disability, and the assistance that the driver will provide to passengers will be adapted for people with disabilities of all types. The service will be provided to residents at all hours of the day, excluding in the market streets. There the service will be provided outside rush hours. Passenger waiting stations and parking of vehicles outside business hours will be at an approved location only.

The business potential is big. It is worthwhile to develop accessible vehicles designed for driving on very narrow streets with or without slopes. The Old City of Jerusalem is just one place out of hundreds if not thousands of similar places around the world. In Israel, it is joined by the Old Quarter in Safed and the Old City in Acre.

- **Parking arrangement** - The many parking lots built around the Old City are for a fee. They are too far from the residential neighborhoods, so even if residents

did not pay parking fees, they would not provide them with a reasonable parking solution. Inside the Old City there are almost no parking lots to be parked in. Residents with a disability tag are allowed to have a parking space marked on a signpost bearing their vehicle number. Some people fortunately live relatively close to where the vehicle can be parked. The right to reserved parking greatly improves their quality of life. There is currently no solution for those who live too far or there is no accessible road from the parking lot to their home.

It is proposed to establish a parking system in the Old City using the method of an automatic underground car warehouse that will be reached by elevators from several centers in the city - to save space that a horizontal traffic system will occupy at street level, people and cars will use elevators.



Parking in the Old City, Jerusalem. © Daniel Weishut | Dreamstime.com

The cars will arrive at the warehouse and leave it in places that will disturb as little as possible pedestrians and traffic on the ground. People will go in and out at places that have good access to the main points of interest and to the hearts of the residential neighborhoods. The secondary benefit from the parking system will be an accessible horizontal connection to pedestrians that will connect the significant points of interest to each other. The parking layout with the elevators that go out to the ground will provide the Old City with delivery, maintenance, rescue and security services in a completely different quality from the one that exists today.

- Special pick-up and drop-off stations for passengers on special transportation - In Israel, it is customary for people with disabilities to reach special education or sheltered employment frameworks or other welfare and leisure services by special transportation. Most of the passengers are people who cannot be sent to wait alone away from home, where there is no one to look after them until the shuttle arrives and no one to receive them when they return. Because the cars cannot get close to the house, the logistics of collection and dispersal become

extremely complex. When there is no one in the house who can accompany the passenger, they waive the ride. In too many homes children and adults with disabilities do not receive education, employment and leisure services just because they live too far from a place a car can reach. The accessibility project did not solve their problem. It should be emphasized that this is not about a difficulty in walking, this is a difficulty in providing an inclusive and safe environment for a person who has difficulty taking care of himself.

It is proposed to set up permanent stations for the collection and dispersion of passengers with disabilities - This should be managed through professionals and an array of volunteers, who have been trained and will do so in an institutionalized setting. The stations will be built in places that will have relatively easy access for pedestrians, they will provide shelter from rain in winter and shade in summer, there will be room to sit, and there will be a push-of-a-button connection to an emergency center.

Accessibility in the private built space

As stated, the municipality is prevented from carrying out design and construction activities where the public has no easement. In other words, the municipality may operate only on streets and alleys, squares, public gardens and buildings for which it provides a service to the public. In the Old City there are almost no buildings owned by the city or the government, or that the municipality or government budgets their maintenance, or rents them out for their own needs. Almost all buildings in the Old City will be defined in the accessibility legislation as existing buildings. According to the accessibility legislation, there is no obligation to make accessibility adjustments in existing buildings, except in their parts intended for public use.



Inaccessible entrance to a clinic: Photo: Amir Bitan

- **Hubs of interest** – one may say, with the requisite caution, that it is probable that all have been declared for preservation. Preservation in the Old City is very strict. On the face of it, they can be exempted from making certain accessibility adjustments because of fear of damaging the essence of the place (preservation) or due to engineering difficulty and concern for the stability of the building. To these, statutory impossibility may be added. It is difficult to carry out construction work in a structure intended for strict preservation.

- **Schools** – Apparently, accessibility regulations of an existing education institution apply to all recognized (teaching core subjects), official (municipality), religious, and special education schools. The question is how many of the schools in the Old City meet the criteria, how many of them are assisted by the municipality, how many of them are forced to make the accessibility adjustments from extra-municipal budget sources. I have no data. Only questions.
- **Shops and commercial services including restaurants, banks, postal agencies and more** - Almost all shops and restaurants meet the exemption requirements included a priori in the regulations because their façade faces the street, the entrance to the store is either higher or lower than the street by one step, and the store area used by the public does not exceed 100 square meters. Most stores do not require an accessible toilet because the sales area is less than 150 square meters. Most restaurants and cafes do not require an accessible toilet because the sales area is less than 50 square meters.
- **Accommodation services** - Most hotels and hostels within the Old City are not required to make accessible accommodation units because they have less than 75 rooms, they do not provide a service to the public other than those staying in the place, and they do not have enough space to build an accessible accommodation unit on the entrance floor from street. To some of them there is no access at all from a street that has no stairs.
- **Residential buildings** - There is no obligation to make existing residential buildings accessible. As for new apartments, the obligation only applies to applications for a building permit for 8 new apartments in one stroke that have a common entrance or a common stairway. Apparently, there are not any or there may be isolated cases of such applications that have been filed since the regulations entered into effect ten years ago.
- **Statute or approval of an application for a building permit for an elevator or a private warehouse at the entrance to the yard** - Local planning scheme No. EC/9 (EC – East City) applies to the Old City. The scheme assists only slightly to new construction or alterations to existing structures declared for preservation. Old City residents, who are apparently entitled to housing adjustments due to mobility disabilities, are unable to exercise their eligibility because they cannot obtain a building permit on a property that is not under defined ownership and whose building rights are unknown, even if, fortunately, the property they live in has not been declared for preservation. In recent years, an attempt has been made to formulate an up-to-date planning scheme that will enable construction additions aimed at improving accessibility and sanitation in residential apartments. If and when the scheme is approved, it will also make it possible to overcome the difficulties posed by the attribution of collective assets described in this article. Permits for building additions will make it possible to set up warehouses in the alleys and yards for the storage of motorized personal mobility devices. The warehouses are a mandatory condition for obtaining a motorized wheelchair, including a scooter, from the Ministry of Health. The engine attached to the wheelchair is an entrance ticket to the public space. Only with the help of the motorized chair is a limb disabled person able to move on his own on the steep ramps.

It is proposed to promote a strategic accessibility plan from which a local planning scheme for accessibility for people with disabilities in the Old City of Jerusalem will be derived. The planning scheme will make it possible to overcome statutory and administrative barriers that cannot be resolved today, due to which it is not possible to establish, build and operate accessible solutions for residents and visitors, whether these are required by accessibility laws or whether they are a necessity of the reality imposed on people with disabilities, who live or visit an ancient space.

Summary

When we began talking, 15 years ago, about making the Old City of Jerusalem accessible as a whole, they thought we were kidding. No one took it seriously. In 2006, I participated with Dr. Judy Bendel in a conference organized by the European Union in Belgium that dealt with the universal design of buildings - tools and policies. Dr. Bendel presented there the tools she used to survey the Old City, and I talked about public policy promoting accessibility for pedestrians with disabilities in the Old City of Jerusalem. The truth is that I myself did not believe the words that came out of my mouth. And here today, after 15 years of hard work, I am writing an article that takes the accessibility of the streets of the Old City to pedestrians as an obvious starting point for the future. It is a great joy. The project was successful beyond all expectations. This is the place to bless my good fortune that summoned me this thing, and also to thank everyone who has been contributing to the tremendous effort, and first and foremost to the residents who cooperate, believe in the good end, and motivate us all.