



DIVISION FOR
PALESTINIAN RIGHTS

Bulletin

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

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*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 ADDRESSES THE UNRWA@65 CONFERENCE

On 2 June 2015, Secretary-General Ban Ki-moon made the following remarks at the high-level conference — “UNRWA@65: Sustaining Human Development and Protecting Rights of Palestine Refugees” (SG/SM/16813–PAL/2191):

Anniversaries are usually a time for celebration. And today we mark all of the good that UNRWA [United Nations Relief and Works Agency for Palestine Refugees in the Near East] has done over the past 65 years. I was very much moved hearing Mr. [Mohamed] Al Karshan and Ms. [Lina] Meri for the plight and challenges they are enduring, suffering because of our lack of support and war in the region. That is why we are here sitting together to accelerate our support for them.

We are sitting here with the heaviest of hearts. We do so knowing that we should not have had to mark the sixty-fifth anniversary of UNRWA because UNRWA was never meant to exist for this long. It exists because of political failure. In the absence of a just and lasting solution to the plight of Palestinian refugees, UNRWA has become more than an Agency. It is a lifeline.

Many partners have worked to help Palestine refugees live better lives. I would like to pay special tribute to UNRWA's 30,000 dedicated staff, most of them Palestine refugees themselves. Far too many have lost their lives in the course of serving others. On my last visit to Gaza, I laid a wreath in memory of those UNRWA staff who were killed during the terrible fighting last summer. Please join me in once again remembering them and all other innocent victims.

Education is the foundation of a better future and UNRWA has led the way. UNRWA education emphasizes UN values and human rights. It promotes a culture of learning and resilience. It is no wonder that

studies have shown that UNRWA students in the West Bank, Gaza and Jordan learn more and score higher than students in public schools.

The transition from education to work remains an enormous challenge for Palestine refugee youth. We need look no further than Gaza. Gaza today is the home of the highest unemployment in the world. More than 60 per cent of young people are unemployed and it is higher still for young women. In Gaza, as anywhere else in the world, joblessness means hopelessness. We simply must do more to address this challenge.

UNRWA's health centres and medical staff are helping Palestine refugees live healthier lives. We have seen significant improvements, notably in maternal and child health. Yet life opportunities for Palestine refugees continue to be made immeasurably more difficult by blockade, bombings, siege, closures and upheaval.

Last summer's conflict in Gaza caused massive loss of life, including the deaths of hundreds of children, and devastated homes, schools, hospitals and other civilian infrastructure. Some damaged homes have been repaired. But 9,000 Palestine refugee dwellings were destroyed in the fighting. Not one has been rebuilt.

I urge the parties to finalize the necessary arrangements for the reconstruction of destroyed homes, as well as residential construction more broadly. The temporary Gaza Reconstruction Mechanism will not be fully effective without stronger ceasefire arrangements and genuine intra-Palestinian reconciliation.

We know where failure to address these and other issues will lead. We have seen it time and again. Gaza is a powder keg — mounting frustration and anger will surely light the fuse. Action is needed now.

The war in Syria has pummelled the Palestine refugee community. One of the most searing photographs from that war showed an endless sea of humanity in the Yarmouk camp desperately seeking food in a world of rubble. The picture looked like an image from another era. Yet it was last year.

Today, the situation in Yarmouk is even worse. Invaded by Daesh, and surrounded and strangled by Government forces, civilians in Yarmouk have nowhere to run. Meanwhile, UNRWA continues to bring life-saving assistance to those displaced — and made refugees yet again — in neighbouring areas. All concerned have an obligation to preserve the Yarmouk camp from further violence and to allow assistance to reach those in need.

Palestine refugees in Lebanon and Jordan also suffer from poverty and lack of opportunity. Nearly 60,000 vulnerable Palestine refugees from Syria have fled to Lebanon and Jordan, putting pressure on host communities — which themselves need greater support — and requiring emergency assistance from UNRWA. In the West Bank, the lives of Palestine refugees are constrained by occupation, with poverty and deprivation overflowing in overcrowded camps.

The needs of the Palestine refugee community continue to grow, dwarfing the resources available to UNRWA. This gap is compounded by deteriorating

socioeconomic conditions in the region. The result is deepening pain and vulnerability for Palestine refugees. Some are resorting to desperate measures, putting their lives in the hands of unscrupulous human traffickers, in a perilous attempt to reach Europe by sea.

I have painted a bleak picture. Yet without UNRWA's vital support and protection to the Palestine refugee community over the last 65 years, the situation would be far worse. At a time of turmoil in the region, UNRWA remains a vital stabilizing factor.

So I repeat my call to the leaders of Israel, Palestine and all parties with influence: resume meaningful negotiations without further delay, and put an end to unilateral actions that erode trust.

At the same time, the political failure must not lead to a humanitarian — and indeed, moral — failure. We must continue to provide all humanitarian and diplomatic support to Palestine refugees. They deserve their human rights and to live lives of dignity and opportunity. The Palestine refugee community needs the world's full solidarity at this troubled time. We must not abandon them.

Finally, I would like to recognize Hanan Ashrawi, Special Representative of President Mahmoud Abbas of the State of Palestine. You can count on us, the United Nations and the international community. You are seeing the solidarity of the international community. I wish you all the best. I hope you will convey to President Abbas what we have resolved today.

Thank you very much. *Shukran.*

II. SPECIAL COORDINATOR FOR THE MIDDLE EAST PEACE PROCESS ENCOURAGES PALESTINIAN UNITY

On 2 June 2015, on the occasion of the one-year anniversary of the formation of the Palestinian Government of National Consensus, United Nations Special Coordinator for the Middle East Peace Process Nickolay Mladenov issued the following statement:

One year after President Abbas announced the formation of the Government of National Consensus (GNC), I wish to pay tribute to Prime Minister Hamdallah and all ministers for their steadfast efforts in governing, including in maintaining law and order. Despite the occupation and challenges to national unity, the GNC has been able to overcome many obstacles. These include the four-month withholding of Palestinian tax revenues and the insufficient disbursement of donor contributions which has resulted in a contraction of the Palestinian economy.

While much remains to be done, the GNC is working to address several key areas of reform. I welcome the determination of the Prime Minister to find a solution to the outstanding issue of public sector employees in Gaza. His commitment that no one will be left behind is an important assurance. I encourage all parties to support this effort. Genuine Palestinian reconciliation and unity are critical for improving the situation in

Gaza, advancing reconstruction, and for addressing the wider political question of a two-state solution.

The United Nations encourages the GNC to strengthen its efforts on taking up its rightful responsibility and addressing the serious political, security, humanitarian and economic challenges in Gaza. A comprehensive reconciliation must include the GNC's resumption of control over the crossings to Israel and Egypt, and the holding of long overdue elections. While first and foremost it is up to the Palestinian authorities to take the lead, the UN stands ready to support the President, the Government and all factions in their efforts to reunite the West Bank and Gaza, in line with the intra-Palestinian unity agreement of 23 April 2014. Palestine is one and the United Nations will work determinedly to advance unity through its legitimate institutions.

III. SECRETARY-GENERAL CONDEMNS ROCKET ATTACKS ON ISRAEL

On 4 June 2015, the Spokesperson for Secretary-General Ban Ki-moon issued the following statement about rocket fire towards Israel (SG/SM/16820):

The Secretary-General condemns the firing of rockets by militants from Gaza towards Israel on 3 June. He calls on all

parties to avoid further escalation and prevent incidents that jeopardize the lives of Israeli and Palestinian civilians.

IV. SPECIAL RAPPORTEUR ON PALESTINIAN HUMAN RIGHTS CALLS ON ISRAEL TO DESIST FROM FORCIBLY TRANSFERRING PALESTINIAN BEDOUINS

On 5 June 2015, the United Nations Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Makarim Wibisono, called on the Government of Israel to abandon and desist from implementing plans which might result in the forcible transfer of Palestinian Bedouin communities in the West Bank. The following are excerpts from the related press release issued by the Office of the High Commissioner for Human Rights:

“I am alarmed at indications that the roll-out of plans, which in their full effect are believed to entail the forced eviction and forcible transfer of thousands of people, contrary to international human rights law and international humanitarian law, now appears imminent,” the independent expert said.

In October 2014, Mr. Wibisono together* with the UN Special Rapporteurs on adequate housing, on cultural rights, on minorities and on the right to food expressed concern and urged the Government of Israel to halt the plans. “Regrettably, I and my fellow independent experts did not receive a response,” he said.

The Special Rapporteur reported to the Human Rights Council in March 2015 that an estimated two thirds of those who would be affected by the transfer plans are children.

Noting the link between previous transfers and expansion of settlements, Wibisono noted: “It is very troubling that the implementation of these plans may

further undermine the territorial integrity of the Occupied Palestinian Territory”.

UN officials on 20 May expressed grave concern over the rapid advancement of these plans and especially that Israeli authorities were taking steps towards the transfer of residents of Abu Nwar, one of a substantial number of affected Palestinian Bedouin communities.

Since his appointment in June 2014, full cooperation has been extended by the Palestinian Government, but the Independent Expert’s requests to visit Israel and the Occupied Palestinian Territory have so far received no formal response by the Government of Israel.

In light of his lack of access to the Occupied Palestinian Territory, the expert intends to undertake his second mission to the region this month in order to meet with victims, witnesses, non-governmental organizations, UN entities and public officials on the human rights situation in the West Bank, including East Jerusalem, and Gaza.

The Special Rapporteur will present his next report to the 70th session of the United Nations General Assembly later this year.

* Read the experts’ joint communication to the Government of Israel: [https://spdb.ohchr.org/hrdb/28th/public_-_UA_Israel_14.10.14_\(10.2014\).pdf](https://spdb.ohchr.org/hrdb/28th/public_-_UA_Israel_14.10.14_(10.2014).pdf)

V. UN-HABITAT ISSUES REPORT ON PLANNING PRACTICES BY PALESTINIAN COMMUNITIES IN EAST JERUSALEM

On 5 June 2015, the United Nations Human Settlements Programme (UN-Habitat) issued a report entitled “Right to Develop: Planning Palestinian Communities in East Jerusalem”. The following is the executive summary of the report:

Many cities around the world have suffered as a result of conflict or from natural disasters, and many still are. Such events directly impact the lives of people living in these cities, as well as the quality of their living environment. East Jerusalem provides a powerful example of how political conflict, and the Israeli occupation impact the lives and livelihoods of Palestinians living in the city.

Palestinian communities living in East Jerusalem suffer from a planning crisis related to Israel's occupation, which dates back to 1967. This crisis impacts virtually every aspect of Palestinian life in East Jerusalem, whether it is housing; availability and distribution of public or open spaces; mobility and accessibility; or planning sufficient education and health facilities. In addition, Israel's construction of its Separation Wall in and around East Jerusalem in 2002 has made the situation even worse by segregating the Palestinian communities.

In effect, Israel's occupation has led to the creation of two separate spatial realities in East Jerusalem: a *de facto* Israeli spatiality characterized by excessive surveillance and control, where the police and military are ubiquitous, and a *de facto* Palestinian spatiality characterized by physical fragmentation, environmental degradation, and social disintegration. Every square meter in East Jerusalem is a plot of politics. Nowhere is this more evident than in the case studies of Beit Hanina (Houd Itabil, Al-Addasseh, and Al-Ashqariya), Silwan (Al-Boustan and Wadi Yassol), Al-

Isawiyyah, and At-Tur (khalet Al-A'in), which collectively represent some of the alternative planning initiatives local Palestinian communities are developing and promoting in East Jerusalem in response to plans prepared by the Israeli Jerusalem Municipality (IJM).

The ‘Right to Develop: Planning Palestinian Communities in East Jerusalem’ provides an overview of the planning praxis of Palestinian communities in East Jerusalem. Planning practice in the context of East Jerusalem is best understood as the set of strategies and policies needed to translate ideas about the right to the city into concrete action. Palestinian communities in East Jerusalem lack a number of planning rights and have little say in official planning consistent with their needs and aspirations. This publication analyzes planning practices utilized by Palestinian communities in East Jerusalem, while devising a set of planning guidelines that can help these communities better defend their planning and building rights. Furthermore, this publication helps to enhance urban awareness amongst Palestinian communities, while increasing the capacity of Palestinians to better plan their communities. The lessons drawn and the conclusions developed in this publication could also be useful in other fragile environments and politically challenged contexts.

Especially when it comes to planning for Palestinian communities in East Jerusalem, there is a need for greater coordination and cooperation between planning experts, both individuals and organizations, alongside a

greater focus on collective community-based planning initiatives buttressed by public-private partnerships. While the fate of Jerusalem as a permanent status issue is subject to the outcome of bilateral negotiations between Israelis and Palestinians, planning for the present remains an urgent priority. This in turn merits a closer look at the urban geography of Jerusalem as an important component of improving planning in the city. In this undertaking, more collective efforts, networking and pooling, strategic interventions, and advocacy measures are needed to assist planning affecting Palestinian communities in East Jerusalem. Likewise, on the technical and procedural levels, more follow-up measures (monitoring mechanism, e.g. demolition orders), baseline assessment, build on planning experience, utilize mixed-scanning approach, localize standards, sustain

incremental housing and economic development, increase capacity building, and initiate alternative/community planning are all encouraged to be adopted by the planning community in East Jerusalem.

This publication comes under the ongoing UN-Habitat programmes in East Jerusalem that focus on minimizing prospects for conflict by improving the living conditions and enhancing the livelihoods for urban poor and disadvantaged people. More specifically, the UN-Habitat urban planning support programme to Palestinian communities in East Jerusalem works to support Palestinian communities to secure development and building opportunities and rights through planning, aimed at facilitating the immediate improvement of living conditions, while reducing displacement pressures and securing growth opportunities.

VI. SECRETARY-GENERAL ISSUES REPORT ON CHILDREN AND ARMED CONFLICT

On 8 June 2015, the report of Secretary-General Ban Ki-moon on “Children and armed conflict” was distributed to the Member States of the United Nations. The report section on the situation with regard to Israel and the State of Palestine is reproduced below (A/69/926-S/2015/409):

Israel and State of Palestine

79. In 2014, the security situation significantly deteriorated in the State of Palestine with another escalation of hostilities in Gaza and a significant increase of tensions throughout the West Bank, with devastating impacts for children. Palestinian and Israeli children continued to be affected by the prevailing situation of military occupation, conflict and closure.

80. The reporting period saw a dramatic increase in the number of children killed and injured, especially in Gaza. At least 561

children (557 Palestinian; 4 Israeli) were killed and 4,271 injured (4,249 Palestinian; 22 Israeli).

81. In the West Bank, 13 Palestinian boys, aged 11 to 17 years, were killed. Twelve were killed by Israeli security forces live ammunition (11) and “sponge round” bullets (1) during demonstrations and military search and arrest operations, and one boy was killed by settlers. On 15 May, two Palestinian boys, aged 16 and 17 years, respectively, were shot and killed with live ammunition during clashes with Israeli soldiers near Beituniya checkpoint. Reports

indicate that the children killed by the Israeli security forces did not appear to have posed a lethal threat. On 19 March, a 14-year-old boy was fatally shot by the Israel security forces when crossing the West Bank Barrier. In another example, a ten-year-old Palestinian boy was fatally shot in the back with live ammunition by the Israeli security forces in Al-Fawwar camp. The Government of Israel reports that investigations were or are being carried out on these cases.

82. On 13 June, three Israeli youths, two of whom were 16-year-old children, were abducted, and on 30 June, their bodies were found near Halhul in northern Hebron. The Government of Israel reported that three Hamas members were identified as suspects, two of whom were killed during a fire fight with the Israeli security forces. It was also reported that hundreds of Palestinians were arrested in the West Bank during large search operations carried out by the Israeli security forces between 13 and 30 June. On 2 July, a 16-year-old Palestinian boy was abducted in Shu'fat and burned alive in apparent retaliation for the kidnapping and killing of the Israeli youths. Three Israeli civilians, two of them under the age of 18 years, were arrested and charged.

83. Of the 1,218 children injured in the West Bank, more than half were under the age of 12 and 91 per cent were injured during confrontations in Hebron and East Jerusalem, with 231 of them hit by live ammunition and 530 by rubber-coated bullets.

84. Violence committed by Israeli settlers, and related incidents involving the Israeli security forces, remained high, resulting in the injury of 63 Palestinian children. For example, on 18 April, a group of settlers shielded by the Israeli security forces reportedly attacked the Urif Secondary School for Boys near Nablus,

which resulted in the injury of 12 students from stones, bullets and a gas canister. The school was attacked in four instances, reportedly by Israelis living in the Yizhar settlement.

85. Sixteen Israeli children, (14 boys and 2 girls) were injured in the West Bank as a result of stones and Molotov cocktail thrown and shots fired at vehicles by Palestinians.

86. In Gaza, civilians, including children, have borne the brunt of the third major military offensive in Gaza in six years, namely, "Operation Protective Edge". In Gaza, in the 50-day period between 8 July and 26 August, at least 540 Palestinian children were killed (340 boys and 200 girls between the ages of 1 week and 17 years, with almost 70 per cent of that number being younger than 12 years). The number of child casualties exceeds the combined number of Palestinian children killed during the two previous escalations. Hundreds of homes, some of which belonged to alleged members of armed groups, were directly hit by Israeli airstrikes. The Israeli bombardments resulted in the destruction of or severe damage to residential properties, schools and hospitals, causing civilian deaths and injuries. This is in addition to reports of Palestinian civilians and civilian objects being directly hit in circumstances where there was allegedly no rocket fire or armed group activity in the vicinity. This raises serious concern over the observance of the rules of international humanitarian law concerning the conduct of hostilities, including the principles of distinction, precaution and proportionality.

87. On average, between 8 July and 26 August, more than 10 children were killed daily in Gaza. More than 80 per cent of them were killed between 17 July and 5 August during the ground incursion by the Israeli security forces. At least 13 children in Gaza

were reportedly killed as a result of rockets fired by Palestinian armed groups towards Israel that fell inside Gaza.

88. At least 2,955 Palestinian children were injured in Gaza. Preliminary estimates indicate that up to 1,000 of them will be permanently disabled. Apart from the July-August Israeli military operation, another 76 children were injured.

89. On 16 July, four children, 9 to 11 years of age, were killed on a beach in Gaza City. According to eye witnesses and video footage, one child hid in an empty building and was killed by an air strike. The other three children were hit by a shell fired from the sea, which killed them and injured two others. No military targets could be identified in the apparently calm area and no rockets had been fired towards Israel from that location at that time.

90. On 20 July, an Israeli air strike hit a residential building in Bani Suhaila, killing 25 family members, including 19 children and 3 pregnant women. Surviving family members testified that they had received no prior warning from the Israeli security forces. The Military Advocate General opened a criminal investigation.

91. Palestinian children were also killed in drone strikes. On 10 July, a five-year-old boy was hit by a missile fired by a drone in Deir Al Balah. On 23 July, a drone killed a nine-year-old boy seeking shelter in Beit Lahiya. At the time of the attacks, there were no reports of military activity near the homes.

92. The indiscriminate firing of rockets by Palestinian armed groups from populated areas in Gaza towards Israeli population centres endangered both the civilian population in Israel and the Palestinian civilians in Gaza. This raises concern over

the observance of the rules of international humanitarian law on the conduct of hostilities, particularly the principles of distinction and precaution. On 22 August, a four-year-old Israeli boy was killed by mortar shelling in Sha'ar Hanegev region. At least six Israeli children between 3 months and 17 years of age were reportedly gravely injured as a result of rocket fire from Gaza. In addition, 159 children were injured on the way to shelters, 33 were injured by building debris, and 18 were injured in traffic incidents after the activation of warning sirens. In addition, on 22 October, a three-month-old Israeli baby, among others, was killed when a Palestinian man deliberately drove his car into a light rail train station in East Jerusalem.

93. Allegations of nine instances of child recruitment and use by Palestinian armed groups, including by the Al-Qassam Brigades, were reported. The following five cases were verified: on 21 July, a 16-year-old Palestinian boy was injured and captured during an ambush by the Al-Qassam Brigades on Israeli forces near Kibbutz Nir Am/Erez. Two boys aged 17 years were killed in targeted attacks by Israeli drone strikes in Jabaliya and Khan Younis on 12 and 14 July, both reportedly associated with Palestinian armed groups. On 22 July, a 16-year-old Palestinian boy, reportedly recruited by the Al-Qassam Brigades, disappeared and his family was informed of his death on 26 July. A video shows the boy giving his last statement, including his full name. On 2 August, a 17-year-old boy who was reportedly used by the Al-Qassam Brigades, was killed in the shelling of his home by Israeli security forces. A video uploaded by Al-Qassam Brigades shows him undergoing military training and giving his last testament.

94. On 23 July, a 17-year-old Palestinian boy was taken from his home near Khan

Younis by the Israeli security forces and forced at gunpoint to search for tunnels. The boy reported being interrogated, abused and used to extract information about Hamas members.

95. Palestinian children continued to be arrested and detained by the Israeli security forces and prosecuted in juvenile military courts. According to the Israeli Prison Service, 151 children between 14 and 17 years of age were in Israeli military detention for alleged security violations at the end of December. A monthly average of 188 children were in Israeli military custody.

96. The United Nations obtained the affidavits of 122 Palestinian children from the West Bank, who had been detained by the Israeli security forces, in which they stated that they had been subjected to ill-treatment, such as beatings, being hit with sticks, being blindfolded, being kicked and being subjected to verbal abuse and threats of sexual violence. At least 700 children were arrested in East Jerusalem, 70 of whom were under the age of 13 years. The United Nations received 18 affidavits from Palestinian children reporting ill-treatment by the Israeli police and the border police.

97. Since February, IDF Central Command for the West Bank have implemented a pilot summons procedure to halt the practice of night arrests and tackle some of the protection issues. There are concerns regarding the delivery of summonses at night, arrests following appearance at police stations and reports of violations during the interrogation process.

98. In Gaza, between 8 July and 26 August, at least 262 schools were damaged in Israeli air strikes. Three public schools were completely destroyed and at least 23

were severely damaged. In addition, 274 kindergartens were damaged.

99. Of the 83 school buildings of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) that were damaged owing to Israeli airstrikes and shelling nearby, 7 being used as shelters were hit either directly or by air strikes or shelling, resulting in the death of at least 42 persons, including 16 children, and in the injury of about 230 persons. In May, the United Nations shared a list of its facilities with the Government of Israel, which was further discussed with government entities in July. During hostilities in July and August, UNRWA provided the Israeli authorities with real-time information identifying installations that were being used as designated emergency shelters and places of temporary refuge. Despite such information, on 24 July, the UNRWA Beit Hanoun Elementary Coed A and D school, which at the time was sheltering some 450 internally displaced persons, was hit by IDF mortar fire, resulting in the death of at least 12 persons, including 6 children, and in the injury of more than 90 others. The location of the school had been provided to Israeli authorities by United Nations staff on 12 separate occasions over the seven days leading up to the incident, including the day of the incident itself. Intense military activity was reported in the vicinity of the school prior to, but not at the time of, the incident. IDF launched a criminal investigation.

100. On 30 July, artillery projectiles struck the UNRWA Jabalia Elementary Girls A and B School, killing at least 17 persons, including one United Nations staff member, and injuring 99 persons sheltering inside. The school's coordinates had been formally conveyed to the Israeli authorities

on at least 28 occasions over a 14-day span, including the night before the incident.

101. On 25 August, two Government schools were attacked and destroyed by air strikes. In addition to the July and August incidents, seven instances of attacks on schools were reported throughout the rest of the year.

102. During its routine inspections, UNRWA discovered that weapons or weapons components had been placed by Palestinian armed elements in three vacant UNRWA schools in Gaza.

103. In the West Bank, in 21 cases, the Israeli security force entered and used schools. On five occasions in the West Bank, UNRWA school premises were entered without the permission of the United Nations.

104. On 10 November, the Secretary-General decided to establish a United Nations Headquarters Board of Inquiry into ten incidents in which death or injury occurred and damage was done to, or weaponry was found at, United Nations facilities during the conflict.

105. Between 8 July and 26 August, 17 of the 32 hospitals in Gaza were damaged by Israeli air strikes or shelling. One hospital and 58 primary health clinics were destroyed. For instance, on 21 July, Al-Aqsa Martyrs Hospital was directly hit numerous times, killing three persons and injuring 40. Reportedly, no warning of the attack was given. The Israeli security forces claimed that the target was a cache of missiles in the hospital's immediate vicinity. That attack raises concerns about observance of the special protection accorded to hospitals under international law.

106. Three hits on schools were recorded in Israel by rockets fired from Gaza by

Palestinian armed groups, resulting in damage to the school facilities, with no fatalities.

107. The blockade of Gaza since June 2007 continued to take a heavy toll on humanitarian assistance for more than 80 per cent of the families in Gaza. It has impacted the provision of health services, which suffered from a lack of adequate equipment, instruments and essential medicine. The Erez checkpoint with Israel and the Rafah crossing with Egypt, serving 1.7 million people, remain the only two humanitarian access points.

108. The Military Advocate General requested the IDF fact-finding and assessment mechanism to examine a number of "exceptional incidents" that occurred during the Gaza crisis. As at April 2015, the Military Advocate General had conducted an initial examination of more than 100 incidents and opened criminal investigations for 13. Since the focus of the Mechanism is on "exceptional incidents", concerns remain over its not addressing failures to ensure respect for international law at the policy level and the State's duty to investigate all incidents, policies or tactics that may violate international law.

109. The Israeli and the Palestinian authorities have an obligation to ensure that allegations of violations of international humanitarian and human rights law are promptly, effectively, independently, and impartially investigated, and that those responsible are brought to justice.

110. Israel has repeatedly claimed that its military operation in Gaza was in response to rocket fire into Israel and that it was conducted in full compliance with its international obligations. However, I am deeply alarmed at the extent of grave violations suffered by children as a result of

Israeli military operations in 2014. The unprecedented and unacceptable scale of the impact on children in 2014 raises grave concerns about Israel's compliance with international humanitarian law, notably the principles of distinction, proportionality and precaution in attack, and respect for international human rights law, particularly in relation to excessive use of force. It is of particular concern that "Operation Protective Edge" was the third major Israeli military operation in Gaza within six years. The cumulative impact on children and the civilian population in general of these military operations, and the ongoing military occupation in the State of Palestine, is devastating. As indicated earlier in the present report, the number of Palestinian children killed (557) is the third highest in 2014, after the number of children killed in

(a) Afghanistan (710) and (b) Iraq (679), and before the number of children killed in (c) Syrian Arab Republic (368) and (d) Darfur (197). The number of schools damaged or destroyed in the State of Palestine (at least 543) was the highest recorded number of all situations in 2014.

111. I urge Israel to take concrete and immediate steps, including by reviewing existing policies and practices, to protect children, to prevent the killing and maiming of children, and to respect the special protections afforded to schools and hospitals. An essential measure in that regard is ensuring accountability for perpetrators of alleged violations. I further urge Israel to engage in a dialogue with my Special Representative and the United Nations to ensure that there is no recurrence in grave violations against children.

VII. SPECIAL RAPPORTEUR ON PALESTINIAN HUMAN RIGHTS EXPRESSES DEEP CONCERN ABOUT THE HUMAN RIGHTS SITUATION OF THE PALESTINIAN PEOPLE

On 19 June 2015, after his second mission visit to the region, the United Nations Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Makarim Wibisono, expressed his deep concern about the human rights situation of the Palestinian people. The following is the related press release issued by the Office for the High Commissioner for Human Rights:

The United Nations Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Makarim Wibisono, today expressed deep concern about the human rights situation of Palestinians living under the 48-year-long Israeli occupation.

"Accounts show that occupation policies constrain Palestinian life and push Palestinians to leave their land and homes, especially in area C of the West Bank, and East Jerusalem," said the expert after his second mission to the region.

From 9 to 12 June 2015, Mr. Wibisono visited Amman, Jordan, and met with civil society and Palestinian local community representatives, UN agencies, and Palestinian government officials. He was unable to access the Occupied Palestinian Territory (OPT), as the Israeli Government has not granted him access and has not formally responded to his requests for access to Israel and the OPT.

"The briefings I received reflect a situation that is deeply alarming. The crisis in war-torn Gaza is deepening. In the West Bank, including East Jerusalem, there are

daily infringements of Palestinian rights as land is increasingly lost to illegal settlements,” the human rights expert warned.

“Simply closing our eyes is allowing these practices to continue – the international community must ensure the promise of universal human rights no longer rings hollow to Palestinians,” he stressed reiterating his call for accountability for violations of international human rights law and international humanitarian law in the OPT.

“Accountability is critical for dealing with past violations as well as preventing future ones,” Mr. Wibisono explained. “This includes accountability for violations in the context of successive Israeli military operations, including the 2014 hostilities in Gaza. It is the only way to move forward.”

Gaza

The independent expert heard how nine months after the ceasefire, of some 12,600 homes totally destroyed during the 2014 hostilities, not a single one has been rebuilt in Gaza. Multiple factors affect the slow reconstruction in Gaza, including unfulfilled donor pledges.

Mr. Wibisono noted that the blockade, now in its eighth year, imposes severe restrictions on Palestinian movement, imports and exports and has left Gaza dependent on international aid and with soaring unemployment.

“The bottom line remains that, if Gaza is to recover from the damage wrought by multiple rounds of hostility and a shattered economy, the blockade must be lifted. The people deserve help and realisation of their human rights, not collective punishment,” he said.

The Special Rapporteur was also briefed on the lack of access to health care in Gaza, where more than 11,000 Palestinians were left injured after last summer’s escalation of hostilities. “Health services too are affected by the blockade. There are prolonged and chronic shortages of drugs and medical supplies,” he said.

In addition, the expert was briefed on how the extensive damage caused to civilian infrastructure has worsened the provision of essential utility services. “One man described how ‘Gazans wake up every day to wash with salt-water and sleep at the end of the day without electricity’ – People are deprived of the means to help themselves and they cannot leave – this is a very dangerous situation,” he warned.

The West Bank, including East Jerusalem

In the West Bank, including East Jerusalem, the independent expert noted the interplay between Israeli control of natural resources, such as land and water, and advancement of Israeli settlements.

The Special Rapporteur was briefed on the scarcity of water for Palestinians, including farmers, while settlements enjoy up to 6-8 times the amount of water. “The impact of untreated sewage and waste from settlements on Palestinian crops and the environment is also concerning,” Mr. Wibisono added.

From Bedouin communities in the West Bank, to Palestinian homes in East Jerusalem, families live under the threat of settler violence, home demolitions and forcible transfer.

“I would like to highlight the small village of Susiya. All of its 170 structures located in Area C, from homes to animal shelters, schools and latrines, are now at imminent risk of demolition. This includes

structures donated as international humanitarian assistance,” the expert said noting that residents have been subjected to multiple waves of demolitions since an illegal Israeli settlement sprung up nearby the village in the 1980s.

“Occupation policies and practices go beyond control of land – they impact every aspect of life and wear heavily on the social fabric of communities,” he said. “Palestinians are kept apart by movement restrictions: Between Gaza and the West Bank, between the West Bank and East Jerusalem, and within the West Bank, including by the separation wall, which is illegal under international law.”

“The end result is that, if you are Palestinian, family and social life is dictated by the granting or refusal by the Israeli authorities of the right permit,” the Special Rapporteur highlighted.

The human rights expert expressed concern over Palestinian deaths and injuries resulting from excessive use of force by Israeli security forces, including in refugee camps.

“In addition to use of fire arms, there are troubling accounts of how ‘crowd-control’ weapons are used by Israeli security forces. Weapons such as tear-gas, cannot accurately be described as ‘non-lethal’ –they can have serious health effects and in several cases

have been used with fatal consequences,” he said.

Regarding detention and imprisonment of Palestinians, including through the practice of administrative detention, the Special Rapporteur described the situation as one of justice turned on its head.

“A high percentage of the Palestinian population, including hundreds of children, are detained by Israel every year and there are serious questions over lack of due process protections afforded under the military justice system,” he stated. “On the other hand, there appears to be little legal consequence for numerous allegations of settler violence or excessive use of force by Israeli security forces against Palestinians.”

Speaking of his meeting with a youth group from the city of Hebron, which is severely affected by military checkpoints and settlements, Wibisono commented: “A young Palestinian human rights defender, who cannot walk freely in the streets due to checkpoints, emphasized that he bore no ill will towards the Israeli people and simply said: ‘The problem is the occupation’.”

The Special Rapporteur will present his next report during the 70th session of the UN General Assembly in New York.

VIII. COMMISSION OF INQUIRY ON THE 2014 GAZA CONFLICT SUBMITS REPORT

On 22 June 2015, the United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict, established pursuant to Human Rights Council resolution S-21/1, submitted its report. The following are the concluding observations contained in the report (A/HRC/29/52):

A. Concluding observations

74. The commission was deeply moved by the immense suffering of Palestinian and Israeli victims, who have been subjected to repeated rounds of violence. The victims expressed their continued hope that their leaders and the international community would act more resolutely to address the root causes of the conflict so as to restore human rights, dignity, justice and security to all residents of the Occupied Palestinian Territory and Israel. In relation to this latest round of violence, which resulted in an unprecedented number of casualties, the commission was able to gather substantial information pointing to serious violations of international humanitarian law and international human rights law by Israel and by Palestinian armed groups. In some cases, these violations may amount to war crimes. The commission urges all those concerned to take immediate steps to ensure accountability, including the right to an effective remedy for victims.

75. With regard to Israel, the commission examined carefully the circumstances of each case, including the account given by the State, where available. Israel has, however, released insufficient information regarding the specific military objectives of its attacks. The commission recognizes the dilemma that Israel faces in releasing information that would disclose in detail the targets of military strikes, given that such information may be classified and jeopardize intelligence sources. Be that as it may, security considerations do not relieve the authorities of their obligations under

international law. The onus remains on Israel to provide sufficient details on its targeting decisions to allow an independent assessment of the legality of the attacks conducted by the Israel Defense Forces and to assist victims in their quest for the truth.

76. The commission is concerned that impunity prevails across the board for violations of international humanitarian law and international human rights law allegedly committed by Israeli forces, whether it be in the context of active hostilities in Gaza or killings, torture and ill-treatment in the West Bank. Israel must break with its recent lamentable track record in holding wrongdoers accountable, not only as a means to secure justice for victims but also to ensure the necessary guarantees for non-repetition.

77. Questions arise regarding the role of senior officials who set military policy in several areas examined by the commission, such as in the attacks of the Israel Defense Forces on residential buildings, the use of artillery and other explosive weapons with wide-area effects in densely populated areas, the destruction of entire neighbourhoods in Gaza, and the regular resort to live ammunition by the Israel Defense Forces, notably in crowd-control situations, in the West Bank. In many cases, individual soldiers may have been following agreed military policy, but it may be that the policy itself violates the laws of war.

78. The commission's investigations also raise the issue of why the Israeli authorities failed to revise their policies in

Gaza and the West Bank during the period under review by the commission. Indeed, the fact that the political and military leadership did not change its course of action, despite considerable information regarding the massive degree of death and destruction in Gaza, raises questions about potential violations of international humanitarian law by these officials, which may amount to war crimes. Current accountability mechanisms may not be adequate to address this issue.

79. With regard to Palestinian armed groups, the commission has serious concerns with regard to the inherently indiscriminate nature of most of the projectiles directed towards Israel by these groups and to the targeting of civilians, which violate international humanitarian law and may amount to a war crime. The increased level of fear among Israeli civilians resulting from the use of tunnels was palpable. The commission also condemns the extrajudicial executions of alleged “collaborators”, which amount to a war crime.

80. The Palestinian authorities have consistently failed to ensure that perpetrators of violations of international humanitarian law and international human rights law are brought to justice. The commission is concerned that continuing political divisions contribute significantly to the obstruction of justice for victims of violations by Palestinian armed groups. The absence of measures to initiate criminal proceedings against alleged perpetrators calls into question the stated determination of the Palestinian Authority to achieve accountability. In accordance with their legal obligations, the authorities must take urgent measures to rectify this long-standing impunity.

81. Comprehensive and effective accountability mechanisms for violations allegedly committed by Israel or Palestinian

actors will be a key deciding factor of whether Palestinians and Israelis are to be spared yet another round of hostilities and spikes in violations of international law in the future.

B. Recommendations

82. The persistent lack of implementation of recommendations — made by previous commissions of inquiry, fact-finding missions, United Nations treaty bodies, special procedures and other United Nations bodies, in particular the Secretary-General and OHCHR — lies at the heart of the systematic recurrence of violations in Israel and the Occupied Palestinian Territory. Bearing in mind this wealth of guidance, the commission will not elaborate an exhaustive list of recommendations, which would repeat concerns registered by other bodies. Rather, it calls upon all duty bearers to implement fully all recommendations made by the above-mentioned bodies without delay in order to avert a crisis similar to that of summer 2014 in the future.

83. The commission calls upon all parties to fully respect international humanitarian law and international human rights law, including the main principles of distinction, proportionality and precaution, and to establish promptly credible, effective, transparent and independent accountability mechanisms. The right of all victims to an effective remedy, including full reparations, must be ensured without further delay. In this context, the parties should cooperate fully with the preliminary examination of the International Criminal Court and with any subsequent investigation that may be opened.

84. The commission also calls upon Israelis and Palestinians to demonstrate political leadership by both refraining from

and taking active steps to prevent statements that dehumanize the other side, incite hatred, and only serve to perpetuate a culture of violence.

85. The commission calls upon the Government of Israel to conduct a thorough, transparent, objective and credible review of policies governing military operations and of law enforcement activities in the context of the occupation, as defined by political and military decision-makers, to ensure compliance with international humanitarian law and human rights law, specifically with regard to:

(a) The use of explosive weapons with wide-area effects in densely populated areas, including in the vicinity of specifically protected objects;

(b) The definition of military objectives;

(c) The tactics of targeting residential buildings;

(d) The effectiveness of precautionary measures;

(e) The protection of civilians in the context of the application of the Hannibal directive;

(f) Ensuring that the principle of distinction is respected when active neighbourhoods are declared “sterile combat zones”;

(g) The use of live ammunition in crowd-control situations.

The review should also examine mechanisms for continuous review of respect for international humanitarian law and human rights law during military operations and in the course of law

enforcement activities in the context of the occupation.

86. The commission further calls upon the Government of Israel:

(a) To ensure that investigations comply with international human rights standards and that allegations of international crimes, where substantiated, are met with indictments, prosecutions and convictions, with sentences commensurate to the crime, and to take all measures necessary to ensure that such investigations will not be confined to individual soldiers alone, but will also encompass members of the political and military establishment, including at the senior level, where appropriate;

(b) To implement all the recommendations contained in the second report of the Turkel Commission, in particular recommendation No. 2 calling for the enactment of provisions that impose direct criminal liability on military commanders and civilian superiors for offenses committed by their subordinates, in line with the doctrine of command responsibility;

(c) To grant access to Israel and the Occupied Palestinian Territory for, and cooperate with, international human rights bodies and non-governmental organizations concerned with investigating alleged violations of international law by all duty bearers and any mechanisms established by the Human Rights Council to follow up on the present report;

(d) To address structural issues that fuel the conflict and have a negative impact on a wide range of human rights, including the right to self-determination; in particular, to lift, immediately and unconditionally, the blockade on Gaza; to cease all settlement-

related activity, including the transfer of Israel's own population to the occupied territory; and to implement the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory;

(e) To accede to the Rome Statute.

87. The commission calls upon the State of Palestine:

(a) To ensure that investigations into violations of international humanitarian law and international human rights law, including international crimes, by the Palestinian Authority, the authorities in Gaza and Palestinian armed groups, where substantiated, comply with international human rights standards and that full accountability is achieved, including through criminal proceedings;

(b) To accelerate efforts to translate the declarations on Palestinian unity into tangible measures on grounds that would enable the Government of national consensus to ensure the protection of human rights and to achieve accountability for victims.

88. The commission calls upon the authorities in Gaza and Palestinian armed groups:

(a) To respect the principles of distinction, proportionality and precaution, including by ending all attacks on Israeli civilians and civilian objects, and stopping all rocket attacks and other actions that may spread terror among the civilian population in Israel;

(b) To take measures to prevent extrajudicial executions and eradicate torture, cruel, inhuman and degrading

treatment; to cooperate with national investigations aimed to bring those responsible for violations of international law to justice; and to combat the stigma faced by families of alleged collaborators.

89. The commission calls upon the international community:

(a) To promote compliance with human rights obligations, and to respect, and to ensure respect for, international humanitarian law in the Occupied Palestinian Territory and Israel, in accordance with article 1 common to the Geneva Conventions;

(b) To use its influence to prevent and end violations, and to refrain from encouraging violations by other parties;

(c) To accelerate and intensify efforts to develop legal and policy standards that would limit the use of explosive weapons with wide-area effects in populated areas with a view to strengthening the protection of civilians during hostilities;

(d) To support actively the work of the International Criminal Court in relation to the Occupied Palestinian Territory; to exercise universal jurisdiction to try international crimes in national courts; and to comply with extradition requests pertaining to suspects of such crimes to countries where they would face a fair trial

90. The commission recommends that the Human Rights Council consider conducting a comprehensive review of the implementation of the numerous recommendations addressed to the parties by its own mechanisms, in particular relevant commissions of inquiry and fact-finding missions, and explore mechanisms to ensure their implementation.

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

On 24 June 2015, 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.7470):

...

The Secretary-General is encouraged by the recent affirmations by Prime Minister Netanyahu of his commitment to “the idea of a sustainable two-State solution”, but notes that this must be translated into actions. This includes a halt to sensitive and unilateral activities in the West Bank, including settlements, that could prejudice a final status agreement or prevent the establishment of a viable, contiguous Palestinian State. That message was reaffirmed by major donor countries at the meeting of the Ad Hoc Liaison Committee for assistance to the Palestinians held in Brussels on 27 May.

The Secretary-General welcomes the measures taken by Israel to ease some restrictions on Palestinians in the West Bank and Gaza, in particular during the Muslim holy month of Ramadan, although some have been revoked in response to repeated rocket fire from Gaza. He encourages Israel to sustain and expand those confidence-building measures, which enable the legitimate movement of people and goods in and between Gaza and the West Bank, including East Jerusalem, and improve the quality of life of Palestinians.

The security situation in the West Bank, including East Jerusalem, remained tense. A total of 186 Palestinians, including 28 children and two women, were injured. Five members of the Israeli security forces were also injured. The Israeli security forces conducted approximately 400 search-and-

arrest operations, resulting in the arrest of 510 Palestinians.

In three separate incidents, on 20 May, 10 June and 14 June, three Palestinian men were shot and killed by the Israeli security forces. First, a man was killed when an Israeli military Jeep overturned during an operation to arrest suspected militants. The second incident occurred as a result of clashes with Israeli military forces. The third man was killed after ramming his vehicle into two Israeli policewomen.

On 19 June, a Palestinian shot at an Israeli vehicle travelling near a West Bank settlement close to Ramallah, killing one Israeli civilian and injuring another. While claims of responsibility have not been confirmed, some Palestinian factions, including Hamas, praised the attack, which the United Nations immediately condemned. On 22 June, an Israeli policeman was critically wounded when he was stabbed at the Damascus Gate in Jerusalem. The attacker also remains in a critical condition after being shot by the policeman. In total, six members of the Israeli security forces were injured.

The Secretary-General remains deeply concerned about the situation of Palestinian prisoners in Israel, notably those in administrative detention, including Khader Adnan, detained since 8 July 2014, who has now been on hunger strike for 51 days. The Israeli Government’s decision on 14 June to reintroduce draft legislation to permit the force-feeding of prisoners on hunger strike

under certain conditions would, if approved by the Knesset, contravene international standards.

The demolition of homes and structures in the West Bank has also continued. This month, 52 structures, including 17 residences, were demolished, leading to the displacement of 29 Palestinians, including 17 children. On 9 June, the Israeli High Court of Justice rejected a petition to restore planning authority to Palestinian villages in Area C of the West Bank. The planning and zoning system as it stands makes it virtually impossible for Palestinians to build on or develop their land in Area C.

I reiterate our concerns over the fate of 7,000 Palestinian Bedouin and herders in 46 residential areas of the West Bank, who may be at risk of forcible transfer as Israel advances its plan to relocate these communities to three sites in Area C. The plan may be linked to settlement expansion in the El area and others, which would seriously jeopardize the two-State solution.

In the Gaza Strip, the desperate situation was exacerbated by a number of security incidents. During the reporting period, 10 rockets were fired by Palestinian militants from Gaza, thankfully without casualties or damage. The Secretary-General has publicly condemned those incidents. A further 11 rockets were test-fired towards the sea. The Israeli security forces responded by conducting 11 air strikes on militant sites in Gaza, again without resulting in injuries. Concerns are also mounting in relation to internal divisions within Gaza, including a potential developing threat from militant salafist individuals or groups. On 2 June, Hamas security forces reportedly killed a salafist accused of firing rockets at Israel and arrested a number of others suspected of carrying out those attacks. The Israeli security forces shot and injured 12

Palestinians. I call on Israel to implement measures to minimize incidents that result in injuries in the access-restricted areas on land and at sea.

The Secretary-General is closely following media reports that suggest that a flotilla is expected to group and head towards Gaza in the coming days. He continues to believe that a flotilla would not help to address the dire situation in Gaza and reiterates his calls for the Government of Israel to lift all closures, with due consideration of Israel's legitimate security concerns.

The ever-challenging circumstances in Gaza highlight the urgent need to strengthen Palestinian unity. Conflicts, poor governance and the closures have crushed Gaza's economy. Unemployment spiked to 43 per cent at the end of 2014.

I am nevertheless encouraged by Prime Minister Hamdallah's commitment to overcoming these obstacles, including the issue of public-sector employees in Gaza, by reintegrating the governance framework under a single authority. The willingness and capacity of all Palestinian factions to resolve their differences, including those related to border crossings with Israel and Egypt, is integral to lifting the blockade of Gaza and advancing Palestinian efforts to achieve statehood.

I note the 22 June decision of the Executive Committee of the Palestinian Liberation Organization to form a committee to consult with all Palestinian factions in order to form a national unity Government. I encourage all factions to maintain a positive approach to those discussions, which are critical to the future of Palestinian reconciliation.

The Secretary-General welcomed Egypt's decision, following consultations with President Abbas, to open the Rafah crossing from 13 to 19 June and for three days this week in both directions. Recognizing that such decisions critically depend on the security environment, and without diminishing the United Nations primary objective to see the full lifting of all the closures in the framework of Security Council resolution 1860 (2009), it is our hope that the Rafah crossing can be opened on a regular basis to help relieve the suffering of the people of Gaza.

While overall progress in the reconstruction of Gaza remains far too slow, the establishment of the Gaza Reconstruction Mechanism has been vital to facilitating the entry of material. As of 23 June, more than 88,500 homeowners have procured construction material. Furthermore, 135 construction projects out of 202 submitted have been approved by the Israeli authorities. I welcome today's approval by the Government of Palestine for the entry under the Mechanism of material for constructing 16,000 new homes to help address the housing gap.

With major construction work expected to begin imminently, there is an urgent need for additional funding for the Gaza Reconstruction Mechanism, which will exhaust its funds in September.

The Secretary-General took note of the issuance on Monday of the report of the independent commission of inquiry established pursuant to Human Rights Council resolution S-21/1 (A/HRC/29/52). While we do not comment on the substance of such reports, it is our hope that the commission's report will contribute to bringing justice to victims of last year's war and encourage the parties to engage in serious and credible examinations of their own behaviour.

...

In conclusion, let me reiterate our concern that accepting a fatalistic narrative on the Israeli-Palestinian conflict will only accelerate the deterioration of the situation. It will also constitute a grave injustice to those on both sides who want to live peacefully and securely as neighbours, as two peoples whose pasts will be forever linked by their ancestral ties to the region and whose futures stand only to benefit, including economically. Also, the conflict cannot be viewed in isolation from the regional turmoil. The risk of radicalization in the occupied Palestinian territory is heightened by the continued lack of a political horizon. Absent courageous leadership, a sustainable solution will remain a distant and unachievable goal.