



DIVISION FOR PALESTINIAN RIGHTS

January 2010
Volume XXXIII, Bulletin No. 1

Bulletin on action by the United Nations system and intergovernmental organizations relevant to the question of Palestine

Contents

	<i>Page</i>
I. Secretary-General appoints new Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East	1
II. Secretary-General addresses opening of the 2010 session of the Committee on the Exercise of the Inalienable Rights of the Palestinian People	2
III. Israel compensates the United Nations for damage during the Gaza military operation	3
IV. United Nations High Commissioner for Human Rights issues report on Palestinian births at Israeli checkpoints	4
V. Assistant Secretary-General for Political Affairs briefs the Security Council	5

*The Bulletin can be found in the United Nations Information System
on the Question of Palestine (UNISPAL) on the Internet at:*
<http://unispal.un.org>

**I. SECRETARY-GENERAL APPOINTS NEW COMMISSIONER-GENERAL
OF THE UNITED NATIONS RELIEF AND WORKS AGENCY
FOR PALESTINE REFUGEES IN THE NEAR EAST**

On 20 January 2010, Secretary-General Ban Ki-moon appointed Filippo Grandi of Italy as the new Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and Margot B. Ellis as the new Deputy Commissioner-General of UNRWA. The following is the related press release that contains Mr. Grandi's biographical note (SG/A/1215; BIO/4161):

United Nations Secretary-General Ban Ki-moon, following consultations with the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), is pleased to announce the appointment of Filippo Grandi (Italy) as the Agency's new Commissioner-General, effective 20 January 2010.

He replaces Karen AbuZayd, to whom the Secretary-General is deeply grateful for her tireless and dedicated service to the Palestinian people and excellent leadership of UNRWA at an important juncture.

Mr. Grandi has been Deputy Commissioner-General of UNRWA since September 2005. A strong advocate for the rights and dignity of Palestine refugees and an excellent manager, he has been instrumental in the success of the Agency's comprehensive and far-reaching management reforms. He brings to his new position a record of outstanding service under the banner of the United Nations. With his appointment as Commissioner-General, his energy, leadership and understanding of humanitarian issues will remain at the service of UNRWA and Palestine refugees.

Prior to joining UNRWA, Mr. Grandi distinguished himself in a variety of Headquarters and field functions encompassing refugee assistance, protection, emergency management, donor relations and humanitarian and political affairs. He was responsible for political affairs at the United Nations Assistance Mission in Afghanistan (UNAMA), where he served as the Secretary-General's Deputy Special Representative.

With the Office of the United Nations High Commissioner for Refugees (UNHCR), Mr. Grandi's roles included Chief of Mission in Afghanistan and Chief of Staff in the High Commissioner's Executive Office. His vast field experience includes various positions in the Sudan, the Syrian Arab Republic, Turkey and Iraq, the latter during and in the aftermath of the first Gulf war. He also led emergency operations in Kenya, Benin, Ghana, Liberia, the Great Lakes region of Central Africa, the Congo, Yemen and Afghanistan.

Mr. Grandi was born in 1957.

II. SECRETARY-GENERAL ADDRESSES OPENING OF THE 2010 SESSION OF THE COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE

The following is the text of Secretary-General Ban Ki-moon's message delivered at the opening of the 2010 session of the Committee on the Exercise of the Inalienable Rights of the Palestinian People held on 21 January 2010 (SG/SM/12712; GA/PAL/1144). At the meeting, the Committee adopted its programme of work for 2010, as contained in document A/AC.183/2010/1.

I congratulate you and your distinguished colleagues on your re-election to the leadership of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

As we open this year's session, intensive efforts are under way by the international community to restart the long-stalled Israeli-Palestinian peace negotiations. I support the United States-led efforts to bring about a resumption of meaningful negotiations on all final status issues, including the security of Israelis and Palestinians, borders, refugees and Jerusalem.

In the absence of talks, confidence between the parties has diminished. Tensions have risen in East Jerusalem. People in Gaza and southern Israel continue to suffer from violence. If we do not move forward on the political process soon, we risk sliding backwards.

Notwithstanding the Government of Israel's decision to restrain settlement construction in the West Bank, I am concerned that settlement activity and financial support for settlement expansion continues in the West Bank and East Jerusalem.

The international community has repeatedly appealed to Israel to halt

settlement construction throughout the occupied Palestinian territory. Settlement construction violates international law and contravenes the Road map, under which Israel is obliged to freeze all settlement activity, including the so-called "natural growth".

This is in no-one's interest, least of all Israel's. Settlement activity undermines trust between the two parties, seems to prejudice the outcome of the future permanent status negotiations, and imperils the basis for the two-State solution.

In East Jerusalem, a series of worrisome events has not only stoked tensions in the City but also has the potential to endanger stability in the region. The Israeli authorities have continued to discriminate against Palestinian residents, including by ordering house demolitions and evictions and revoking identity cards. Local authorities have also announced plans to consolidate and expand settlement infrastructure.

It bears repeating that the international community does not recognize Israel's annexation of East Jerusalem, which remains part of the occupied Palestinian territory. The question of Jerusalem is a central and highly sensitive issue to be addressed by the parties in permanent status

negotiations. A way must be found, through negotiations, for Jerusalem to emerge as the capital of two States living side by side in peace and security, with arrangements for the holy sites acceptable to all. This is the road to fulfilling the vision of Security Council resolutions and the Arab Peace Initiative.

In Gaza, one year after the end of the most recent round of hostilities, neither the issues that led to the conflict nor its aftermath have been fully addressed. Very few of the key measures for stability, as identified in Security Council resolution 1860 (2009), have been implemented. Moreover, and regrettably, accountability for violations of international humanitarian and human rights law has not been adequately addressed. I call on Israel and the relevant Palestinian authorities to conduct, without delay, credible domestic investigations into the many reported allegations of serious human rights violations.

The grave humanitarian situation in Gaza remains of special concern to me. The amount of humanitarian and other supplies allowed in is insufficient to meet the needs of the population or to enable urgently needed reconstruction. I deeply regret that the United Nations proposal to kick start civilian reconstruction activity has not been approved. I repeat my call on Israel to end its unacceptable and counterproductive

blockade and to fully respect international law.

I am also greatly concerned about those in southern Israel who have to live in fear of continuing Palestinian rocket and mortar fire from Gaza. I call for a complete end to violence and the targeting of Israeli civilians.

For 42 long years, the Palestinian people have been living under occupation. I reiterate my firm commitment to putting an end to the occupation, and to the conflict, through the creation of a State of Palestine living side by side with Israel in peace and security, and through the achievement of a comprehensive, just and lasting peace in the region.

We shall pursue this objective in keeping with Security Council resolutions, previous agreements, the Road map and the Arab Peace Initiative.

If we are to advance this common agenda in the crucial period ahead, a revitalized Quartet must step up its engagement. This Committee has also a contribution to make.

I look forward to continuing our work together to end a tragic situation that has persisted for far too long, to the detriment of far too many men, women and children.

III. ISRAEL COMPENSATES THE UNITED NATIONS FOR DAMAGE DURING THE GAZA MILITARY OPERATION

The following is a letter from Secretary-General Ban Ki-moon to the President of the Security Council dated 22 January 2010 (S/2010/39).

Subsequent to the Board of Inquiry report into incidents in the Gaza Strip between 27 December 2008 and 19 January

2009 and its recommendations, I have been in contact with the Government of Israel. I am pleased to report that the Government of

Israel has been constructively engaged throughout this process and has agreed to continue a dialogue on ways to improve cooperation on the ground.

I would also like to express my appreciation for the manner in which all other relevant issues arising from the inquiry are being addressed, including the financial

issues relating to the incidents investigated by the Board of Inquiry, which have been brought to a satisfactory resolution.

I would be grateful if you would bring the present letter to the attention of the members of the Security Council for their information.

IV. UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS ISSUES REPORT ON PALESTINIAN BIRTHS AT ISRAELI CHECKPOINTS

The following are the conclusions and recommendations contained in the report of the United Nations High Commissioner for Human Rights on the issue of Palestinian pregnant women giving birth at Israeli checkpoints submitted on 21 January 2010 (A/HRC/13/68/Rev.1):

As pointed out in the previous report to the Council on this issue, limiting the scope of this report to births at checkpoints fails to take into account the consequences of the entire closure regime imposed on the Occupied Palestinian Territory. The issue is best examined in the broader context of the severe restrictions on freedom of movement imposed by Israel on Palestinians in the Occupied Palestinian Territory, and the wide range of rights that Palestinians are unable to exercise due to these restrictions.

OHCHR submitted its first periodic report on the implementation of resolution S-9/1, on the grave violations of human rights in the Occupied Palestinian Territory, to the Council at its twelfth regular session, and a further report on the follow-up to the ninth and twelfth special sessions of the Human Rights Council to the current session of the Council. Both reports contain detailed information on the restrictions on freedom of movement and the human rights violations that stem from these restrictions.

The number of reported cases of births at checkpoints appears to have declined in recent years, to the extent that there has been no case reported since January 2009.

OHCHR had previously interpreted decision 2/102 as extending previous Commission of Human Rights reports and providing for an annual reporting cycle. This interpretation had not received any objection to date, and the Office's interpretation was thus deemed to have received the tacit approval of Member States. However, an objection has been placed on record this year, and in the context of this specific report. OHCHR has thus further reviewed the said decision, and concludes that with it, the Human Rights Council sought to fill a technical gap by ensuring that reports which were deemed to be submitted to the 62nd session of the Human Rights Commission would be extended by one year, to be submitted to the subsequent substantive Human Rights Council session. With this transition period over, and the

objection now on the record to the previous interpretation of annual reporting cycles, if the Human Rights Council wishes to see a continuation of this reporting mandate, a new Human Rights Council resolution or

decision on the matter should be tabled. Pending any such resolution, OHCHR will not file any further reports specific to this matter, save that it will cover the issue in its periodic reports.

V. ASSISTANT SECRETARY-GENERAL FOR POLITICAL AFFAIRS BRIEFS THE SECURITY COUNCIL

On 27 January 2010, the Security Council held an open debate on “The situation in the Middle East, including the Palestinian question.” The following are excerpts from the briefing given by Assistant Secretary-General for Political Affairs Oscar Fernandez-Taranco (S/PV.6265):

An extremely worrying impasse persists in efforts to bring about Israeli-Palestinian negotiations, amidst low confidence between the parties, disputes over the terms of reference for negotiations, continued creation of facts on the ground, tensions in Jerusalem, uneven developments in the remainder of the West Bank and unsustainable conditions in Gaza.

Intense diplomatic activity has continued, to try to bring about resumed negotiations between Israel and the Palestinians, including United States Envoy George Mitchell’s recent visit to the region. These efforts are continuing, and the parties have indicated that they are reviewing developments, but a breakthrough has not been achieved.

The Secretary-General and his Envoy are actively engaged with the parties and regional partners, and within the Quartet, in an effort to support the initiation of a meaningful process that leads to a clear endgame. The Secretary-General met Envoy Mitchell on 6 January, and we welcome Mr. Mitchell’s engagement with Quartet envoys and other partners in Europe

on 12 and 13 January. We also note the efforts of Egypt, which hosted Israeli and Palestinian leaders for discussions this month. Special Coordinator Robert Serry recently visited Cairo and Amman.

We believe that the Quartet can and must play its full role at this crucial juncture if obstacles are to be overcome and a process is to be resumed with prospects for success. The parties must also assume their responsibilities. Notwithstanding certain steps, Israel can and should do considerably more to build confidence through the implementation of obligations on the ground and by signalling a genuine commitment to negotiating and resolving all core issues, including Jerusalem, within a clear time frame. While we do not underestimate the difficulties and concerns involved, the Palestinians should continue to engage in earnest, as they are doing, in an effort to bring about resumed negotiations.

Despite the political impasse, the Palestinian Authority continues its efforts to advance its State-building agenda. During the reporting period, the Palestinian Authority marked the completion of its

1,000th small project since 2008 targeting underserved communities. On 14 January, Prime Minister Fayyad presented the Government's priority interventions for 2010: institution-building, strategic infrastructure and the delivery of services. We urge the international community to support that programme. The total cost is estimated at \$5.5 billion, of which only 50 per cent is fully or partially funded.

The Palestinian Authority also faces a recurring budget deficit that is estimated at \$1.2 billion. It is therefore in need of further budgetary support in 2010. In fulfilling outstanding pledges from the Paris and Sharm el-Sheikh donor conferences, the Palestinian Authority has requested that assistance be frontloaded and that measures be taken to ensure the predictability of financing.

The Palestinian Authority also continues to make progress in the areas of law and order and combating potential terrorism, in accordance with the Road map. Four hundred newly trained Palestinian security personnel were deployed in Hebron in early January. Progress has been made in recent months in addressing human rights concerns in Palestinian Authority prisons.

We note positively new Israeli measures to facilitate economic activity in the West Bank. On 4 January, the opening hours of the Tarkumiya commercial goods crossing between the southern West Bank and Israel were extended to improve access for goods. On 15 January, a section of a road south-west of Hebron that connects two major routes and provides critical access for some villages to service centres was reopened to Palestinian traffic for the first time since 2001.

We urge Israel to take more far-reaching measures to facilitate Palestinian development in the West Bank, including the further easing of closures — which stand at 569 obstacles to movement — facilitating improvements in Area C and refraining from demolishing Palestinian homes. During this reporting period, demolitions left over 100 Palestinians, including 34 children, homeless.

I would like to reiterate the Secretary-General's concern about the situation in East Jerusalem. He calls on Israeli authorities to put an end to activities such as settlement construction and expansion, house demolitions, the closure of institutions and the revocation of residency rights.

As they have for nearly a decade and contrary to the Road map, Palestinian institutions in East Jerusalem remained closed during the reporting period, including Orient House and the Chamber of Commerce. Protests by Israelis and Palestinians alike against Israeli actions in Sheikh Jarrah — where several families have been evicted and a further 25 face the same threat — have continued and now take place most weeks. Seventeen demonstrators arrested on 15 January were released the following day after the Israeli court ruled their arrests illegal, but a further 20 were detained on 22 January. There are also persistent concerns with regard to settler-run archaeological excavations, including tunnelling activities, in the sensitive Silwan neighbourhood, which is adjacent to the Old City. New cracks that appeared in roads after recent heavy rain have been attributed by some reports to those activities.

There continue to be official announcements of intent to expand settlement construction within the Israeli-determined municipal boundaries of occupied East Jerusalem, in areas of existing settlement and in Palestinian neighbourhoods. Those include the 692 new housing units in three existing settlements announced on 28 December, a new project announced on 4 January to house 24 settler families in the Palestinian neighbourhood of the Mount of Olives, and a plan announced on 6 January to establish 50 new settler housing units in the Palestinian neighbourhood of Shuafat. We urge the Israeli Government not to finalize the approval of those plans. The international community does not recognize Israel's annexation of East Jerusalem. The status of the city remains a final status issue for negotiations, through which a way must be found for Jerusalem to emerge as the capital of two States.

The policy of partial temporary settlement restraint in the remainder of the West Bank announced in November by Prime Minister Netanyahu is being broadly implemented. Teams of Israeli inspectors have visited settlements to verify that stop-work orders are being put into effect. However, due to the exemptions in the policy and, in some cases, the fact that construction is continuing contrary to the policy, construction activity has been reported in several settlements. On 20 January, Defence Minister Barak upgraded to university status a college in the large settlement of Ariel in the occupied West Bank, while Prime Minister Netanyahu planted trees in Gush Etzion and Ma'ale Adumim on 24 January.

Settlement activity throughout the territory occupied in 1967 is illegal, and its continuation is contrary to the road map.

We once again strongly urge the full implementation of Israel's obligations to freeze all settlement activity, including as a result of natural growth, and to dismantle the outposts erected since March 2001. On 12 January, Prime Minister Fayyad announced that the Palestinian Authority is seeking to implement a boycott of settlement products within Palestinian areas.

Palestinian, Israeli and foreign protestors continued demonstrating in the villages of Nil'in and Bil'in, where the barrier is built on occupied Palestinian territory contrary to the advisory opinion of the International Court of Justice. There have also been clashes between protestors and Israeli security forces.

During the reporting period, there was a substantial increase in Israeli military operations in the West Bank — 143 in total — in response to alleged security threats. Three Palestinians were killed, 87 injured and over 300 arrested, 12 of whom were found to be carrying explosives. In a serious episode, Palestinian gunmen killed a settler on a road near Nablus on 24 December. In an action strongly denounced by the Palestinian Authority, Israeli forces entered Nablus on 26 December and killed three Palestinians alleged to be the perpetrators. Palestinian security forces arrested several individuals in the course of their own investigations into the killing of the settler.

In total, there were 107 violent incidents between settlers and Palestinians during the reporting period, which left 22 Palestinians and 18 settlers injured — partly due to the "price tag" policy to protest the Israeli Government's policy of settlement restraint. Following the evacuation of the Givat Menachem outpost yesterday, settlers attacked Palestinians and their property in

the neighbouring village of Bitilu. We note that the Israeli police detained a number of settlers on suspicion of involvement in the mosque arson at Yassuf, which was reported in the last briefing. However, more must be done to impose the rule of law on violent settlers.

Turning to Gaza, as he stated on the first anniversary of Operation Cast Lead on 27 December, the Secretary-General remains gravely concerned that neither the issues that led to the conflict nor its worrying aftermath is being addressed. This has created an unsustainable situation and a sense of hopelessness for the civilian population in Gaza, more than half of whom are under 18.

Hamas remains in de facto control of Gaza, asserting security control and pushing forward its social and institutional agenda. We regret its refusal to sign the Egyptian reconciliation proposal, accepted late last year by factions of the Palestine Liberation Organization (PLO) following an extended process of discussions, and urge Hamas to reconsider this position.

We continue to support the reunification of Gaza and the West Bank within the framework of the legitimate Palestinian Authority, and to express the hope that free and fair elections throughout the Palestinian territory can be held as soon as possible. In the meantime, with the passing of the 25 January 2010 date by which the ranks of elected officials would ordinarily have been renewed by elections, the presidency and legislature have been extended by PLO decision until elections can be held, though the legislature is unable to meet due to the internal divide.

Efforts to secure the release of Israeli captive Gilad Shalit in exchange for a number of the 9,000 Palestinians in Israeli jails have not so far achieved a breakthrough.

There was a notable increase in the number of projectiles fired from Gaza by militant groups during the earlier part of this reporting period. Over 70 projectiles of different calibres were fired, 19 of which reached Israel. There were 20 Israeli incursions and 11 air strikes against targets in the Strip, leading to 11 Palestinian fatalities, including six civilians, and six injuries. This spike in violence is worrying and underscores the fragility of the current situation. However, we continue to believe from our contacts that major constituencies wish to maintain calm. We urge all parties to refrain from violence and respect international humanitarian law.

Reports of weapons smuggling continue to cause concern. Egyptian efforts to combat smuggling have continued, including through the use of tunnel-detecting sensors and the insertion of metal sheeting in parts of the ground along the border. Goods smuggled through tunnels are both sustaining and distorting the Gaza economy. There is an urgent need for all crossings into Gaza to be opened as foreseen in the Agreement on Movement and Access.

On 6 January, during a demonstration by Palestinians in Rafah, Gaza, demanding the entry of a solidarity convoy of humanitarian aid, an Egyptian soldier was shot and killed on the Egyptian side of the border with Gaza. As the incident evolved, at least 13 Palestinians were injured on the Gazan side of the border. The Egyptian authorities have called on Hamas to ensure

that those involved in the killing are brought to justice.

We repeat our call for an end to the blockade of Gaza. During the reporting period, a weekly average of 534 truckloads of imports entered the Strip, a 10 per cent decline in quantity from the last reporting period, although it is positive that in December there was a slight expansion in the types of allowed imports, with goods such as candles, brooms, eye glasses and blankets entering. There was a 13 per cent increase in the amount of cooking gas entering Gaza, although shortages remain. There has also been a limited response to the United Nations call for a winterization package for Gaza. In particular, since 29 December, and following an appeal to the Israeli Government by the Secretary-General, 57 truckloads of glass have entered the Gaza Strip as part of an Israeli clearance for a total of 100 truckloads. This has enabled more ordinary families to repair some of the lesser damage caused during operation Cast Lead. In addition, Israel permitted the export of 41 truckloads comprising nearly 2 million carnations and over 40 tons of strawberries during the reporting period, with approximately 300 tons of strawberries expected to be exported by the end of the season.

The Gaza power plant faces fuel shortages, largely as a result of funding shortfalls, and efforts are continuing to resolve this important issue to prevent a shutdown of the plant, which would have worrying humanitarian consequences. It is also vital that the entry of materials for repair of electricity infrastructure be facilitated by Israel, together with sufficient quantities of fuel.

On 1 January, citing concerns over tunnelling and the risk of attack, the Israeli authorities announced that the Nahal Oz crossing, which is used for the transfer of fuel from Israel to Gaza, will no longer be operational. The bulk of fuel imports will now pass through the much smaller-capacity Kerem Shalom crossing. With the exception of a conveyor belt at the Karni crossing used for the import of grain, it is of great concern that Kerem Shalom is now the only operational crossing for the import and export of goods into and from Gaza.

There has still been no satisfactory Israeli response to the United Nations proposal to complete stalled projects for housing, schools and health facilities. This is extremely disappointing, and the Secretary-General intends to continue to pursue this matter. We note with concern restrictions that appear to be preventing senior international visitors from entering Gaza.

Towards the end of 2009, there was an increase in impediments within Gaza due to demands from Hamas for information from aid agencies, leading to several incidents involving the confiscation or interference with aid supplies. Following interventions by the United Nations, the goods have been released and operations resumed. We will continue to insist on non-interference with international aid operations in Gaza.

On 15 January, an arrangement was concluded whereby the Government of Israel made a payment of \$10.5 million to the United Nations in respect of losses sustained in the nine incidents investigated by the Gaza Board of Inquiry. In the light of this payment, the United Nations has agreed

that the financial issues relating to those incidents have been brought to a satisfactory conclusion. As members of the Council are aware, the Secretary-General has written to the President of the Council informing him of this arrangement. We hope that Israel will allow the entry of sufficient materials to allow the rebuilding of the damaged United Nations buildings and facilities now that funds are available.

...

We remain deeply concerned at the current stalemate. If we cannot move forward decisively towards a final status agreement, we risk sliding backwards, with

potentially profound and negative implications. We continue to urge the parties to implement their road map obligations, build confidence, resume negotiations on all final status issues and see them through to a two-State solution, and we believe the Quartet must play its full role in support of the process. We remain committed to an end to the occupation that began in 1967 and an end to the conflict, through the creation of a Palestinian State living side by side with Israel in peace and security and comprehensive regional peace, in accordance with Security Council resolutions, previous agreements, the road map and the Arab Peace Initiative.