



Bulletin

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I. UNRWA SUBMITS A SPECIAL REPORT ON ITS FINANCIAL CRISIS

On 3 August 2015, the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, Pierre Krähenbühl, submitted a special report on the financial crisis facing the Agency to Secretary-General Ban Ki-moon. The following are excerpts from the report (A/70/272):

I. Introduction

1. Palestine refugees are facing one of their most critical times ever, in an increasingly unstable Middle East. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) is confronted with its most severe financial crisis since its establishment in 1949. Those two realities are placing immense pressure on the Agency and its ability to live up to its mandated core responsibilities.

2. UNRWA has a deficit of \$101 million in its core budget, the General Fund, which is largely funded by voluntary contributions.¹ It has taken measures to ensure that its essential services in health, relief and sanitation can be delivered until the end of 2015 to protect the public health and safety of Palestine refugee and host communities. As at 3 August 2015, UNRWA lacked the funds to open its more than 685 schools that provide education for some 500,000 Palestine refugee boys and girls in its five fields of operation and its eight vocational training centres that provide training for some 7,000 young people. Unless the shortfall in the core General Fund budget is fully funded by the middle of August, the financial crisis may force the suspension of the landmark education programme of UNRWA. Without secured funding, the Agency lacks the ability to pay teachers and cover the expenses associated

with operating 685 schools. This would directly affect refugee and host communities in Jordan, Lebanon, the Syrian Arab Republic, Gaza and the West Bank (including East Jerusalem) and some 22,000 staff members who would not be paid during the suspension, as well as the extended families whom they support in difficult circumstances. Furthermore, a suspension of the education programme would hamper children's enjoyment of their right to education and expose vulnerable children and young people to additional risk that could contribute to instability in the Palestine refugee community at a time of great turbulence in the Middle East; this scenario has been received with great concern by all host States.

3. In the present special report, the Commissioner-General sets out the dramatic dimensions of the funding shortfall, the efforts made to secure funding and the measures taken to maintain critical UNRWA services. The report concludes with a number of proposals for Member and observer States and appropriate organs.

...

IV. Conclusion and proposals

21. As the Agency faces what is an extremely difficult situation, the international community is confronted with a major test of its collective will to find solutions that will allow UNRWA to continue to effectively support Palestine refugees, as it has done for 65 years. What is at stake is the Agency's ability to fully deliver on the *international* community's

¹Figure reported to the Advisory Commission, which is subject to continuing adjustments for foreign exchange movements and conversion of any pledges into cash contributions or hard commitments, among others.

reaffirmation of the necessity for the continuation of the Agency's work for the well-being, protection and human development of the Palestine refugees and for the stability of the region, pending a just resolution of the question of the Palestine refugees. Palestine refugees are looking to UNRWA and the international community for protection and assistance, yet the ability of the Agency to respond to their pressing needs in accordance with the expectations of the General Assembly is increasingly limited.

22. Through all its trials and tribulations, the Palestine refugee community has shown a remarkable degree of resilience and a steadfast commitment to human development that has helped to make UNRWA one of the United Nations system's most effective programmes and, albeit in difficult circumstances, an extraordinary success story to the credit of both hosts and donors. Numerous independent evaluations and studies have recognized UNRWA and its core programmes for their efficiency, good results and contribution to regional stability, including those conducted in recent years by the Department for International Development of the Government of the United Kingdom of Great Britain and Northern Ireland, the European Union and the World Bank. It would be damaging to the credibility of the United Nations for the international community to allow the Agency's mandated activities to be so drastically affected and for decades of investment in human development to be unravelled when a special effort on the part of existing and new donors and partners can ensure its continuation.

23. With a view to ensuring immediate attention to the gravity of the situation caused by the unprecedented financial

shortfall for 2015 currently faced by the Agency, the Commissioner-General proposes:

(a) That the present special report be brought to the attention of members and observer States and appropriate organs of the United Nations;

(b) That an emergency flash appeal be launched by the Secretary-General, calling for the full funding of the Agency's General Fund for 2015.

24. With a view to urgently addressing the chronic funding issues faced by the Agency for 2016 and beyond, the Commissioner-General proposes:

(a) That the annual UNRWA pledging conference for 2016 be brought forward to October 2015 to draw further attention to the scale and impact of the financial crisis and the urgent need for it to be effectively addressed;

(b) That a process be established, based on consultations with appropriate stakeholders, to continue to actively explore measures that will result in a decisive change towards more sustainable funding of the Agency's operations with a view to enabling UNRWA to continue to provide adequate levels of assistance and protection to Palestine refugees in accordance with its mandate.

25. The present special report is about much more than the Agency's deficit of \$101 million for 2015. It is about taking decisive steps to ensure predictable and sustained funding for the human development and protection of Palestine refugees pending a just and lasting solution to their plight. UNRWA can no longer operate on the basis of monthly cash-flow forecasts.

II. SECRETARY-GENERAL EXPRESSES CONCERN OVER UNRWA'S FINANCIAL SITUATION

On 4 August 2015, the Spokesperson for United Nations Secretary-General Ban Ki-moon issued the following statement (SG/SM/16989-PAL/2194):

In a letter transmitting the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) Commissioner-General's Special Report to the General Assembly, the Secretary-General expresses his deep concern over the financial situation confronting the Agency and the humanitarian, political and security consequences that will result if adequate and sustainable financing for 2015 and beyond is not made available immediately.

The Secretary-General emphasizes that at a time when crises and human suffering are growing throughout the Middle East, it is imperative that UNRWA, a pillar of stability for a registered population of some 5 million Palestine refugees, is provided with the

resources necessary to enable it to continue providing services including education for half a million Palestine refugee children.

The Secretary-General reiterates his full support for the Commissioner-General's proposals to ensure immediate attention to the gravity of the situation caused by UNRWA's unprecedented financial shortfall for 2015 and to address urgently the chronic funding issues faced by the Agency for 2016 and beyond. The Secretary-General, who has personally spoken to several world leaders in the past few weeks on this topic, calls on all donors to urgently ensure that the \$100 million required be contributed to UNRWA at the earliest possible date so that the children of Palestine can begin their 2015-2016 school year without delay.

III. UN-HABITAT LAUNCHES A NEW CITY PLANNING INITIATIVE IN PALESTINE

On 4 August 2015, United Nations Human Settlements Programme (UN-Habitat) and its partners launched a new city planning initiative in the State of Palestine. The following is the related press release:

UN-Habitat and its partners on Tuesday launched a new city-region planning initiative for three Governorates in the State of Palestine. The Plans will be prepared with the support of UN-Habitat and a consortium of local academic and private planning firms including An-Najah National University, The Universal Group for Engineering, Consulting, and House of Palestinian Expertise for Consultancies and Studies.

A ceremony to mark the occasion was held in Ramallah and attended by the

minister for Local Government Mr. Hussein Al-A'raj, his deputy Mr. Mohammad Aljabarin, together with a representative from the Governors' Council at the Palestine President Office, Governors of Tubas and Bethlehem, Mr. Rbih Al-Khandqgi and Mr. Jabrin Al-Bakri respectively.

Others were the Deputy Governor of Qalqiliya, and the Head of UK Department for International Development (DFID) office in East Jerusalem, Mr. Robin Milton. In his speech, Mr. Al-Araj said: 'We will provide all the support needed to succeed this

innovative initiative and collaboration with UN-Habitat and local implementing partners’.

The three city-region plans will combine both strategic development issues and spatial considerations so as to foster improved development in Qalqiliya, Tubas, and Bethlehem City-regions. Importantly, the Plans represent a critical component in the realization of an overall spatial framework for the State of Palestine and provide the critical link between completed local outline plans and the ongoing spatial planning work at the national level.

The Plans will also bring a unique view of promoting development in Area C of the West Bank (that is under Israeli control) by identifying functional, economic demographic, environmental and other linkages between villages in Area C and

with the nearby main Palestinian cities and towns in Area A and B (that is under the planning control of the Palestinian Authority).

Mr. Joe Hooper, UN-Habitat Head of Office in Palestine said: ‘I am pleased that UN-Habitat will be supporting the Ministry of Local Government in this work. These Plans represent a significant step forward in developing a key layer of a national planning framework for the State of Palestine and as well building the collaborative mechanisms and capacities for intra-governmental collaboration’.

This new planning initiative is made possible with the generous financial assistance of the UK/DFID through the project ‘Support to Palestinians at Risk of Displacement in Israeli Controlled Area C of the West Bank’.

IV. SECRETARY-GENERAL CONDEMNS VIOLENCE IN ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORY

On 7 August 2015, the Spokesperson for Secretary-General Ban Ki-moon issued the following statement (SG/SM/16997):

The Secretary-General condemns the numerous rockets launched from Gaza towards Israel over the last few days. The Secretary-General is also very concerned over recent violence in the occupied West Bank, East Jerusalem and Gaza.

The violence includes yesterday’s car ramming near the settlement of Shiloh which resulted in serious injuries to two Israeli soldiers; the firebomb attack that seriously injured an Israeli woman on Monday, 3 August, in East Jerusalem; and the violent clashes in the aftermath of the Duma terrorist attack that was met with

global condemnation, including in Israel. Also today, the Secretary-General received worrisome reports of provocations by settlers in Hebron.

The Secretary-General condemns these acts and expects all parties to speak out against and prevent such incidents. He calls upon Israeli and Palestinian political and community leaders not to allow extremists to escalate the situation and take control of the political agenda. He reiterates that only the realization of a two-State solution can sustainably put an end to violence.

V. UN OFFICIALS EXPRESS CONCERN OVER ISRAELI FORCE-FEEDING LAW

On 8 August 2015, Robert Piper, United Nations Resident Coordinator and Humanitarian Coordinator in the Occupied Palestinian Territory, James Turpin, Head a.i. of the Office of the High Commissioner for Human Rights in the Occupied Palestinian Territory, and Dr. Gerald Rockenschaub, Head of the Office of the World Health Organization in the Occupied Palestinian Territory issued the following joint statement on an Israeli law allowing the force-feeding of hunger strikers in Israeli prisoners:

The Israeli law adopted on July 30 allowing the force-feeding of detainees and prisoners on hunger strikes in Israeli prisons is a cause for concern to those who work to protect the right to health of Palestinians in the occupied Palestinian territory.

The law potentially affects all detainees but particularly Palestinian detainees who have resorted to hunger strikes to protest their conditions, including their prolonged detention on administrative orders without charge. Hunger strikes are a non-violent form of protest used by individuals who have exhausted other forms of protest to highlight the seriousness of their situations. The right to peaceful protest is a fundamental human right.

The Israeli Medical Association has said that force-feeding is tantamount to torture.¹ United Nations human rights experts² have called it a violation of internationally-protected human rights. The United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Mendez, has called “feeding induced by threats, coercion, force or use of physical restraints of individuals, who have opted for the extreme recourse of a hunger strike to protest against their detention ... tantamount to cruel, inhuman and degrading treatment, even if intended

for their benefit.” The UN Special Rapporteur on the right to health, Dainius Poras, has observed that “(u)nder no circumstance will force-feeding of prisoners and detainees on hunger strike comply with human rights standards. Informed consent is an integral part in the realization of the right to health.”³

The principle of an individual’s right to informed and voluntary refusal of medical measures is reiterated in several basic United Nations human rights documents⁴ where lack of free and informed consent is considered a clear violation of an individual’s right to health.

The World Health Organization (WHO), according to guidance on health in prison published by the WHO Regional Office for Europe,⁵ including on forced feeding of prisoners on hunger strike, referred to the revised World Medical Association’s Declaration of Malta (Declaration on Hunger Strikers).⁶

“Feeding should never be forced in prison. Such a procedure can only be justified if a serious mental disorder affects

¹Israel Medical Association, position paper, <http://www.ima.org.il/ENG/ViewCategory.aspx?CategoryId=4497>

²<http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=16269&LangID=E>

³<http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=16269&LangID=E>

⁴OHCHR and WHO, The Right to Health, Fact Sheet No. 31.

<http://www.ohchr.org/Documents/Publications/Factsheet31.pdf>

⁵Health in prisons: A WHO guide to the essentials in prison”, WHO Regional Office for Europe (2007), p. 40. http://www.euro.who.int/data/assets/pdf_file/0009/99018/E90174.pdf

⁶<http://www.wma.net/en/30publications/10policies/h31/>

the decision-making capacity of the patient. Generally, however, when a hunger strike is the logical expression of a lucidly thought out struggle and not a pathological response by a severely depressed patient considering suicide, prison doctors have to respect the expressed will of the patient and limit themselves to the position of medical counsellor.”

We emphasize the importance of working towards improving health and human rights conditions of Palestinian prisoners in line with international standards. The practice of administrative detention is incompatible with international human rights law and should be ended. All detainees should be promptly charged or released.

VI. SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES CONDUCTS ITS ANNUAL VISIT

From 4 to 8 August 2015, the United Nations Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories conducted an annual fact-finding visit to Amman. The following is the related press release issued by the Office of the United Nations High Commissioner for Human Rights on 10 August 2015:

The United Nations Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories met with a range of civil society groups and Palestinian officials during their annual fact-finding visit to Amman (4 to 8 August 2015).

During the visit, representations were made on a wide range of issues affecting the Palestinian and Syrian people in the occupied territories. During the course of these representations a large number of civil society organizations expressed alarm over the escalating violence in the occupied Palestinian territories, in particular the recent incident in the village of Duma, where an 18 month old Palestinian baby died following the fire-bombing of the house by Israeli settlers. The Committee was also informed that the father of the baby, who has sustained serious injuries, subsequently died on 8 August.

It was apparent from the testimonies that the root cause of the escalating violence is the continuing policy of settlement

expansion and the climate of impunity relating to the activities of the settlers.

The Committee was also briefed on a series of legislative measures, either adopted or under discussion in the Knesset, which included inter-alia, a bill to allow force feeding of prisoners, who have been on hunger strike to protest against administrative detention.

Among other such laws, the Committee was briefed on an amendment to the Penal Code for harsher sentences for young stone throwers, which now increases the punishment from 10 to 20 years, and the legislation confirming the applicability of the 1950 Absentees' Property Law to East Jerusalem, which allows Israel to seize "absentees' property", including land and other goods, of Palestinians, who were expelled, fled or otherwise from East Jerusalem.

The Committee also met with representatives of the Bedouin community, who provided testimony on the expulsion, by Israeli authorities, of Bedouins, whose

traditional customs and livelihood are under constant threat. Among others, the Special Committee was also briefed about demolition orders, which has led to forced eviction, displacement and forcible transfer of Palestinians.

The Committee was also briefed extensively on increasing human rights violations on women and children, which included night raids, the use of police dogs, and the ensuing psychological impact on them. The Committee also heard that during these operations, women were subjected to humiliating treatment in the presence of their families.

Civil society representatives underscored the slow pace of reconstruction in Gaza, where after more than a year, since the end of the devastating conflict, not a single housing unit completely destroyed during the conflict, last summer, has been fully reconstructed. The Committee was informed that 80 per cent of the population in Gaza remains dependent on international aid, and that unemployment levels remain at around 40 per cent and movement restrictions in and out of Gaza continues to be a major problem for the economy and welfare of the people of Palestine.

Among other issues brought to the attention of the Committee is the continued exploitation of natural resources in the occupied territories in clear violation of international humanitarian law. In this connection, it was stressed that corporate actors be held accountable for the impact of their activities on human rights. Civil society representatives submitted to the Committee that both, governments and business have roles and responsibilities with regard to protection and respect for human rights, and that the responsibility to ensure corporations respect human rights should also lie with third countries, who should

cease to fund or enter into commercial transactions with organizations and bodies involved in settlements or exploitation of natural resources in the Palestinian and Syrian occupied territories.

Reference to poor conditions prevailing in prisons, including medical negligence and prisoners shackled while bathing or using toilets was also brought to the attention of the Committee. The difficulty experienced by family members in visiting Palestinian prisoners in Israel was also brought to the attention of the Committee.

The Committee held the hearings in the backdrop of the current financial crisis confronting United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). In the course of the representations, the possibility of having to postpone the school year and its possible consequences was brought to the attention of the Committee. It was further stated that education is the most fundamental human right guaranteed under international human rights law, and the deprivation of this right will not only affect the future of Palestine generations, but could also subject children to the influence of extremist elements.

The Committee shares the view that unless UNRWA is sufficiently funded, its role in the occupied territories would be seriously undermined, and that the international community should ensure timely and adequate funding to sustain UNRWA activities.

The Special Committee will submit a full report* on these and several other key human rights issues brought to its attention to the seventieth session of the UN General Assembly in November 2015.

* Check the Special Committee's 2014 report: http://www.un.org/ga/search/view_doc.asp?symbol=A/69/355

VII. UNCTAD ISSUES A REPORT ON ISRAEL'S OBLIGATIONS TOWARDS PALESTINIAN TRADE

On 17 August 2015, the Secretariat of the United Nations Conference on Trade and Development (UNCTAD) issued a report entitled "The 2013 World Trade Organization Agreement on Trade Facilitation: Israel's obligations towards Palestinian trade". The following is the executive summary of the report:

The Agreement on Trade Facilitation (ATF) was adopted at the Ninth Ministerial Conference of the World Trade Organization (WTO) convened in Bali, Indonesia, in December 2013, following about ten years of negotiations in Geneva. The ATF, which is binding to all member-states of the WTO, will take effect in the middle of 2015 and is expected to result in major trade gains and savings in time and costs of export and import operations, customs clearance, transit passage and related trade measures. The Agreement would also benefit shipments to and from land-locked countries through adjacent countries, as well as countries or non-sovereign territories and those under foreign military occupation.

It is acknowledged that membership in the WTO does not require that candidates be sovereign states, but that they enjoy full autonomy in conducting their external trade relations and policies and in decisions within the competencies of the WTO. Based on these criteria, Hong Kong, Taiwan and Macau are Members of the WTO (WTO, 1994: Article 12, Paragraph 1). The State of Palestine/Occupied Palestinian Territory (OPT) has not been able to meet these membership conditions owing to the constraints imposed by the Paris Protocol (Khalidi, 2015). The Protocol allows the Palestinian Authority (PNA) to manage external trade only within a very limited scope and maintains the domination of the Israeli occupation over the Palestinian economy and its external trade. However, some analysts contend that Palestine has the

right to become a full member of the WTO notwithstanding its lack of control over a significant part of its external trade (Cottier, 1997). Meanwhile, others affirm that the signing in 1997 of an Association Agreement between the European Union and the PNA (free trade agreement) covers goods outside the three lists specified in the Paris Protocol, which exempt certain Palestinian imports from the provisions of the Israeli trade regime. This is thought to pave the way for considering the OPT a "separate customs territory" since it has the ability to enter into international trade agreements and hence is entitled to accede to the WTO (Kanafani, 2000).

This study does not address the potential membership of Palestine in the WTO or the degree of its readiness to accede to the Organization. However, it focuses on the potential applicability of the ATF in the OPT, regardless of whether or not Palestine, which has been accorded Observer State Membership in the United Nations, is a party to the WTO Agreement. The study assesses the applicability of the ATF to Palestinian trade in light of international law, positions of international organizations and legal scholars. The question here relates to whether Israel, as the occupying power and a party to the Agreement, is obliged to apply the ATF to Palestinian trade and how the provisions should be applied.

Some estimates suggest that the potential cost savings via trade facilitation will be considerable and concrete. The Organization for Economic Cooperation and Development

(OECD) estimates that every percentage point in cost-savings in international trade boosts global income by \$40 billion. The new ATF could reduce trade transaction costs by around 14.5 percent for low-income countries and 10 percent for higher-income countries. Other studies estimate that considerable facilitation of trade as promoted by this Agreement could increase global Gross Domestic Product (GDP) over time by \$1 trillion (ITC, 2013; USTR, 2013).

Undoubtedly, the application of the ATF to Palestinian trade by Israel, in its capacity as a party to the Agreement, as with all international agreements that the international community demands to be applied to the OPT, will result in removing many “security-related” restrictions placed by Israel on Palestinian trade. This in turn would expedite the flow of Palestinian exports and imports, reduce the costs of Palestinian trade operations, contribute to development in the OPT and have a positive impact on the economy as a whole. If the ATF is to be applied to Palestinian trade, it would contribute to reducing the administrative obstacles faced in different markets and establish technical standards for the operation of customs and monitoring agencies in dealing with imports and expedite customs clearance. It would also allow for deployment of electronic clearance and payment systems to collect customs duties as well as all other costs or fees imposed on imports such as those related to the inspection of shipments, handling etc., which in turn reduces customs clearance times.

Improved trade facilitation would also help Palestine, and its developing economy, to gradually build its capacity to meet its trade commitments towards Israel and other Members of the WTO, and eventually fully comply with the ATF once it becomes a member of the WTO. Were the PNA to benefit from the application of the ATF, this would strengthen Palestinian Customs capacity, improve revenue collection and assist small and medium enterprises in accessing new export and import opportunities via measures featuring transparent customs procedures, limited documentation requirements and processing customs transactions in advance of the shipping of goods.

To ensure Israel’s application of the ATF to Palestinian external trade, a series of actions are required under each Article of the ATF. One of them is, in cooperation with, and supported by the PNA, the Palestinian Shippers Council (PSC) should act as the national focal point for the Palestinian private sector for advocacy and other initiatives to end the exclusive and unilateral Israeli domination over Palestinian trade at the bilateral and multilateral levels. This requires the PSC to explore all avenues and tools in the context of a clear strategy for making the application of ATF in the OPT mandatory, and to launch a domestic and international campaign to this end, beginning with the establishment of the National Trade Facilitation Committee as ATF stipulates.

VIII. UN OFFICIALS CALL FOR AN IMMEDIATE DEMOLITION FREEZE IN THE WEST BANK

On 19 August 2015, the United Nations Resident Coordinator and Humanitarian Coordinator for the Occupied Palestinian Territory, Robert Piper, and the Director of UNRWA Operations in the West Bank, Felipe Sanchez, called for a halt of demolitions in Palestinian Bedouin communities in the West Bank. The following is the related press release issued by the Office for the Coordination of Humanitarian Affairs:

Today, the Coordinator for Humanitarian and UN Development Activities for the occupied Palestinian territory (oPt), Robert Piper, and the Director of UNRWA Operations West Bank, Felipe Sanchez, expressed grave concern about demolitions that were carried out yesterday by the Israeli Civil Administration in vulnerable Palestinian Bedouin refugee communities in Area C, near East Jerusalem. The officials both called for an immediate freeze on demolitions in the West Bank.

A total of 22 structures were demolished in four communities (Khan al Ahmar Abu Falah, Wadi Sneysel, Bir Miskoob and Az Zayyem Bedouin), displacing 78 Palestinians, including 49 children, the vast majority of whom are Palestine refugees. All four communities are located in and around the area of the planned E-1 settlement. According to UN records, this is the largest number of Palestinians displaced in the West Bank in one day in nearly three years. Concerns are also rising over reports of new displacements today in the Jordan Valley community of Fasayil al Wusta.

“Yesterday’s demolitions targeted some of the most vulnerable communities in the West Bank,” Mr. Piper said. “The scale of displacement is particularly concerning -

nearly 50 children lost their homes yesterday.”

“Many of these refugee families have now been displaced four times in the last four years” said Mr. Sanchez.

The four communities are among 46 located in the central West Bank that are included in Israeli plans to transfer Palestinian Bedouin communities to three designated sites. The UN Secretary-General has stated that the implementation of the proposed “relocation” would amount to forcible transfers and forced evictions, contravening Israel’s obligations as an occupying power under humanitarian law and human rights law.

“The strategic implications of these demolitions are clear,” said Mr. Piper. “These demolitions are occurring in parallel with settlement expansion. The relocation plan for these communities would effectively remove Palestinian presence in and around the planned E1 settlement project. This settlement project anticipates the construction of thousands of new Israeli housing units in the West Bank on the outskirts of Jerusalem. E-1 has long been opposed by the international community as an obstacle to the realization of the two-state solution and a violation of international law.”

**IX. UNDER-SECRETARY-GENERAL FOR POLITICAL AFFAIRS
BRIEFS THE SECURITY COUNCIL ON THE SITUATION IN THE MIDDLE EAST,
INCLUDING THE PALESTINIAN QUESTION**

On 19 August 2015, United Nations Under-Secretary-General for Political Affairs Jeffrey Feltman briefed the Security Council on the situation in the Middle East, including the Palestinian question. The following are excerpts from the briefing (S/PV.7506):

I address the Security Council at a time when the risk of escalation in Israel and Palestine is palpable. The past month has witnessed unconscionable crimes of hatred committed by extremist elements, reprehensible retaliatory violence, provocations at Jerusalem's holy sites and a worrying increase in rockets launched from Gaza towards Israel. The coming days will see the anniversary of the conclusion of last year's devastating Gaza conflict, a conflict from which the Palestinians there have yet to recover. One year on, their continued suffering highlights the inadequacy of our collective response to date. I therefore begin my briefing to the Council today with an appeal to political, military, community and religious leaders on all sides to work together to reduce tensions, reject violence and prevent extremists from escalating the situation and hijacking the political agenda.

I reiterate the Secretary-General's strong condemnation of the horrific terrorist arson attack, apparently committed by extremist Jewish settlers, on a Palestinian family in the occupied West Bank village of Duma in the early hours of 31 July. The attack killed 18-month-old Ali Dawabsha. His father died of wounds five days later, while his mother and four-year-old brother are still fighting for their lives. The Secretary-General has welcomed the strong condemnations of the attack by Prime Minister Netanyahu and other Israeli officials, as well as political and religious leaders across the spectrum. At the same time, we denounce the calls that have been made by Hamas and Islamic Jihad to escalate the violence and carry out revenge

attacks. At a moment of heightened emotions and anger, such incitement can serve only to bring about more tragedy.

I urge the Israeli Government to promptly bring the perpetrators of this heinous act to justice.

I also note the Israeli Cabinet's decision on 2 July to strengthen the legal and institutional means for addressing terrorism by Jewish extremists and ensure that the new anti-terrorism law applies equally to all perpetrators. However, I am concerned about the decision to extend the use of prolonged administrative detention, which the United Nations has consistently opposed. This practice, whether used against Palestinians or Israelis, is incompatible with international human rights standards and should be ended. All administrative detainees should be promptly charged or released. I want to underscore that this attack, like so many over the years, including those against Israeli settlers, occurred in the context of chronically inadequate law enforcement in the West Bank. Such violence is possible because of the environment created as a result of Israel's decades-long policy of illegal settlement activities.

The goal is clear, but more than 20 years of failed negotiations have bred mistrust and, worse, have led to the slow and painful withering of hope. In such a contentious environment, restoring confidence, before returning to realistic negotiations, is a must. What is needed now is a comprehensive

approach on three levels — on the ground, in the region and with the international community — to fundamentally alter the current negative dynamics and begin to shape a clear and positive pathway towards peace. On the Israeli side, that should reflect significant policy shifts to enable Palestine's sovereignty, economy and security to grow. On the Palestinian side, unity is critical. The legitimate Palestinian Authority must represent all of Palestine and all Palestinians. I am encouraged by the increased cooperation between the Quartet and key regional actors, and I fully support enhanced exploration of how the region, including through the Arab Peace Initiative, may contribute to resolving the conflict. The Secretary-General supports the Quartet's work to connect these various levels of engagement.

In the West Bank, after failed attempts to form a Palestinian Government of national unity, a Government reshuffle resulted in the appointment on 31 July of five new ministers. The process met with some resistance among Palestinian factions.

The reporting period was marked by continued violence, including incidents that resulted in Palestinian casualties as well as a number of attacks on Israelis and Israeli security forces. Israeli security forces conducted some 188 search-and-arrest operations, resulting in the arrest of some 292 Palestinians. A total of 203 Palestinians were injured, including 40 children and seven women. Six Palestinians were shot and killed by Israeli security forces, including a 17-year-old. Twelve members of the Israeli security forces were also wounded, with no fatalities reported. I reiterate that any use of force by Israeli security forces in the West Bank, including East Jerusalem, must be consistent with international human rights law. Clashes between Palestinians and Israeli settlers in

the West Bank resulted in injuries to nine Palestinians, including four children, and seven Israelis. On 12 August, in what was apparently a retaliatory attack for the administrative detention of several Jewish extremists, another arson attack was reported in Ein Samia, where a tent belonging to a Bedouin was set on fire and completely burned, reportedly by Jewish extremists.

Israel's practice of demolishing homes and structures also continued. This month, 86 structures, 26 of them residential, were demolished in the occupied West Bank, including East Jerusalem, displacing 177 Palestinians, including 89 children. On 17 August 22 structures were demolished in four communities in the planned E-1 area, affecting vulnerable Palestinian Bedouins in particular and displacing 78 people, including 49 children, the largest number of Palestinians displaced in the West Bank in one day in nearly three years. And yesterday 27 structures, eight of them residential, were demolished, resulting in 42 displaced, including 27 children in the Jordan Valley Area C community of Fasayil al-Wusta. The Secretary-General calls on the Israeli authorities to halt the demolitions of Palestinian-owned structures in the West Bank, revoke plans that would result in the forcible transfer of Palestinian communities and implement an inclusive planning and zoning regime that will enable Palestinians' residential and community development needs to be met.

Recent changes in Israeli law and policy affecting the occupied Palestinian territory, including East Jerusalem, risk compounding the already precarious human rights situation. On 30 July, the Knesset amended the Prisons Act to allow a judge to order the force-feeding of a hunger-striking prisoner to prevent imminent death, if that is recommended by a doctor. While Israel

insists that it has established a careful legal mechanism in order to strictly limit this means of enforcement to instances where a threat to life exists, numerous human rights and medical bodies have questioned whether force-feeding meets international standards of medical ethics, safety and human rights. Care should be taken to consider and address the underlying human rights concerns, including prolonged administrative detention, that lead prisoners to undertake such extreme protests. We are aware that the status of prolonged hunger striker Mohammed Allan may be evolving.

On 20 July, the Knesset also amended the Israeli penal code to increase harsh punishments for throwing stones at moving vehicles, allowing for sentences of up to 20 years. The law is likely to disproportionately affect children. In another legal development, the Israeli Supreme Court legitimized the applicability of Israel's 1951 absentee property law to Palestinian property in East Jerusalem when the owner is in the West Bank, a move that enables property to be expropriated from Palestinians who have become absentees through no fault of their own.

Turning to Gaza, the unrelenting pressure on the socioeconomic situation, owing to the continued closures, the lack of electricity and water and the slow pace of reconciliation, continues to feed the population's discontent. While much remains to be done, I welcome some positive developments on reconstruction, particularly under the residential stream of the Gaza Reconstruction Mechanism, which enables the reconstruction of homes that have been completely destroyed. Since its launch in June, and thanks to financial assistance from Saudi Arabia, Kuwait, Qatar and Germany, 2,250 families have been processed, of whom some 630 have already purchased construction materials. Although

the Mechanism is working, current resources are insufficient to meet the massive demand for assistance. In a recent letter to the foreign ministers who participated in the October 2014 Cairo conference on Gaza's reconstruction, the Special Coordinator urged donor countries to fulfil their pledges.

We welcome Egypt's opening of the Rafah crossing for several days this week. The Secretary-General urges the Egyptian authorities to allow the Rafah crossing to be opened on a more regular basis while taking into account Egypt's security concerns.

Security incidents in Gaza continued to be recorded. The Secretary-General condemns the firing at Israel by Palestinian militants in Gaza of 24 rockets, one of which hit Israel with no reported injuries. Palestinian militants also test-fired seven rockets at the sea. Israeli security forces conducted four air strikes inside Gaza. On 7 August, in response to a rocket fired from Gaza, the Israeli Air Force struck a Hamas training site, injuring four Palestinians. In incidents that took place following the Duma arson attack, a 17-year-old Palestinian was shot dead and two others were injured by Israeli security forces in the vicinity of the wall of separation.

The Secretary-General is relieved by Commissioner General Krähenbühl's announcement today that the schools of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) will indeed open in time. The Secretary-General joins the Commissioner-General in expressing his appreciation in that regard to the Kingdom of Saudi Arabia, the State of Kuwait, the United Arab Emirates, the United States of America, Switzerland, the United Kingdom, Norway, Sweden and the Slovak Republic. The Governments of host countries, particularly the State of Palestine, the Hashemite

Kingdom of Jordan and Lebanon, have spared no effort during this challenging period. The Secretary-General is sincerely grateful for their support. A sustainable solution must still be found to address UNRWA's long-term funding needs so that we can ensure that the provision of basic services, such as education, are no longer at risk for Palestine refugees.

...

In conclusion, the recurrent violent incidents and radicalization in the occupied

West Bank, including East Jerusalem and Gaza, threaten to further destabilize an already tense environment. The incidents share a common thread. They are the inevitable product of a failure to make the tough choices necessary to resolve this conflict. They are the ramifications of a failure to prioritize the pursuit of a shared future built on trust rather than fear. We can no longer accept that reality. It is time to reverse the perilous tide that we are facing and restore, to Israelis and Palestinians alike, the hope that is in danger of being stifled by those promoting their hate-driven agendas.

X. UNFPA REPORTS ON REPRODUCTIVE HEALTH IN GAZA ONE YEAR AFTER THE 2014 WAR

On 21 August 2015, the United Nations Population Fund (UNFPA) released a report entitled "One Year After the 2014 Gaza War". The following is the introduction in the report:

This report intends to highlight the key challenges that remain one year after the 2014 Gaza war as they relate to UNFPA's programme priorities. The report focuses on Reproductive Health and Family Planning, Gender-based violence as a protection concern and the particular challenges facing young people.

The 2014 war on Gaza was one of three military operations within the last six years - all of which have contributed to the deterioration of the social, economic and health conditions of the civilian population in Gaza. The long standing siege, strict closure and constraints have led to the degradation of living standards, increased poverty and unemployment.

A year after the 2014 Gaza war, the health system remains fragile, with significant challenges to the rehabilitation of infrastructure, replenishment of supplies and a heightened financial crisis affecting health workers, particularly salary payments to

civil servants. Although some aspects of the health system show signs of recovery, the pace remains slow.

Due to the destruction of 14 medical facilities and substantial damage to 102 additional facilities, maternity wards were closed down and quality of care was compromised due to overload and shortages of staffing and resources. Only four hospitals were repaired since the war, and nine clinics are still under rehabilitation. As a result Reproductive Health services have been compromised and uptake in family planning service have declined.

Particularly, women and girls were negatively affected by the hostilities and the aftermath. At least 16 of the 299 women killed during the 51-day war were pregnant. As reflected in the UNFPA led assessment conducted right after the war on the situation of IDP girls and women, domestic violence increased in shelters and women's ability to care for their families was curtailed. One

year later, the situation for women remains dire. The last shelter for internally displaced people was closed in June 2015 even though housing rehabilitation remains pending. Many of these IDPs rely on temporary arrangements in the form of caravans, make-shift shelters, and living with host families. The situation remains problematic and it continues to lock women and girls in a state of vulnerability.

Furthermore, young people account for about 30% of the population in Gaza, but

they are largely voiceless victims of the situation. Young people are expected to provide and protect other members of the community regardless of the challenges they face, which has further been aggravated by the crisis. According to the UNFPA assessment conducted after the war, youth were deprived of basic necessities, while forced to act as adults from an early age. The situation often leads to them engaging in risky behaviours including, drug abuse, criminal acts, violence, and life-threatening attempts to emigrate from the Gaza strip.