



📷 Civil Defense staff evacuating people from Al Nafaq area in Gaza City, December 2013

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FRAGMENTED LIVES

HUMANITARIAN OVERVIEW

2013

MARCH 2014

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United Nations Office for the Coordination of Humanitarian Affairs occupied Palestinian territory
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Coordination Saves Lives

Foreword

The past year has been one of striking contrasts. It saw the resumption of negotiations, offering hope for a final status agreement and the maintenance of a relative calm following the ceasefire agreement after the November 2012 hostilities in Gaza. Against this somewhat hopeful backdrop, the situation on the ground continued to deteriorate, making the continued provision of humanitarian assistance an essential - if unfortunate - feature of the UN's work in the occupied Palestinian territory. Donors, however, remained generous in supporting humanitarian programming, providing 66 per cent of the funding requested through the Consolidated Appeal Process (\$263 million out of \$401 million).

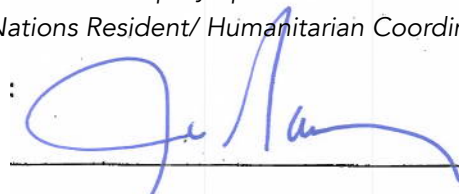
In 2014 the humanitarian community is requesting \$390 million to implement programmes to benefit 1.9 million vulnerable Palestinians, mostly in Gaza, Area C, East Jerusalem and the Seam Zone.

Despite the increase in needs, other emergencies elsewhere are attracting increased attention. Indications so far point to a contraction of humanitarian funding for the oPt, which may lead to gaps in assistance. I appeal to our partners to make every effort to avoid such gaps, and to complement much needed financial support with engagement to help address the root causes of vulnerability.

This report outlines a range of measures that could be taken immediately to improve the humanitarian situation. I ask for your support, so that working together, we can help Palestinians realise their full potential, free from fear and free from want.

James W. Rawley

*United Nations Deputy Special Coordinator &
United Nations Resident/ Humanitarian Coordinator*



Executive summary

This is the third year in which the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) has outlined the key humanitarian concerns in the occupied Palestinian territory in one *Humanitarian Overview* document. This annual report aims to provide a comprehensive overview or 'snapshot' of the humanitarian situation in the oPt in a given year, to monitor trends and developments, and to inform policy and programming.

As with previous years' reports, the concerns outlined in the present report reflect the advocacy priorities identified by the Humanitarian Country Team (HCT), the main humanitarian coordinating body for UN agencies and Non Governmental Organization (NGO) partners in the oPt. In 2013, these priorities remain *Accountability; Life, Liberty & Security; Forced Displacement; Movement & Access; and Humanitarian Space*. The report is structured around these priorities, with the issue of accountability addressed throughout the report. In addition, concerns related to the main clusters and sectors – Health and Nutrition; Education; Water, Sanitation and Hygiene (WASH); and the Food Security – are detailed in separate chapters at the end of the report, which were provided by the relevant cluster/sector focal points.

As with all OCHA reports, the Humanitarian Overview 2013 is based on data collated and cross checked from multiple sources including OCHA, UN agencies, international NGOs, Palestinian and Israeli NGOs and, where possible, government sources. To the extent possible, the data is correct at the time of publication.

The *Way Forward* addresses the need for improved accountability for violations of international humanitarian and human rights law in the oPt. There is a crisis of accountability in the oPt - the failure to hold all parties to the conflict to account for violations of international law, contributes to a culture of impunity and repeated threats to the enjoyment of human rights and dignity of the Palestinian people. Israel, as the occupying power, bears the primary responsibility for the protection of the civilian population and ensuring their basic needs are met, but all parties to the conflict must respect their obligations under international humanitarian law. In addition, all states share responsibility for ensuring respect for international humanitarian law in the oPt and promoting compliance with human rights obligations. The sections at the end of each chapter identify immediate and longer-term actions that need to be implemented by a range of stakeholders to improve the humanitarian situation and to remedy the protection concerns.

Life, Liberty & Security

In 2013 the number of Palestinian fatalities dropped significantly compared to 2012 (38 vs. 272), primarily a result of the absence of a major escalation in hostilities in the Gaza Strip. By contrast, Palestinian fatalities in the West Bank increased significantly to 27, compared to eight in 2012. As an indication of growing tension in the West Bank, more Palestinians were injured in Palestinian-Israeli conflict-related violence in 2013 than in any other year since 2005, 3,735 vs. 3,039 in 2012. There was a marked rise in injuries from rubber-coated metal bullets, which at 41 per

cent is the same percentage as those injured by tear gas inhalation. There were four Israeli fatalities in West Bank in 2013, compared to none in 2012.

Regarding settler violence, the number of incidents resulting in Palestinian injuries (93) and damage to Palestinian private property (306) represented an eight per cent increase compared to 2012. Although the context in which civilians are killed or injured and their property destroyed and damaged varies, the common denominator affecting Palestinians victims of unlawful acts of violence is a pervasive crisis of accountability, characterized by the absence of effective remedies for violations – primarily effective investigations and redress for victims.

Forced Displacement

In the West Bank, including East Jerusalem, the forced displacement of Palestinians is driven by a number of occupation-related policies. Overall in 2013, the number of structures demolished increased from 604 in 2012 to 663, a rise of approximately 10 per cent. The number of persons displaced increased by almost 25 per cent, from 886 to 1,103.

In Area C, the demolition of homes, animal shelters and essential infrastructure due to the lack of Israeli-issued building permits is the main trigger for displacement, as a consequence of the restrictive zoning and planning regime applied by the Israeli authorities. The number of structures demolished in Area C increased compared to 2012, (565 vs. 540), leading to the displacement of 805 people, including 405 children. The number of structures demolished in the Jordan Valley more than doubled compared to 2012 (from 172 to 390). There was also a significant increase (54

per cent) in the Israeli military's demolition of donor-funded assistance in Area C; 122 such structures were destroyed, up from 79 in 2012. In East Jerusalem, the number of structures demolished increased by over fifty per cent compared to 2012, 98 vs. 64, with the number of persons displaced increasing by 320 per cent, 298 vs. 71.

Displacement in the Gaza Strip has primarily resulted from recurring outbreak of hostilities between Israel and Palestinian armed groups. As there was no major escalation in 2013, no conflict-related displacement was recorded, although winter storms in December brought heavy flooding, resulting in the temporary displacement of approximately 6,000 people.

Restrictions on Movement and Access of Palestinians in the oPt

Israel restricts Palestinian movement within the oPt by a combination of physical obstacles, including checkpoints and roadblocks; and by bureaucratic constraints, such as permits and by the designation of areas as closed or restricted. Compounding longstanding Israeli policies, movement and access in the Gaza Strip deteriorated significantly in the second part of 2013, following new Egyptian restrictions on the movement of travellers via the Rafah Crossing. As a result of the new measures, the number of Palestinians crossing through Rafah declined by 28 per cent compared to 2012. The number of Palestinians permitted by Israel to cross through Erez increased by 17 per cent overall compared to 2012, but this was not enough to compensate for the restrictions on pedestrian traffic through Rafah.

From July onwards the Egyptian authorities also closed the vast majority of the smuggling

tunnels under the Egypt-Gaza border, which were primarily used to smuggle construction materials for the private sector and subsidised Egyptian fuel. This led to a sharp spike in unemployment, an increase in food prices, and chronic electricity shortages resulting from interruptions to the operation of the Gaza Power Plant (GPP), severely disrupting the provision of basic services. In September the Israeli authorities increased the number of truckloads for commercial use allowed in through Kerem Shalom, as a partial response to the lack of construction materials on the private market. However, in October, following the discovery of an underground tunnel, the Israeli authorities halted the entry of basic construction materials for both the commercial sector and for international organizations; the entry of construction materials for the latter was partially resumed in December.

Since 2007, the Israeli authorities have almost completely restricted exports from the Gaza Strip to Israel and transfers to the West Bank, with only a minimal amount of agricultural produces, furniture and garments permitted to world markets. In 2013, there was a significant decline in the amount of exports, 160 truckloads as opposed to 254 in 2012; and transfers to the West Bank, 23 truckloads compared to 38 in 2012.

Citing security concerns, the Israeli military has also imposed restrictions on access to farmland on the Gaza side of the fence, and to fishing areas along the Gaza Strip coast – the Access Restricted Areas (ARAs). Following the November 2012 ceasefire agreement significant improvement was recorded in access to areas near the fence, but uncertainty concerning the new arrangements has limited improvements in

livelihoods. In 2013, fishermen also continue to be affected by shooting and confiscation incidents in the context of the enforcement of access restrictions by the Israeli Navy.

In the West Bank, some of the long-standing physical obstacles impeding movement into Hebron and Ramallah were eased, significantly improving access into these key urban hubs. However, checkpoints and the Barrier continue to impede Palestinian access throughout the West Bank, including into East Jerusalem, despite some easing of restrictions into the city during Ramadan. Little change was registered in the restrictions affecting Palestinian access to large agricultural areas, in particular, land behind the Barrier. Palestinian communities which have land within, or adjacent to Israeli settlements and settlement outposts continue to face access problems, in addition to attacks on their persons and property.

Humanitarian Space

Throughout 2013, humanitarian organizations continued to face a range of obstacles which hampered their ability to provide assistance and protection to Palestinians in need across the oPt. These obstacles include physical and administrative restrictions on the access and movement of (I)NGO and UN personnel, especially national employees; restrictions on the delivery of materials needed for humanitarian projects; and limitations on the implementation of projects that involve building, expanding or rehabilitating infrastructure in the Gaza Strip and Area C of the West Bank.

The Israeli permit process, approval rate and processing time for the movement of both international and national staff in and out of Gaza has improved considerably over the

last few years. However, the Israeli approval, coordination and verification process for international reconstruction projects remains problematic, resulting in lengthy delays to implementation and increasing costs. Humanitarian operations were also hindered by demands by the Hamas de facto authorities in Gaza for compliance with a range of administrative procedures affecting INGOs, and the 'no contact' policy adopted by certain countries and donors, which prohibits contact with the de facto authorities, even on an operational level. Humanitarian operations in Gaza were also hampered by political and security developments in Egypt and the consequent severe restrictions on movement through Rafah.

In the West Bank, the easing of physical closures has improved humanitarian access, with the number of access incidents at checkpoints, staff affected and related loss of working hours declining in 2013. However, national humanitarian personnel continue to face limitations imposed by Israel on their ability to access and work in East Jerusalem. Physical and administrative restrictions also continue to impede access to some of the most vulnerable communities living in Area C of the West Bank, and particularly the 'Seam Zone' and closed military areas. In Area C, the implementation of humanitarian assistance projects that requires some form of construction or rehabilitation continues to be severely hampered by the permit regime applied by the Israeli authorities; 2013, there was a significant increase in the Israeli military's demolition of donor-funded assistance, in addition to the Israeli military's seizure of donor-funded assistance, mainly residential shelters.

The Way Forward

The situation described in this report is a protection-based crisis, resulting from

ongoing conflict and occupation, a lack of respect for international law, limited accountability and a system of policies that severely undermine the ability of Palestinian communities to live normal, self-sustaining lives. Were these factors removed, Palestinians have all the capacity, organisation, training and motivation to develop their economy and their lives without large scale humanitarian interventions.

To achieve progress in this regard, a range of actions is required by all relevant parties, including:

- Israel, the occupying power, must fulfil its primary obligations to protect the Palestinian civilian population, ensure their basic needs are met and people are able to enjoy their human rights. This would include taking action to secure the physical protection of Palestinian civilians, ensure accountability for violence and abuse, and lifting restrictions on movement of people and goods, as well as on access to land and resources.
- All parties to the conflict must fulfil their legal obligations to ensure the protection of all civilians during hostilities and ensure accountability for acts in contravention of the laws of armed conflict.
- Third states share responsibility for ensuring respect for international humanitarian law in the oPt and promoting compliance with human rights obligations, and should take all necessary action stemming from that responsibility.

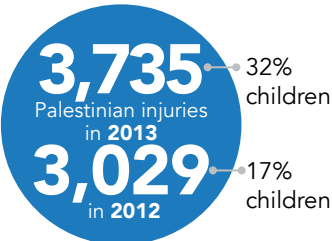
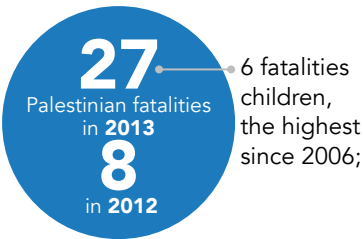
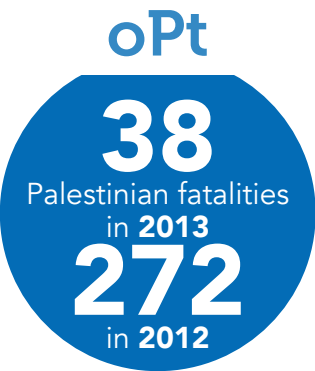


LIFE, LIBERTY AND SECURITY

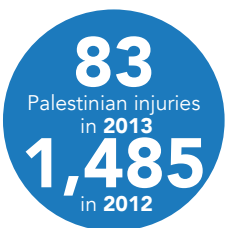


Main trends in Life, Liberty and Security in 2013

West Bank



Gaza Strip



Overview

oPt

Overall in 2013, the number of Palestinian fatalities by Israeli forces dropped significantly compared to 2012 (38 vs. 272). This was primarily a result of the ceasefire understanding the Gaza Strip; by contrast, the number of fatalities in the West Bank rose. 29 of the 38 Palestinians killed in 2013 were civilians.

Gaza Strip

In Gaza, 11 Palestinians were killed in 2013 compared to 264 in 2012, the lowest figure since 1999.¹ The general adherence to the ceasefire understanding in Gaza in 2013 is also reflected in the substantial decrease in the number of injuries compared to 2012, 83 vs. 1,485. There was one Israeli fatality resulting from attacks launched by Palestinian armed groups from in Gaza in 2013, compared to seven in 2012.

There continues to be a lack of accountability and effective remedy for victims of violence on both sides regarding allegations of violations of international law during the November 2012 hostilities.

West Bank

By comparison, the number of Palestinian fatalities in the West Bank in 2013 increased significantly to 27 (including 17 refugees) compared to eight (no refugees) in 2012. As an indication of growing tension in the West Bank in 2013, more Palestinians were injured in Palestinian-Israeli conflict-related violence, than in any other year since 2005, 3,735 vs. 3,039 in 2012.

There was a marked rise in injuries from rubber-coated metal bullets in 2013, which at 41 per cent is the same percentage as those

injured by tear gas inhalation. The number of injuries from live ammunition doubled to four per cent compared to 2012.

Regarding settler violence, the number of incidents resulting in Palestinian injuries (93) and damage to Palestinian private property (306) represented an eight per cent increase compared to 2012.

Although the context in which civilians are killed or injured and their property destroyed and damaged varies, the common denominator affecting Palestinians victims of unlawful acts of violence is a pervasive crisis of accountability, characterized by the absence of effective remedies for violations – primarily effective investigations and redress for victims.

Israeli casualties

There were four Israeli fatalities in West Bank in 2013, compared to none in 2012. There was also a rise in the number of settlers and other Israeli civilians injured by Palestinians, – 65 compared to 49 in 2012.

Palestinians in detention

The monthly average of search and arrest operations decreased compared to 2012, 325 vs. 337. The total number of Palestinians arrested during the year increased compared to 2012, 4,652 vs. 3,410,² although the monthly average of those held in administrative detention declined significantly, from 245 in 2012 to 148 in 2013.

Local and international human rights groups and UN human rights treaty-bodies continue to raise concerns over the Israeli authorities' treatment of Palestinian detainees, particularly children, although a number of key developments were recorded by UNICEF in 2013 regarding progress in this area.

West Bank

Significant increase in Palestinian fatalities

2013 witnessed the highest number of Palestinian fatalities by Israeli forces in the West Bank since 2009, 27, including at least 23 unarmed civilians. Twenty-five were killed by live ammunition and two by rubber-coated metal bullets. Six of the fatalities were children, aged between 15 and 17; this is the highest number of child fatalities by Israeli forces recorded in the West Bank since 2006. Another six fatalities were aged between 18 and 21, including one woman.

Of the 27 fatalities, 16 occurred in the context of clashes between Israeli security forces and Palestinians. Eight of these were the result of clashes which erupted during search and arrest operations; the remaining

eight involved stone throwing incidents (6) or demonstrations (2). Six Palestinians were killed during alleged attempts to arrest them, including four members of armed groups. One Palestinian was killed while allegedly attempting to attack Israeli forces, while the circumstances of the death of the remaining four Palestinians remain unclear or disputed. Seventeen of the 27 fatalities were Palestinian refugees.

Palestinian injuries increase

In addition, more Palestinians were injured in Palestinian-Israeli conflict-related violence in 2013 than in any other year since 2005, when OCHA began collecting data. The number of Palestinians injured was 3,735 vs. 3,039 in 2012, a 23 per cent increase, with tear gas inhalation and rubber-coated metal bullets resulting in over 80 per cent of the injuries. Clashes during demonstrations accounted

More Palestinians were injured in Palestinian-Israeli conflict-related violence in 2013 than in any other year since 2005, when OCHA began collecting data.



On 16 September, 58 structures were demolished in Mak-hul community in the Jordan Valley, displacing 48 people, including 16 children.

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for the majority of these injuries (2,406) making up approximately 64 per cent of the total. Most of the injuries, 1,364, occurred during protests in solidarity with Palestinian prisoners.

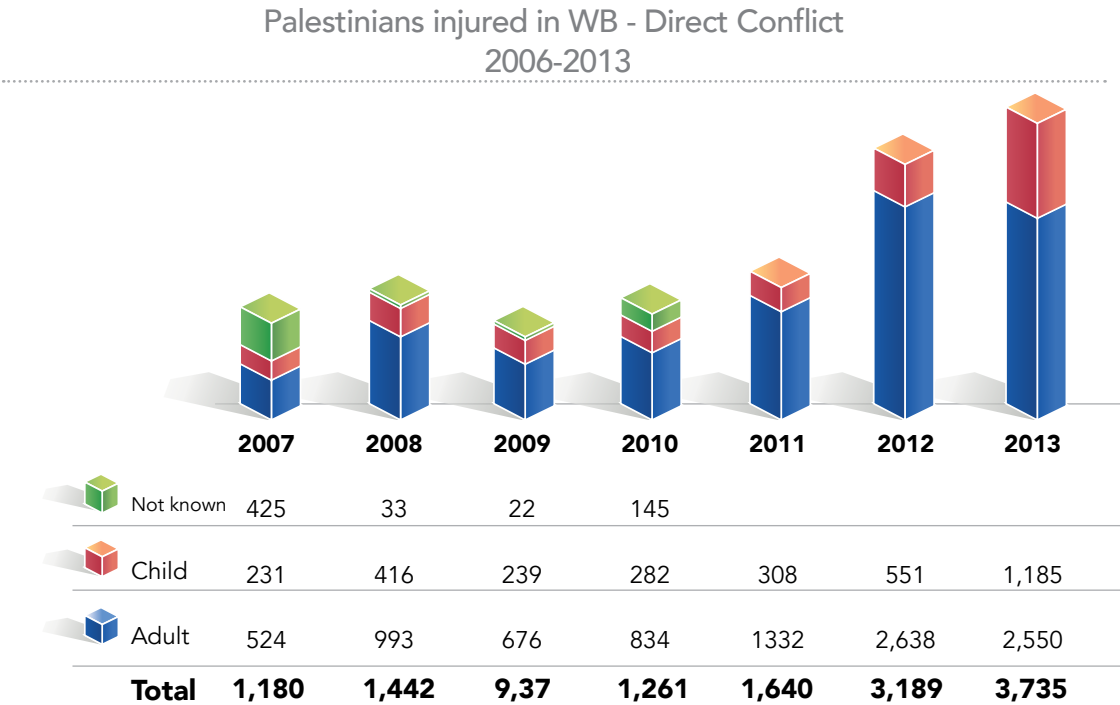
Cause of injuries

There was a 63 per cent increase in the number of demonstrations leading to violent clashes with Israeli forces in 2013 compared to 2012 (327 vs. 201). However, the number of Palestinian injuries resulting from these clashes actually decreased slightly (2,406 vs. 2,468). This represents an over 40 per cent decrease in the average number of injuries per demonstration.³ Instead, the increase in Palestinian injuries in the West Bank during 2013 can be largely attributed to ad hoc clashes, primarily stone throwing at Israeli forces, as opposed to clashes arising from

demonstrations. Injuries from such clashes increased from 196 in 2012 to 696 in 2013 (up 255 per cent), and accounted for nearly 20 per cent of all injuries in 2013, compared to seven per cent in 2012.

Regarding the cause of Palestinian injuries, 41 per cent (1,532) were due to tear gas inhalation requiring medical treatment, a decrease in absolute numbers (1,795) and in percentage terms (62) compared to 2012. By contrast, in 2013 there was a marked rise in injuries from rubber-coated metal bullets, which at 41 per cent is the same percentage as those injured by tear gas inhalation. Rubber-coated metal bullets also caused the death of two Palestinians in 2013. The number of injuries from live ammunition doubled to four per cent compared to 2012.

There was a marked rise in injuries from rubber-coated metal bullets, which at 41 per cent is the same percentage as those injured by tear gas inhalation.



Child casualties

Also of concern is the sharp increase in the percentage of child casualties; children up to the age of 17 made up approximately 32 per cent of all those injured in the West Bank in 2013, 1,185 out of 3,735 injuries. This is a significant increase both in absolute numbers and in the percentage of total (see chart above), in comparison with 2012 (17 per cent) and 2011 (18 per cent), respectively. Mirroring the trend in the larger population, more than 90 percent of child casualties occurred in clashes. Of note, in 2013 there was a significant increase in the number of injuries of children younger than 16, with 449 injured compared to 235 in 2012, an increase of over 90 per cent.

Increase in confrontations during search and arrest operations

Although the number of search and arrest operations conducted by Israeli forces in the West Bank in 2013 declined slightly compared to 2012 (3,896 vs. 4,046), the

frequency and intensity of confrontations during such operations and the number of resulting casualties among civilians rose significantly. The number of civilian injuries recorded in 2013 in confrontations during such operations witnessed a significant increase, 108 per cent, compared to 2012, 239 vs. 115, and the number of deaths increased from one to eight. Similarly, the number of Palestinian civilians arrested during these operations in 2013 increased by 31 per cent compared to the previous year (4,652 vs. 3,410). The escalation in the intensity of clashes and resulting casualties during these operations appears to have accelerated since last June (see chart). According to an IDF officer quoted in the Israeli media in August, 'in recent months, not a single arrest has occurred without the residents responding – whether it's youths coming out of their houses and throwing stones at the forces, or the use of live fire.'⁴

Children up to the age of 17 made up approximately 32 per cent of all those injured in the West Bank in 2013, 1,185 out of 3,735 injuries.

Fatalities in Qalandiya Refugee Camp

One of the deadliest incidents in 2013 took place on the morning of 26 August, when Israeli military and police forces entered Qalandiya Refugee Camp (Jerusalem governorate) to arrest a man suspected of organizing disturbances and transferring weapons to others.⁵ As the operation unfolded, hundreds of local residents came out into the streets and onto rooftops, throwing stones, blocks and other objects at the Israeli forces. According to the IDF, during the incident, Palestinians also opened fire and threw Molotov cocktails at some of the Israeli armoured vehicles. Israeli forces responded by firing live ammunition, killing three men and injuring another 19, including six minors. Among those killed was an UNRWA staff member on his way to work, while another UNRWA staff member was shot in the leg while on duty. No casualties were reported among the Israeli forces. Based on the findings of human rights monitoring by OHCHR, the use of lethal force by Israeli security forces was not justified by any imminent threat of death or serious injury, with none of the eyewitnesses interviewed by OHCHR reporting Palestinian gunfire or the throwing of Molotov cocktails, as claimed by the IDF.



Excessive use of force and lack of accountability

The Secretary-General of the United Nations has repeatedly expressed concerns over the excessive use of force by Israeli security forces in the policing of demonstrations and during other law enforcement operations.⁶ In the West Bank, Israeli security forces act in a law enforcement capacity and are therefore bound by article 6 of the *International Covenant on Civil and Political Rights* and article 43 of the *Hague Regulations*. General principles on the use of force by law enforcement officials, including the principles of necessity and proportionality outlined in the *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials* (1990), and the *Code of Conduct for Law Enforcement Officials* (1979) are

also of relevance. The use of firearms in law enforcement is authorized in extremely limited circumstances, primarily self-defence or defence of others against imminent threat of death or serious injury, and only if less extreme means are insufficient.

In a recent report to the Human Rights Council, the United Nations High Commissioner for Human Rights expressed concern that 'on repeated occasions, the Israeli security forces have used an excessive level of force that has resulted in death and injuries to Palestinians.'⁷ In April 2011, in a positive development, the Israeli authorities began implementing a new investigation policy in the West Bank, whereby every case in which an 'uninvolved' Palestinian civilian is killed by the IDF is to be automatically investigated by the Military Police (MP),

Fatalities in Tulkarm

'On 3 April, IDF soldiers shot three Palestinian teenagers, two of whom were killed, outside of Anabta in the Tulkarm area. The Palestinians stated that they intended to throw stones at an IDF observation tower at the Enab IDF partial checkpoint, near the Einav settlement of. This tower is fortified by concrete blocks, barbed wire and surveillance cameras. One teenager threw a stone when the group was 10 to 20 metres from the tower. IDF soldiers emerged from the tower and shouted at the teenagers to stop, whereupon the teenagers turned away and began to run back to their village. The IDF soldiers allegedly opened fire at the fleeing teenagers. Both Amer Nassar and Naji al-Bilbisi died from gunshot wounds in the back. Fadi Abu al-Assal was treated for a gunshot wound to his upper arm and released from hospital.'⁸ According to B'Tselem, although a Military Police investigation has been completed into this incident, there is no information concerning the findings so far.'

Since April 2011 only one investigation has led to an Israeli soldier being prosecuted and convicted of wrongfully causing the death of a Palestinian.

unless the incident 'occurred during an activity with clear elements of combat' (eg. exchange of fire).⁹ Prior to that, most cases were followed by an internal 'operational debriefing', on the basis of which the Military Advocate General (MAG) decided whether to open a MP investigation.

However, human rights organizations have raised concerns that while investigations are now opened, they are frequently not carried out in the thorough and effective manner required by international law, and some are subject to serious delay and remain open for years without conclusion.¹⁰ The new policy also leaves several types of incidents unaddressed in terms of accountability, including all cases

of civilian killings in the Gaza Strip, and all cases of serious injury in both the West Bank and Gaza Strip. Such cases usually trigger an IDF 'operational inquiry', based on which the MAG may decide to open an MP investigation. However, as pointed out recently by an official Israeli Commission (the 'Turkel Commission'), the operational inquiry is an inadequate mechanism to inform about the need to open a criminal investigation.¹¹

Since the new policy came into force in April 2011, the Military Police Criminal Investigation Division (MPCID) has opened investigations into the cases of 24 Palestinians killed in 20 separate incidents. Three investigations were closed without indictments being filed, five were closed but their findings have not been announced, and 11 investigations remain open. Only one of these investigations has led to an Israeli soldier being prosecuted and convicted.¹² On 18 March 2013, following a plea bargain, an IDF soldier was convicted of negligent homicide in relation to the killing of a young Palestinian trying to cross to Israel for work.¹³ On 13 May 2013, the soldier was sentenced to seven months' imprisonment and given a suspended sentence and a demotion. According to Amnesty International; 'Up to now, the new policy on investigations appears not to have had any real impact in denting, let alone breaking, the long-standing pattern of impunity for Israeli soldiers and Border Police who kill or maim civilians in the West Bank through the use of excessive force.'¹⁴

The Turkel Commission

In February 2013, an Israeli official commission (the Turkel Commission) mandated to examine the mechanisms used by Israel for investigating complaints of violations of the laws of armed conflict according to international law, submitted its report to the Government of Israel.¹⁵ Although the Commission held that Israel is already fulfilling its legal duties in this regard, it made substantive recommendations for changes to the current procedures and practices, which may contribute to ensuring accountability and effective remedies for victims. In December 2013, the GOI appointed a committee within the Israeli Ministry of Justice in charge of monitoring the implementation of the recommendations.

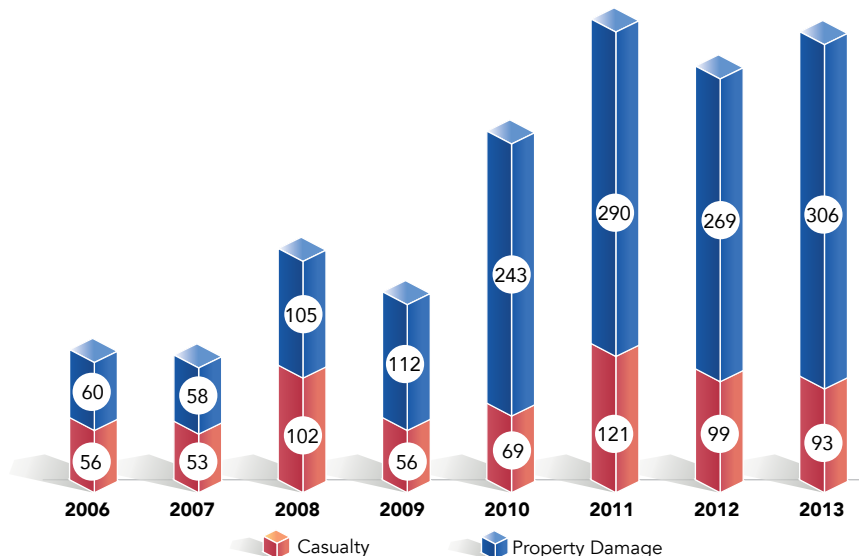
Settler violence

Violence by settlers in the West Bank includes physical assault on persons; harassment; takeover of, and damage to, private property; obstruction of access to grazing/agricultural land and water resources;¹⁶ and attacks on livestock, agricultural land and holy places. While some acts appear to be random, others are declared acts of retaliation for the Israeli authorities' announced or actual evacuation of settlement outposts. Other incidents, involving intimidation and physical assault, shooting, vandalizing of trees and causing damage to other agricultural properties,

are often followed by settlers taking over and starting to cultivate land in the area of the incident. While precise figures are not available, there are hundreds of land plots privately owned by Palestinians currently cultivated by settlers.¹⁷

Settler violence undermines the physical security and livelihoods of many Palestinian communities, particularly when combined with other difficulties, such as access and movement restrictions and house demolitions, and has the potential to incite wider unrest throughout the West Bank. At present, OCHA estimates 110 Palestinian communities, with a combined population of

Settler attacks resulting in Palestinian casualties or property damage



School buses attacked by settlers near Yitzhar Junction

A wave of settler violence broke out following the 30 April killing of a 32-year-old Israeli settler from Yitzhar settlement by a Palestinian, in the northern West Bank.

That same day, approximately 100 Palestinian girls, aged between 13 and 15, and six teachers, from Qibyah in the Ramallah governorate, were travelling in two busses to Nablus on a school trip. Near Yitzhar settlement, they encountered a large crowd of Israeli settlers, accompanied by some 15 Israeli soldiers. The settlers blocked the road and began stoning the busses. According to eye-witnesses, over 80 Israeli settlers were present, some of whom tried to force open the bus doors. Israeli soldiers on the scene reportedly failed to intervene for much of the attack.



Soldiers initially did not assist in clearing the area and at least one participated in the attack, according to one of the drivers, 42-year-old 'Othman Al Abisi: *'I didn't know what to do, I felt so helpless. The girls were screaming, the settlers were surrounding the bus and throwing stones at them, and then a soldier placed a gun to my head and threatened to shoot me if I moved. Other Israeli forces were standing behind the settlers and watching. The most they did was ask the settlers to move back. Eventually, the Israeli forces opened the road for us and led us to Huwara, but only after the settlers had vented all their anger on us.'*

The incident had lasted for approximately 15 minutes. In Huwara, near Nablus city, other Israeli soldiers provided first aid for nine girls and a driver, all injured by glass fragments and stones.

In the period following the attack all of the students have received psycho-social support, provided by YMCA emergency psychosocial support teams, with some of the worst affected students being referred for more intensive counselling.¹⁸

over 315,000 people, are vulnerable to settler violence; of these, almost 60 communities (population over 130,000) are at high-risk.¹⁹

In 2013, OCHA recorded 93 settler violence incidents resulting in 146 Palestinian injuries, in addition to 306 incidents resulting in damage to Palestinian private property. These 399 incidents represent an increase compared to the 368 incidents recorded in 2012, when 99 incidents resulted in 150 injuries, in addition to 269 incidents of

damage to Palestinian private property. In 2013, another 201 Palestinians were injured by Israeli forces who intervened during clashes between settlers and Palestinians. In addition, 387 Palestinians were injured in 2013 by Israeli forces in settlement-related demonstrations, in particular in Kafr Qaddum (258) and An Nabi Saleh (45). 2013 also witnessed a rise in the number of settlers injured by Palestinians; 65 settlers were injured compared to 49 in 2012.²⁰

Lack of Accountability for Israeli settler violence

The failure by the Israeli authorities to adequately enforce the rule of law in relation to Israeli settler violence against Palestinians is a longstanding concern. Certain aspects of the current system, including the lack of resources to conduct thorough investigations and the requirement for Palestinians to file complaints or testify at police stations located inside Israeli settlements, actively work against the rule of law by discouraging Palestinians from lodging complaints. In most cases, criminal investigations of settler violence against Palestinians are closed without indictment. Additionally, continued Israeli government support for unauthorized settlement activity, including the allocation of resources and retroactive 'legalization' of settlement outposts, promotes a culture of impunity that contributes to ongoing violence.

In July 2013, the Israeli organization Yesh Din issued a report based on 938 files opened by the Israeli police into complaints of settler violence submitted by Palestinians, with Yesh Din's assistance, between 2005 and 2013. The police investigations comprised complaints of violence by Israeli civilians against Palestinians in the West Bank (330); damage to property (438); attempted seizure of Palestinian land (125); and other offenses. Of these, only 8.5 per cent resulted in indictments. Some 84 per cent of the investigations were closed, owing mainly to investigatory failures, when investigators

Separate legal systems

Israeli civil law is applied de facto to all settlers and settlements across the West Bank, while Israeli military law is applied to Palestinians, except in East Jerusalem, which was illegally annexed to Israel. As a result, two separate legal systems and sets of rights are applied by the same authority in the same area, depending on the national origin of the persons, thereby discriminating against Palestinians.

failed to locate the offenders or were unable to collect evidence for prosecution. The new figures are similar to those reported by Yesh Din since 2005, leading the organization to conclude that 'once again no improvement has been seen in the ability of the ... police to investigate offenses by Israeli civilians against Palestinians.'²¹

In October, Yesh Din also published data highlighting the 'failure of the police to investigate incidents involving the cutting down, torching, vandalization, and theft of olive trees and other fruits trees belonging to Palestinians in the West Bank' from 2005 to June 2013. In total, Yesh Din documented 211 incidents of deliberate damage to fruit trees in the West Bank in which the police

“As previously highlighted by the Secretary-General, Palestinians are often victims of acts of violence by Israeli settlers and Israeli law enforcement forces have in numerous cases failed to protect them against such attacks. Israel has the legal obligation to protect the rights of Palestinians in accordance with international human rights law.”²²

'Perpetrator unknown' in Al Mughayyir

Hussein Abu Alia, a 72-year-old father of nine from Al Mughayyir village in the Ramallah district, owns a 60-dunum plot of land in the vicinity of the Adei Ad settlement outpost, which was originally planted with 600 olive trees. Over the past ten years, Palestinian families who own agricultural land in the vicinity of the outpost have been subject to violent attacks by Israeli settlers when accessing their land.



I have faced endless troubles from Adei Ad outpost. In the beginning, we caught the settlers stealing olives from our trees. Then they started breaking off the branches, but they grew back and we also planted new trees to replace those damaged. Then, three years ago when we went to pick our olives we were shocked to find the trees all yellow and dried up. We called the police who discovered that the settlers had drilled into the trunks and injected them with a poisonous substance that killed the trees from the roots up. To date, I've had around 300 olive trees vandalized by Israeli settlers.

Over the past 14 years, the Abu Alia and other affected families have submitted dozens of complaints to the Israeli police regarding the attacks by Israeli settlers against them and their property. The majority of complaints were closed on the grounds of 'offender unknown', despite the families providing evidence, including video footage taken during some of the attacks.

Hussein Abu Alia: I got tired of complaining to the Israeli police. You can't imagine how humiliated we feel every time we approach an Israeli police station to make a complaint. Sometimes, they didn't even allow us in. I've submitted so many complaints that I can hardly count. I've gone back and forth between police stations and the courts for many years, but in the end the attackers are never held accountable for their actions. After the damage to my olive trees three years ago, they said they'd prosecute the attackers and compensate me for all my losses. But each time I call, they tell me they'll get back to me once they are done with my case, but they've never called. I no longer call because I've given up on them.²³

There were four Israeli fatalities in the West Bank in 2013 compared to none in 2012.

opened investigative files. However, only four of the 211 investigative files ended in indictments. Some 166 files were closed on grounds of 'perpetrator unknown', signifying that the investigators had failed to locate and identify suspects, while another twenty files were closed on the grounds of 'insufficient evidence.' According to Yesh Din, 'the fact that these offenses nevertheless continue to occur in these areas, and the high failure rate of the Israel Police in investigating offenses that have occurred, provide further evidence of the weak response of the law enforcement authorities in the West Bank and of Israel's failure to meet its obligation to protect the residents who live in the area.'²⁴

Israeli fatalities in the West Bank

The number of Israeli casualties in the West Bank also increased. There were four fatalities in 2013; in 2012, by comparison, for the first time since 1973, there were no Israeli fatalities in the West Bank. In addition, according to the Israeli Security Agency, there was an increase in injuries in the West Bank in 2013, 44 compared to 40 in 2012, comprising 15 civilians and 29 security personnel. The majority, 34, were injured by firebombs or stone throwing.²⁵

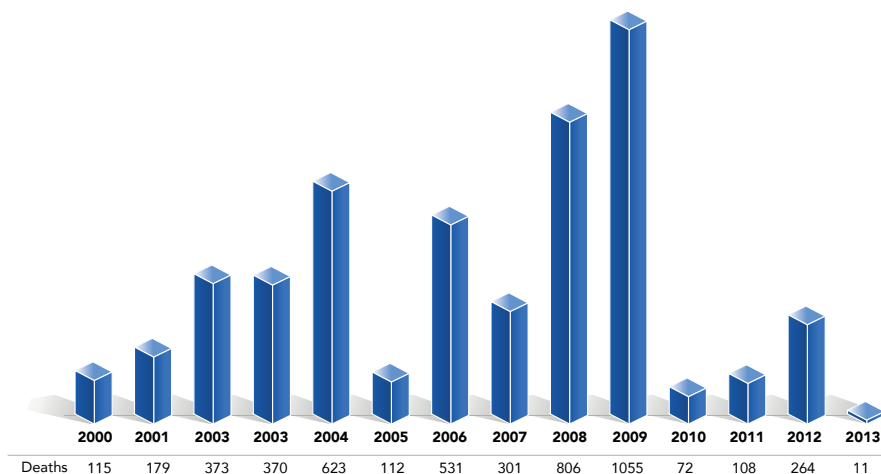
The Gaza Strip

The period since the Egyptian-mediated ceasefire understanding between Israel and Hamas on 21 November 2012, which ended the eight-day Israeli military operation and the escalation of hostilities in Gaza and southern Israel, has witnessed a significant decline in clashes between Palestinian armed groups and the Israeli army. As a result, 2013 registered the lowest number of Palestinian casualties in the Gaza Strip since the beginning of the second *Intifada* in September 2000, with Palestinian fatalities decreasing by over 95 per cent compared to 2012 (11 vs. 264).

The absence of a major escalation in hostilities in Gaza in 2013 is also reflected in the substantial decrease in the number of injuries compared to 2012, 83 vs. 1,485. The bulk of the civilian injuries occurred in the context of Israeli enforcement of access restrictions to fishing and farming areas in the sea and along the fence, which, despite the improvement detailed below, have remained a key threat to the life and security of civilians.

There was one Israeli civilian fatality in the Gaza context in 2013, compared to seven in 2012. Although some Palestinian armed groups have not adhered to the ceasefire understanding and firing of projectiles at southern Israel continued, there was a sharp decrease in rockets fired by Palestinian armed groups from the Gaza Strip towards Israel throughout the year. According to the ISA, in 2013, 63 rockets and 11 mortar shells were launched towards Israel compared to 2,327 rockets and 230 mortar shells in 2012, of which 1,731 rockets were launched during the escalation in hostilities in November 2013.²⁶

Palestinian fatalities in the Gaza Strip*



* Year 2000 covers only from 29 September. Year 2013 covers through the end of November

Source: B'Tselem for 2000-2004, OCHA for 2005-2013

Explosive Remnants of War

A significant protection challenge inherited from the November 2012 escalation in the Gaza Strip, has been the increased threat posed by Explosive Remnants of War (ERW). Data compiled since 2009 by the UN Mine Action Service (UNMAS) show that victims result from munitions that were fired and failed to explode, live munitions accidentally dropped in open areas and munitions kept in people's homes. In 2013, ERWs caused 30 civilian victims, including two boys killed and another 20 children and eight adults injured. In 2013, interventions by UNMAS have substantially decreased that risk, due to a much improved and safer ERW management process by the local police; alongside increased awareness amongst the population as a result of a risk education programme conducted with partners for schools and civil society groups, and in the media.²⁷



UNMAS assessing the Gaza Police's demolition of ERW. © UNMAS

Decrease in casualties in the Access Restricted Areas by land

Compared to 2012, there was a decrease in the number of Palestinians killed in 2013 in the Access Restricted Areas (ARA) near the fence separating Gaza and Israel, where Israel enforces access restrictions. In 2013, there were nine fatalities (including five civilians) and 68 injuries (66 civilian) in the land restricted areas in Gaza, compared to 35 fatalities (11 civilian) and 206 injuries (187 civilian) in 2012. There was also a decrease in the number of children killed and injured in the ARAs: no children were killed and 10 were injured in 2013, compared to three children killed and 38 injured in 2012. Only six per cent of all civilian casualties (three injuries and one fatality) recorded in the ARA along the fence were farmers, while the rest were demonstrators, workers trying to cross the fence to Israel, visitors, and scrap metal collectors.

Increase in violent incidents at sea

With respect to access to the sea off the Gaza shore, following the 21 November 2012 ceasefire understanding between Hamas and Israel, the permissible fishing area for Palestinian fishermen was extended from three to six nautical miles (NM), with the exception of the period between 21 March and 21 May 2013, when the Israeli authorities

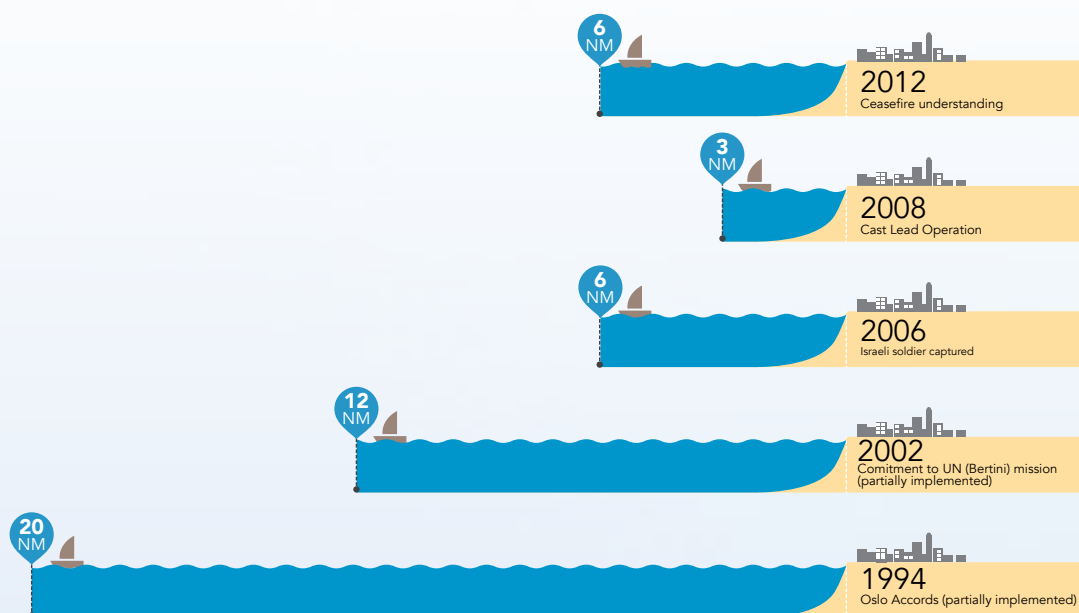
again reduced the limit to three NM, saying it was in response to rockets fired from Gaza to Israel by Palestinian armed groups.

The Protection Cluster, led by OHCHR, collects and triangulates information on incidents affecting Gaza fishermen at sea in 2013, in the context of the enforcement of access restrictions by the Israeli Navy.²⁸ The number of violent incidents recorded during 2013 increased significantly compared to 2012: recorded shooting incidents increased (167 vs. 107); and while no fatalities were recorded at sea, incidents involving injuries to fishermen were recorded for the first time in over a year (10 vs. 0).²⁹ The number of incidents in which fishing equipment was damaged or confiscated also increased significantly (20 vs. 6).

On the other hand, the number of fishermen detained (22 vs. 84) and boats confiscated (7 vs. 22) decreased significantly, while the number of boats damaged or destroyed was roughly comparable to 2012 (12 vs. 10).³⁰ The Protection Cluster, noting a particular decrease in the numbers of fishermen detained and boats confiscated damaged or destroyed during the second half of 2013 noted that the fuel crisis following the Egyptian authorities' closing down of the illegal smuggling tunnels 'had a severe impact on the number of fishermen and the



Sea areas accessible to fishermen In nautical miles from Gaza's coast



amount of times fishermen were able to go to sea, which might also have contributed to the decrease in incidents.'

A new development in 2013 was the restrictions imposed by the Egyptian navy on Gaza fishermen entering Egyptian waters. In two incidents in August and

September 2013, the Egyptian military shot live ammunition at Palestinians fishing close to the border with Egypt, injuring two fishermen, and also assaulted another fisherman. These incidents occurred within Palestinian waters.³¹



Decrease in tunnel accident casualties

The Gaza tunnel industry had grown significantly in recent years as a result of ongoing restrictions on the import of construction materials through the official crossings with Israel, employing several thousand people. From June onwards, in connection to increasing unrest across Egypt, and a deteriorating security situation in the Sinai Peninsula, the Egyptian authorities began severely restricting smuggling operations, closing down virtually all of the tunnels (see section on *Movement & Access*). In 2013, 17 Palestinians (including 14 civilian workers, of whom two were children) were

killed in tunnel-related accidents, compared to 18 Palestinians, (including 14 civilian workers, of whom one was a child) killed in 2012.

Lack of Accountability for November 2012 casualties

More than one year after the ceasefire understanding, there has been negligible accountability for reported violations of international humanitarian law (IHL) committed during the November 2012 hostilities, committed by Israel, the de facto authorities and Palestinian armed groups.³²



The case of the Al-Dalou family

‘While it is positive that the MAG issued this update to outline steps taken by Israel to ensure accountability, it failed to provide sufficient information on the basis for deciding not to open criminal investigations. For example, according to information gathered by OHCHR in the case of the Al-Dalou family, on 18 November 2012, 12 people, including five children and four women, were killed in an Israeli air strike that hit a three-storey house in a heavily populated area in Gaza City without prior warning. The MAG claimed that the casualties were caused by “an attack aimed against a senior terrorist operative and several other terrorists” and had the aim “to reduce the scope of missile and rocket launchings towards Israel”. Various precautions were reportedly taken in the attack, and it was stated that operations staff had not foreseen the civilian harm that resulted.

However, even if one member of the Al-Dalou family was affiliated with an armed group, it would appear that the attack would not have met the legal requirement of proportionality. Given that the house, located in a residential area of Gaza City, totally collapsed, and numerous adjacent houses sustained damage, it is difficult to understand how the extent of civilian harm could not have been foreseen. If it could not have been foreseen for lack of sufficient information on the extent of civilian presence, the attack should not have been carried out. The lack of clarity regarding the compliance of the attack with international law would appear to require that an investigation be carried out.’³³

Human rights organizations in Gaza filed 96 complaints with the Israeli military justice regarding alleged violations, calling for investigations. Following the end of the hostilities, the IDF Chief of Staff appointed a Special Commission headed by an officer with the rank of Major-General which, over the course of three months, examined the factual circumstances of dozens of incidents that gave rise to claims of alleged misconduct, or where it was claimed that uninvolved civilians had been killed. The findings of this examination were handed over to the Military Advocate General (MAG) to decide whether there was room for launching a criminal investigation on any of the cases.

Following thorough analysis, the MAG concluded that the civilian casualties were the result of 'unintended damage resulting from an attack against military targets, or alternatively from operational errors, where civilians were mistakenly identified as terrorist operatives.' As such, according to the MAG, none of the cases raised a suspicion of a violation of international humanitarian law, which would require a criminal investigation. The commission's findings have not been made publicly available, except for a few generic references made in the MAG's announcement. On 11 April 2013, the MAG issued a public document indicating that it found no basis to open criminal investigations in relation to approximately 65 incidents during Operation 'Pillar of Defence'.³⁴

Regarding the de facto authorities in Gaza, there is no evidence of attempts to investigate alleged violations of international law committed by Palestinian armed groups, and affecting Israeli or Palestinian civilians. This is of particular concern following the findings of a recent report of the United Nations

High Commissioner for Human Rights to the Human Rights Council, especially with regard to the direct targeting of civilians and the indiscriminate nature of rockets fired towards Israel, as well as the summary execution of alleged collaborators.³⁵ While the de facto authorities have indicated their willingness to investigate incidents of killing of alleged collaborators, there is no additional information available on any investigative actions taken. Likewise, there is no available information regarding mechanisms that would allow Israeli or Palestinian civilian victims of violations to seek compensation.³⁶

Increase in Arrests and Detentions in the West Bank

Arbitrary arrest and detention and ill-treatment of individuals while in detention, including children, women and elected members of the Palestinian Legislative Council, and failure to respect due process and fair trial guarantees, all remain serious concerns. In 2013, Israeli forces conducted around 3,896 search-and-arrest operations throughout the West Bank, including East Jerusalem and in areas officially under the control of the PA³⁷, compared to 4,046 operations in 2012. Approximately 4,652 Palestinians were arrested (compared to 3,340 Palestinians in 2012).

As of 31 December 2013, some 4,768 Palestinians were held by the Israeli authorities for alleged security offences compared to 4,517 on 31 December 2012.³⁸ The majority of these prisoners are held in prisons and detention centres in Israel, in violation of international humanitarian law establishing that residents of an occupied

There is no evidence of attempts by the de facto authorities in Gaza to investigate alleged violations of international law affecting Israeli or Palestinian civilians.

Fatality in detention

On 23 February 2013, Arafat Jaradat, a 30-year-old Palestinian, died while detained in the Israeli Megiddo prison. An autopsy report by the Director of the Palestinian Medico-legal Institute indicated that the cause of death was nervous shock resulting from severe pain caused by multiple injuries allegedly inflicted through torture.³⁹ Israeli authorities had previously announced that he died of a heart attack, although this statement was subsequently withdrawn.⁴⁰ International human rights obligations towards all Palestinian detainees and prisoners in Israeli custody must be fully respected, including the absolute prohibition on torture.

Human rights situation in the Occupied Palestinian Territory, including East Jerusalem, Report by the Secretary-General, A/HRC/24/30, 22 August 2013, para. 55.

territory shall be detained and serve their sentences within the occupied territory.⁴¹

Of continuing concern in 2013 was the practice of administrative detention, which while in decline in recent years (150 as of 31 December 2013 vs. 178 and 307 on the equivalent dates in 2012 and 2011, respectively) permits detainees to be held for indefinite renewable periods based on secret evidence and without charge or trial.⁴² Israel's use of administrative detention, along with issues related to conditions of detention, have been the stated reason for ongoing hunger strikes among Palestinian detainees in recent years and for demonstrations in solidarity with the prisoners which, as detailed above, account for a significant percentage (37%) of Palestinian injuries by Israeli military forces.

Local and international human rights groups and UN treaty monitoring bodies have long raised concerns over the Israeli authorities' treatment of Palestinian detainees.⁴³ A key concern is the denial of due process rights during trial in the Israeli military court

system. Military court judges, themselves IDF officers, lack independence; detainees are not promptly informed of the charges against them; and the accused and their attorneys are not provided with the facilities, sufficient time and the information necessary for the preparation of an adequate defence.⁴⁴ The trial of civilians in military courts is inconsistent with international human rights standards, in particular with regard to procedural guarantees pertaining to fair

trial.⁴⁵ This system only applies to Palestinian residents of the West Bank, except residents of East Jerusalem, while Israeli civil law is applied to Israeli settlers.

A defendant's attorney is rarely present during interrogation and many detainees will spend weeks before they meet a lawyer, if at all. According to human rights groups, during interrogation defendants are put under considerable pressure to tender 'confessions'. Forms of reported abuse include beatings and threats, sleep deprivation, position abuse, prolonged cuffing, and having family members threatened and, in some cases, arrested, among others.⁴⁶ Human rights organizations have also indicated that there is an almost complete lack of accountability for the reported mistreatment of Palestinian detainees under interrogation. Since 2001, none of over 800 complaints made to the Ministry of Justice concerning ISA interrogators' treatment of Palestinian detainees has led to a criminal investigation.

Children in detention

The arrest and detention of children remains a particular source of concern. Since the year 2000, the Israeli authorities have detained and prosecuted between 500 to 700 Palestinian children each year. The most common charge is for throwing stones at Israeli military forces or settlers in the West Bank. At the end of December 2013, 154 minors were held in Israeli detention for alleged security violations, of whom 14 were aged between 14 and 16 years of age, and the remainder aged 16 to 18. The monthly average for 2013 was 199 children a month held in Israeli military custody, similar to the figure for 2012, 198. In June 2013, the Committee on the Rights of the Child called on Israel to ensure that juvenile justice standards are applied to all children without discrimination; that children in detention have access to an independent complaints mechanism; and that the institutionalized system of detention be dismantled.⁴⁷

In March 2013, UNICEF released a report that documented significant alleged violations of children's rights, including 38 evidence-based recommendations to the Government of Israel aimed at addressing these concerns.⁴⁸

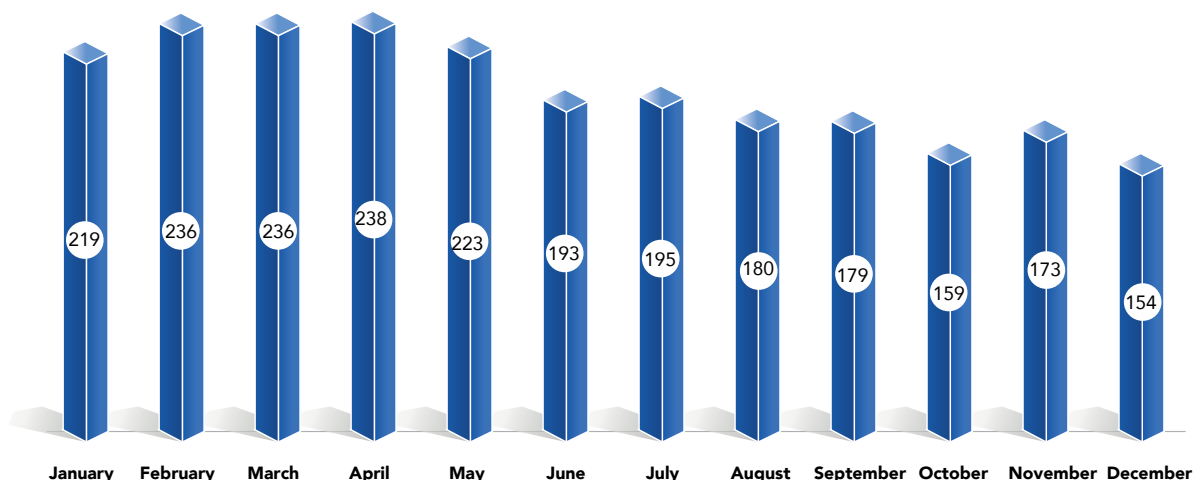
Following publication of the report, the Israeli Ministry of Foreign Affairs stated it would study the conclusions and work to implement them through on-going cooperation with UNICEF. In this context, the Military Advocate General (MAG) designated the 'Military Prosecutor for Judea and Samaria' (West Bank) as the focal point for dialogue with UNICEF on this issue.⁴⁹ This engagement has led to four key developments:

- The IDF Central Command (which covers the West Bank) has agreed to pilot-test the use of summons to compel appearance before relevant authorities in two areas of the West Bank, in lieu of night-time arrests.
- The Military Prosecutor stated that since June 2013, remand hearings for children are held separately from adults.
- Two Military Orders were issued in 2013 in relation to Palestinian children appearing before Israeli military courts. Military Order 1711, which came into effect in April 2013, reduces the time a Palestinian child can be detained prior to appearing



15-year-old Ahmed Nimer, arrested in April 2013.
© OCHA, May 2013

Number of Palestinian children held in detention by Israeli authorities



before a military court judge for the first time.⁵⁰ The new order reduces the time from four days to 24 hours for children aged 12-13, and from four to two days for children aged 14-15. There is still no change for children aged 16-17. It should be noted that these time periods can be extended for an additional 24, 48 or 96 hours for exceptional and urgent investigative purposes.

- Another order (Military Order 1726), which came into effect in October 2013, stipulates that the remand of a child can only be extended for periods of up to 10 days. After a cumulative period of investigation exceeding 15 days, the jurisdiction to extend the remand of the child lies with the Military Court of Appeal.

Finally, the Military Prosecutor has committed to following-up with different authorities to elaborate a set of rules that will 'embody the Best Interests of the Child'⁵¹ and better ensure the universality of children's rights principles and standards.

Despite this progress, concerns remain: allegations of violations against Palestinian children during the arrest, interrogation and detention process have continued (see box), and a course has yet to be set for implementing many of the report recommendations. UNICEF will continue to engage with the Military Advocate General and advocate for the implementation of all 38 recommendations of the UNICEF paper.

Continuing allegations of violations against Palestinian children

This information is based on affidavits (sworn testimony of children) collected by UNICEF through the Monitoring and Reporting Mechanism (MRM) on Grave Child Rights Violations.⁵²

During the second quarter of 2013, a sample comprised of 19 cases of alleged ill-treatment by the Israeli army and police were documented through affidavits. Twelve affidavits were from boys above the age of

16, seven were from boys below the age of 16, including two aged 13, three aged 14, and three aged 15.

- In all of the 19 cases documented, parents were not allowed to accompany their children, and none of the children was informed of their right to legal counsel.
- 19 boys detained reported being painfully hand-tied and 16 reported being blindfolded.
- 19 boys reported suffering physical violence (beating, slapping, kicking, including with sticks, on various parts of the body, including the head and the face).
- 17 boys reported suffering verbal abuse during the journey to the interrogation centre.⁵³
- 18 boys reported suffering from painful restraints or from being forced to lie on the floor of the vehicle.
- 13 boys reported being strip searched at least once while in custody. Nine children were strip searched upon arrival at interrogation centres such as Al-Jalame, and Huwwara. One child said he was strip searched at a military camp and one child said he was strip searched upon arrival at the Megiddo IPS detention centre.

The Military Prosecutor informed UNICEF that according to IDF-MAG statistics, in the period of 1 April to 30 June 2013, three complaints alleging ill-treatment of children detainees were received. Two of the complaints received were based on protocols of hearings in the Military courts in the West Bank.

Way Forward

Civilians are entitled to protection from the effects of hostilities and other threats to their life, liberty or security. The following measures, to be undertaken by Israel as the occupying power, the Palestinian authorities and Palestinian armed groups, would significantly contribute to increased protection of the civilian population:

- During hostilities, all parties must distinguish at all times between civilians and combatants and take all necessary precautions to avoid or minimize civilian casualties and damage to civilian objects. In particular:
 - Israeli forces should refrain from launching attacks, if those are expected to cause loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the military advantage anticipated.
 - Palestinian armed groups in the Gaza Strip must refrain from the indiscriminate firing of rockets and other projectiles at Israel, and must ensure that civilian areas in Gaza are not used to launch attacks or to shield military forces or installations.
- The Government of Israel should take all necessary measures to protect the Palestinian civilian population including by:
 - Preventing excessive use of force by its military and security forces. This should include a review of regulations on the use of weapons and crowd-control measures, to ensure that these regulations are in line with Israel's international legal obligations. The right of Palestinians to peaceful assembly must be respected at all times;
 - Taking appropriate measures to bring to an end to attacks by Israeli settlers against Palestinian civilians and their property. Measures should include, the appropriate training and deployment of law enforcement personnel tasked with ensuring the physical safety of the Palestinian civilian population, which is granted 'protected' status under international humanitarian law.
- All parties must end impunity for violations of international humanitarian and human rights law and ensure that victims have access to effective remedies, including compensation. All allegations of violations of international law must be investigated in a prompt, thorough, effective, impartial, independent and transparent manner, and those found responsible for violations must be held accountable in accordance with international human rights standards.

In this regard the Government of Israel should fulfil its obligations by:

- Continuing current efforts to review the investigation mechanisms regarding allegations of violations of international law by its security forces to ensure these mechanisms are in accordance with international legal standards.

The de facto authorities in Gaza should fulfil their obligations to ensure accountability by:

- Ensuring investigations are conducted into the launching of indiscriminate attacks at civilian areas in Israel;
- Ensuring investigations are conducted into allegations regarding the launching of attacks from civilian areas in the Gaza Strip and into the use of civilians and civilian areas to shield military forces or installations.

- All parties must ensure that persons detained are informed of the reason for their detention in a language they understand; are provided with immediate access to legal counsel; and have their detention reviewed by a competent judicial body. Persons deprived of their liberty must be treated humanely, and must not be subjected to any form of torture, or cruel, inhuman or degrading treatment. Due process should be respected at all times. Arbitrary arrest and detention by all parties, including the use of administrative detention not in accordance with international law, must end; and
- All parties must ensure that children are afforded special protection and take steps to facilitate, to the maximum extent possible, their survival and development at all times. The arrest, detention or imprisonment of a child should be used only as a measure of last resort and for the shortest appropriate period of time. Palestinian children in detention should be treated with due consideration to their age, in accordance with international legal standards.

Endnotes

1. In 2012, the majority (174) were killed during the Israeli military operation 'Pillar of Defence' and escalation of hostilities in Gaza and southern Israel in November 2012.
2. According to the Israeli Security Agency (ISA), 2013 *Annual Summary*, 'over 2,500 terror suspects ... were arrested in 2013, Following interrogations, 1,782 indictments for hostile activity were served against the suspects, and circa 800 indictments were served for riots.' <http://www.shabak.gov.il/English/EnTerrorData/Reports/Pages/2013AnnualSummary.aspx>
3. However, in 2012 there were four particularly violent demonstrations accounting for 22 per cent of all injuries for the year, compared to seven per cent for the four most violent demonstrations in 2013.
4. Amira Hass, Ha'aretz 27 August.
5. IDF Website, 26 August 2013.
6. *Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, Report by the Secretary-General, A/67/372*, September 2012.
7. *Report of the United Nations High Commissioner for Human Rights on the implementation of Human Rights Council resolutions S-9/1 and S-12/1, A/HRC/25/40*, 13 January 2014, para. 14.
8. Human rights situation in the Occupied Palestinian Territory, including East Jerusalem: Annual Report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General, A/HRC/24/30, 22 August 2013, para. 43.
9. See IDF statement, 'New investigation policy regarding Palestinian casualties from IDF fire in Judea and Samaria', 6 April 2011: http://mfa.gov.il/MFA/AboutIsrael/State/Law/Pages/New_investigation_policy_Palestinian_casualties_IDF_fire_Judea_Samaria_6-Apr-2011.aspx; see also *Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, Report by the Secretary-General, A/66/356*, 13 September 2011, para. 18.
10. See B'Tselem, 'Military Police launch prompt but inefficient investigations when civilians killed in West Bank', 1 May 2013. http://www.btselem.org/accountability/20130501_military_investigations_followup
11. The Public Committee to Examine the Maritime Incident of 31 May 2010, The Turkel Commission, February 2013.
12. Amnesty International, *Trigger Happy: Israel's Use of Excessive Force in the West Bank, February 2014*, p. 10., <http://www.amnesty.org/en/library/asset/MDE15/002/2014/en/349188ef-e14a-418f-ac20-6c9e5c8d9f88/mde150022014en.pdf>
13. *Human rights situation in the Occupied Palestinian Territory, including East Jerusalem, Report by the Secretary-General, A/HRC/24/30*, 22 August 2013, para 47.
14. *Ibid.*
15. The Turkel Commission was established by the Government of Israel in June 2010 following the killing of nine civilians by IDF soldiers during an interception at sea of a humanitarian flotilla sailing from Turkey for Gaza in an attempt to break the naval blockade. The report submitted in February is the second and last report issued by this commission.
16. See OCHA, *How Dispossession Happens: The Humanitarian Impact of the Takeover of Palestinian Water Springs by Israeli Settlers*, March 2012. http://www.ochaopt.org/documents/ocha_opt_springs_report_march_2012_english.pdf.
17. See Kerem Navot, *Israeli Settler Agriculture as a Means of Land Takeover in the West Bank*, August 2013.
18. According to an unofficial communication provided to B'Tselem, although an investigation was opened in to these incidents of settler violence, the case was apparently closed due to 'perpetrator unknown.'
19. In assessing the vulnerability of each community the following criteria were taken into account: a) Frequency of violence: has the community been regularly affected by settler violence in the past three years? b) Gravity of violence: has the settler violence led to injuries or extensive property damage in the course of the past three years? c) Isolation of the community: what is the population balance between Palestinians and Israelis in the area of the community, and how far is that community from a main Palestinian population centre.
20. According to the Israeli Security Agency, there were a total of 1,271 attacks in the West Bank in 2013, compared to 578 attacks in 2012.
21. Yesh Din Monitoring Update, data sheet, *Law enforcement on Israeli citizens in the West Bank*, July 2013. p.2 http://www.yesh-din.org/userfiles/file/datasheets/LawEnforcement_datashet_Eng_March_2012_Final.pdf
22. *Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan: Report by the Secretary-General, A/68/513*, 9 October 2013, para. 42.
23. See OCHA Case Study, The Case of AlMughayyir Village, October 2013. http://www.ochaopt.org/documents/ocha_opt_al_mughayyir%20case_study_2013_10_22_english.pdf
24. Yesh Din, *Police investigations of vandalization of Palestinian trees in the West Bank: Data Sheet*, October 2013. http://www.yesh-din.org/userfiles/file/datasheets/data%20sheet%20oct2013/Yesh%20Din%20-%20Netunim%2010_13%20English.pdf
25. ISA, 2013 *Annual Summary*.

26. *Ibid.*
27. For further information see: www.mineaction.org/programmes/palestine
28. *Update on the Access Restricted Areas in the Gaza Strip*, 1 July to 31 December 2013.
29. It should be noted that the number of recorded shooting incidents is not a true reflection of the actual number of shooting incidents that take place in the ARA at sea, as many such incidents are not reported and thus not recorded.
30. Protection Cluster members received consistent information that almost all of these incidents were reported to have occurred within the imposed fishing limit. According to the Protection Cluster, The Government of Israel must ensure that in enforcing the ARA, actions of its security forces are consistent with Israel's obligations under international human rights law. In particular, the use of force and firearms must be proportional and in conformity with international standards: firearms should only be used in extreme circumstances, such as self-defence or defence of others from death or serious injury, and only when all other less serious measures are insufficient.' *Update on the Access Restricted Areas in the Gaza Strip*.
31. *Update on the Access Restricted Areas in the Gaza Strip*, 1 July to 31 December 2013.
32. See the Protection Cluster Update on accountability for reported violations of international law by Israel during the escalation of hostilities in Gaza and southern Israel between 14 and 21 November 2012 (issued 21 May 2013.) http://www.globalprotectioncluster.org/assets/files/field_protection_clusters/Occupied_Palestinian_files/oPt_PC_Update_Accountability_Reported_IL_Violations_05.2013_EN.pdf
33. *Human rights situation in the Occupied Palestinian Territory, including East Jerusalem, Report by the Secretary-General*, A/
- HRC/24/30, 22 August 2013, paras. 6-9.
34. *Ibid.*
35. *Report of the United Nations High Commissioner for Human Rights on the Implementation of Human Rights Council resolutions S-9/1 and S-12/1, Addendum: Concerns related to adherence to international human rights and international humanitarian law in the context of the escalation between the State of Israel, the de facto authorities in Gaza and Palestinian armed groups in Gaza that occurred from 14 to 21 November 2012*, 5 March 2013. http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-35-Add-1_en.pdf
36. Media reports quote the spokesperson of the Hamas Interior Ministry who said that following an investigation of the summary execution of alleged collaborators during the November 2012 escalation, measures had been taken against four prison officials 'who failed to do their jobs'. Besides lacking transparency, there is insufficient information to determine if any investigation met international standards. It appears that the armed men directly responsible for the killing continue to enjoy impunity. Source *OHCHR*.
37. Under the Oslo Accords, Israel delegated responsibility for security in Area A to the PA and delegated joint authority for security in Area B to the PA.
38. B'Tselem, 'Statistics on Palestinians in the custody of the Israeli security forces', http://www.btselem.org/statistics/detainees_and_prisoners
39. Al Haq, '14 Palestinian and Israeli Organisations Condemn Lack of Accountability for Torture of Palestinian Detainees', <http://www.alhaq.org/advocacy/topics/right-to-life-and-body-integrity/677-14-palestinian-and-israeliorganisations-condemn-lack-of-accountability-for-torture-against-palestinian-detainees>
40. Autopsy shows Palestinian prisoner died from torture, says PA chief pathologist, Ha'aretz, 24 February 2013, <http://www.haaretz.com/news/diplomacy-defense/autopsy-shows-palestinian-prisoner-died-from-torture-says-pa-chief-pathologist-1.505545>. According to the autopsy conducted by Israeli health officials, 'it was found that the hemorrhages and fractured ribs found during the autopsy occurred close to death and are characteristic of the resuscitation attempts that were performed on the deceased by Prison Service and MDA medical staff for 50 minutes in an effort to save his life. No signs of other contusions were found. The toxicology tests were also negative. There were no signs of significant change due to illness in other organs that could indicate cause of death; therefore, further tests to determine the cause will be performed.' <http://mfa.gov.il/MFA/PressRoom/2013/Pages/Autopsy-Arafat-Jaradat.aspx>
41. Article 76 of the *Geneva Convention relative to the Protection of Civilian Persons in Time of War* (Convention IV).
42. For six months at a time under a decree from the Minister of Defence which is reviewed by a court and can be renewed indefinitely.
43. One of the most problematic areas where Israeli practices fall short of applicable international standards is the use of 'secret evidence' as the basis for detention. See, *inter alia*, *Report of the United Nations High Commissioner for Human Rights on the implementation of Human Rights Council resolutions S-9/1 and S-12/1*, A/HRC/25/40, 13 January 2014, paras. 40-43.
44. See concerns raised in, *Report of the UN Special Rapporteur on the Independence of Judges and Lawyers*, 18 June 2010, A/HRC/14/26/Add.1. <http://unispal.un.org/UNISPAL.NSF/0/57D00BE6597450FF8525774D0064F621>
45. *Report of the United Nations High Commissioner for Human Rights on the implementation of Human*

Rights Council resolutions S-9/1 and S-12/1, A/HRC/22/35, 6 March 2013.

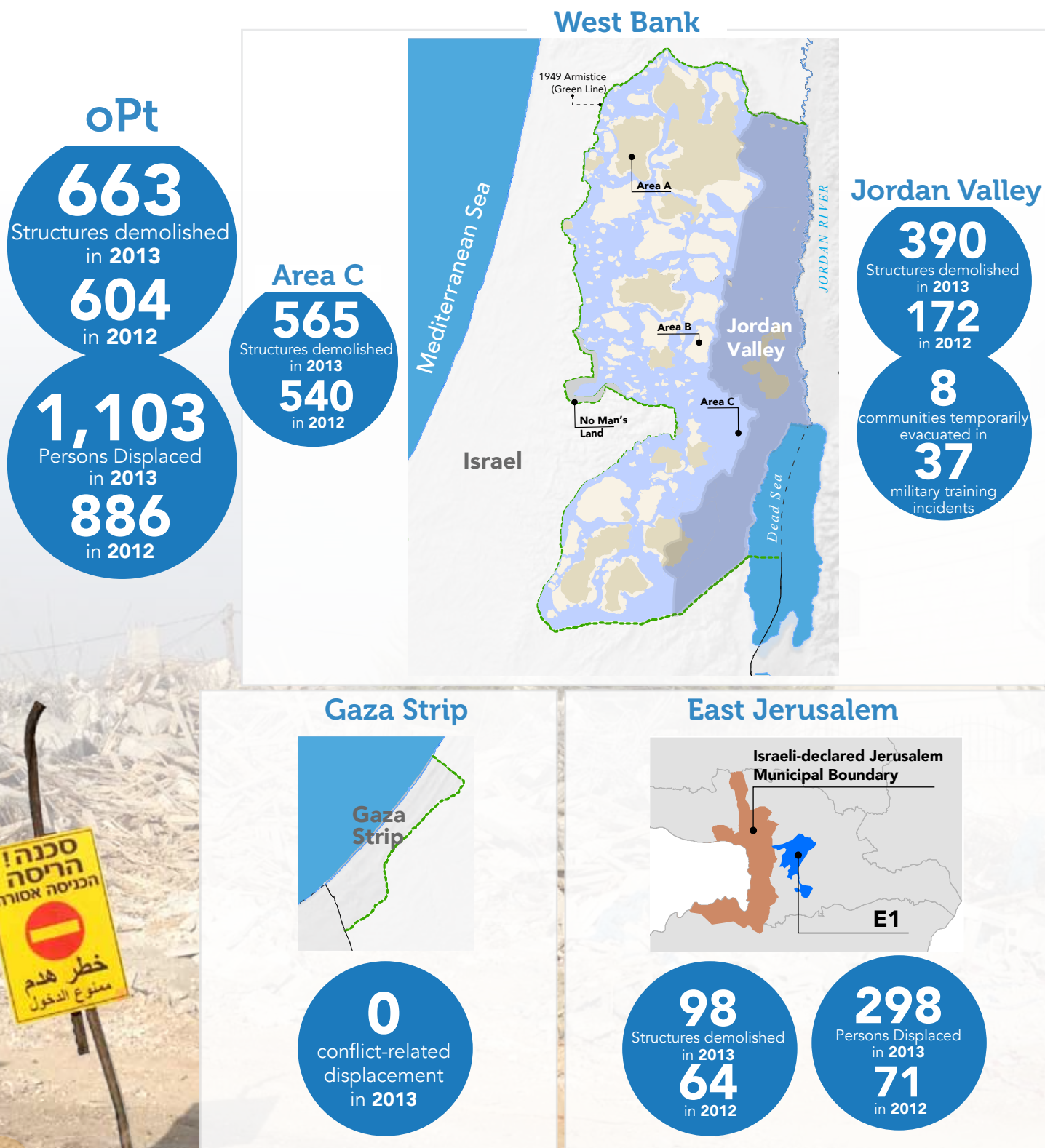
46. See HaMoked, B'Tselem, *Kept in the Dark; Treatment of Palestinian Detainees in the Petah Tikva Interrogation Facility of the Israeli Security Agency*, October 2010, http://www.btselem.org/download/201010_kept_in_the_dark_eng.pdf and Defence for Children International – Palestine Section, *Bound, Blindfolded and convicted: Children Held in Military Detention*, May 2012. http://www.dci-palestine.org/sites/default/files/report_0.pdf
47. Committee on the Rights of the Child, *Concluding observations on the second to fourth periodic reports of Israel, adopted by the Committee at its sixty-third session* (27 May – 14 June 2013).
48. UNICEF oPt, *Children in Israeli Military Detention: Observations and Recommendations*, February 2013, http://www.unicef.org/oPt/UNICEF_oPt_Children_in_Israeli_Military_Detention_Observations_and_Recommendations_-_6_March_2013.pdf The release of the UNICEF paper generated considerable discussion in the Palestinian, Israeli, and international media about the treatment of children in contact with Israeli military detention, with over 200 articles appearing in the media
49. For more information on the process, see UNICEF oPt, *Children in Israeli Military Detention: Observations and Recommendations, Bulletin No. 1*, October 2013. http://www.unicef.org/oPt/UNICEF_oPt_Children_in_Military_Detention_Bulletin_No_1_October_2013.pdf
50. This measure, announced in late 2012, goes some way towards addressing recommendation 7(i) of the UNICEF paper by ensuring that children under the age of 14 have prompt access to an independent judicial review of the legality of their detention.
51. Article 3 of the UN Convention on the Rights of the Child requires that 'In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.'
52. UNICEF oPt, *Children in Israeli Military Detention: Bulletin No. 1, October 2013, p. 5.*
53. The UNICEF MRM Database records all physical violence and verbal abuse, but does not capture the time of the event. The statistics related to physical violence and verbal abuse relate to the whole detention process including the arrest, transfer and interrogation.



Demolition in Jabal Al-Mukabbir, East Jerusalem.

FORCED DISPLACEMENT

Main trends in Forced Displacement in 2013



Overview

In the West Bank, including East Jerusalem, the forced displacement of Palestinians is driven by a combination of occupation-related policies. Overall in 2013, the number of structures demolished increased from 604 in 2012 to 663, a rise of approximately 10 per cent. The number of persons displaced increased by almost 25 per cent, from 886 to 1,103.

Area C

In Area C, the demolition of homes, animal shelters and essential infrastructure due to the lack of Israeli-issued building permits is the main trigger for displacement. As a consequence of the restrictive zoning and planning regime applied by the Israeli authorities, which prioritizes settlement growth at the expense of the housing, livelihood and development needs of Palestinian communities, Palestinian residents are left with little option but to build or rehabilitate without permits.

In Area C in 2013, the numbers of structures demolished increased compared to 2012, (565 vs. 540), and was almost as high as 2011 (571), which marked the highest number since OCHA started systematically collating statistics in 2008. This led to the displacement of 805 people, including 405 children.

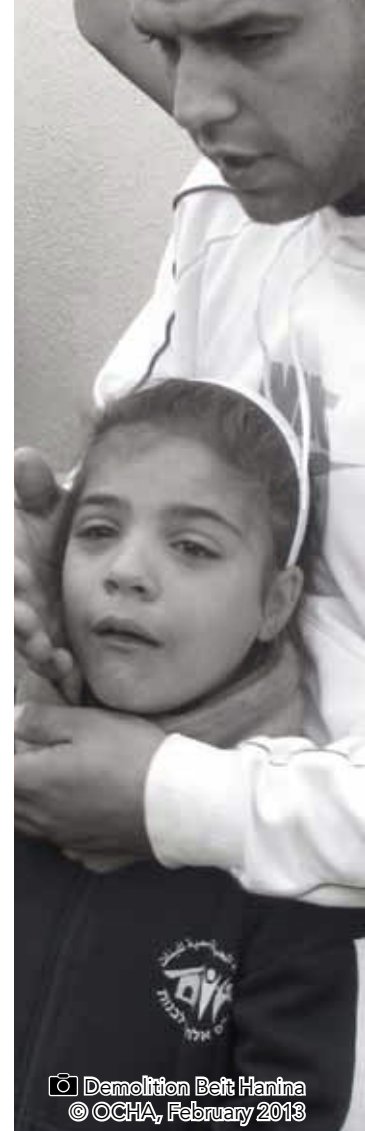
The number of structures demolished in the Jordan Valley in 2013 more than doubled compared to 2012 (from 172 to 390). In 2013, there was also a significant increase (54 per cent) in the Israeli military's demolition of donor-funded assistance in Area C; 122 such structures were destroyed, up from 79 in 2012.

East Jerusalem

In East Jerusalem, Palestinian residents are at risk of displacement as a result of home demolitions, forced eviction and takeover of their property by settler organizations, and the lack of secure residency status. In East Jerusalem, the number of structures demolished in 2013 increased by over fifty per cent compared to 2012, 98 vs. 64, with the number of persons displaced increasing by 320 per cent, 298 vs. 71.

The Gaza Strip

Historically, displacement in the Gaza Strip has primarily resulted from recurring outbreak of hostilities between Israel and Palestinian armed groups. As there was no major escalation in 2013, no conflict-related displacement was recorded, although people are still displaced from previous hostilities. Winter storms in December 2013 brought heavy flooding, resulting in the displacement of approximately 6,000 people to temporary shelters and relatives' homes.



Impact of displacement

Forced displacement has a serious physical, socio-economic and emotional impact on Palestinian families and communities. In addition to depriving the family of a home – its main asset and source of physical and economic security – displacement frequently results in disruption of livelihoods, increased poverty and a reduced standard of living, as well as limited access to basic services; such as water, education and health care. The impact of displacement on children can be particularly devastating, including post-traumatic stress disorder, depression and anxiety.

West Bank

Area C

Area C constitutes over 60 per cent of the West Bank, is the only contiguous territory due to the fragmented nature of Areas A and B, and contains the most significant land reserves available for Palestinian development. The estimated number of residents in Area C is approximately 300,000, living in an estimated 532 residential areas throughout Area C, some of which are part of a larger locality located in Area A and B. The number of settlers in Area C in 2012 was estimated at approximately 340,000, with an annual growth rate of five per cent.¹

The Israeli Civil Administration (ICA) is responsible for planning and zoning in Area C, including the issuance of building permits and the demolition of structures built without such permits. The existence of an approved planning scheme is a pre-condition for the issuance of building permits by the ICA. However, of the 532 Palestinian residential

areas throughout Area C, only 14 per cent currently have a planning scheme approved by the ICA. The combined area of these schemes is approximately 18,000 dunums, or 0.5 per cent of Area C.² These plans, prepared by the ICA without consultation with the affected communities, largely fail to meet residents' basic needs; in many cases some of the built up areas located in the margins of communities are excluded from the plans.

In contrast to the restrictive allocation of space for Palestinian communities, planning schemes approved for Israeli settlements include extensive areas, which, together with areas included within their municipal boundaries and not yet planned, encompass over 15 per cent of Area C. Another 43 per cent of Area C is designated as either a 'firing zone' or a 'nature reserve', making it off limits for Palestinian development. Obtaining building permits in the rest of Area C is extremely difficult, as almost all of this area is zoned for agricultural use.

Of the 532 Palestinian residential areas throughout Area C, only 14 per cent currently have a planning scheme approved by the Israeli Civil Administration, covering only 0.5% of Area C



Planning Support to Palestinian Communities in Area C

Towards the end of 2013, the ICA published planning schemes for five Palestinian communities located in Area C for public review. If no objections are submitted within 60 days, the plans should enter into force within a short period of time. Such an approval would entail tangible benefits to the areas covered by the plans, including the ability to obtain building permits for housing and livelihood structures, the possibility to

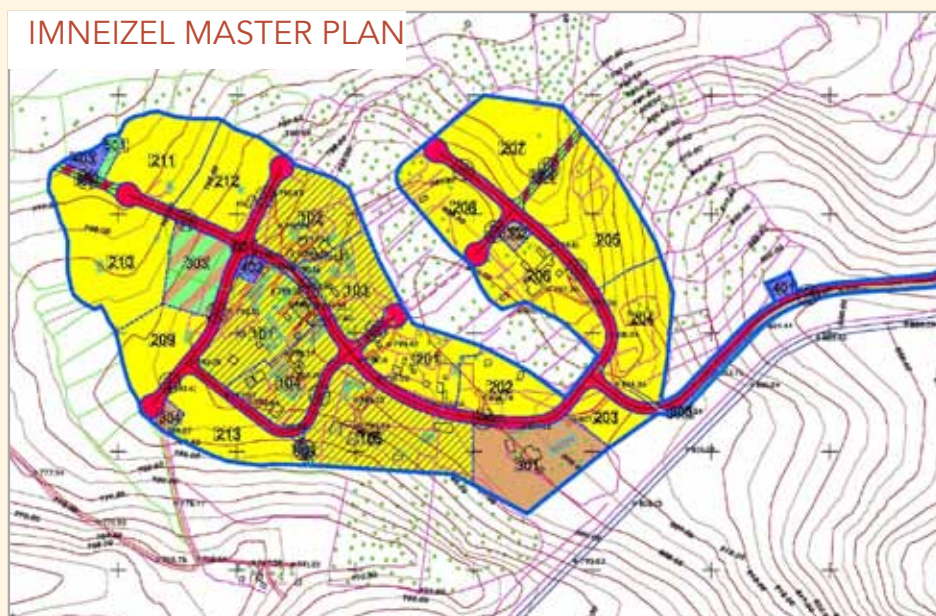
develop public infrastructure on land designated for that purpose, and the integration and connection of the communities to utility networks such as roads, water, electricity and sewerage.

This development is part of a larger initiative involving the preparation of planning schemes for most Palestinian communities across Area C, by the communities themselves, with the support of the Palestinian Ministry of Local Government (MoLG), the International Peace and Cooperation Centre (a Palestinian NGO), UN-Habitat and international donors. By the end of 2013, a total of 35 such plans were officially submitted to the ICA and were at various stages of consideration, and over 60 additional plans are being prepared by the communities.

Taking into account the devastating impact of demolitions and displacement, as well as people's inability to meet their basic housing and livelihood needs, the expected approval of the five planning schemes will provide much needed relief for the affected communities. However, based on past experience, there is concern that structures not included within the boundaries of the plan may face heightened risk of demolition following the final approval of the schemes.

The case of Imneizel

Imneizel is one of the five communities about to have a new planning scheme approved. It is a small Palestinian community of around 400 inhabitants situated in the south of the Hebron Governorate, 1.5 km from the Green Line and entirely in Area C. The built up area is about 73 dunums (18.25 acres). Once approved, the plan will reduce the threat of displacement and demolitions and provide a legal framework for the development of much needed infrastructure such as connection to the water and electricity networks, basic roads, sewerage, a school, health care facility, youth centre and kindergarten.



Of 3,750 applications for building permits submitted by Palestinians in Area C between 2000 and 2012, only 211, or 5.6 per cent, were approved.

Despite this progress, the remaining gaps in terms of planning needs are significant. Even if the other 30 plans submitted to the ICA are similarly approved, the amount of Area C that will be allocated for Palestinian development remains insignificant, and will still leave most Area C communities uncovered by any plan in the near future. Additionally, the plans submitted and under preparation almost exclusively includes privately-owned Palestinian land, thus not affecting the current Israeli policy, under which public (also known as 'state') land is exclusively allocated to the Israeli settlements and the military. Public land encompasses over 60 percent of Area C.

These restrictive and discriminatory planning policies render it effectively impossible for most Palestinian residents of Area C, or those depending on land located in Area C, to meet their basic housing, livelihood and development needs, thus increasing the risk of displacement. Palestinians who build,

extend or rehabilitate residential housing, commercial structures, animal shelters and other livelihood structures without the required permits face demolition orders, fines and actual demolition of their property.

According to Israeli Civil Administration data, of the 3,750 applications for building permits submitted by Palestinians in Area C between 2000 and 2012, only 211, or 5.6 per cent, were approved. The approval rate was particularly low between 2009 and 2012; of the 1,640 applications submitted, only 37, 2.3 per cent, were approved. By contrast, during the period between 2002 and 2010, at least 15,000 residential units were built in settlements, with or without permits.³ Official information recently made available by the Israeli NGO *Bimkom* reveals that since 1988, the Israeli Civil Administration has issued 12,570 demolition orders against Palestinian structures without permits (one order can target multiple structures) in what is now designated as Area C.⁴

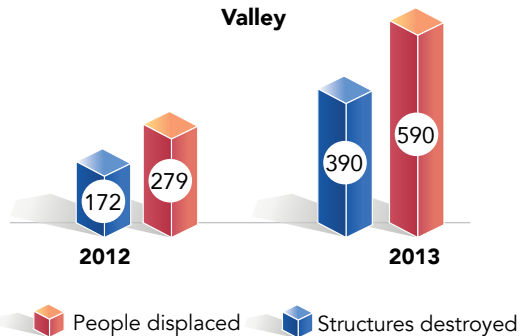


OCHA

United Nations Office for the Coordination of Humanitarian Affairs occupied Palestinian territory

Israeli demolitions of Palestinian property in the Jordan Valley, 2013

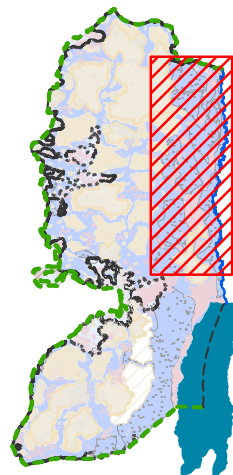
Demolitions and displacement in the Jordan Valley



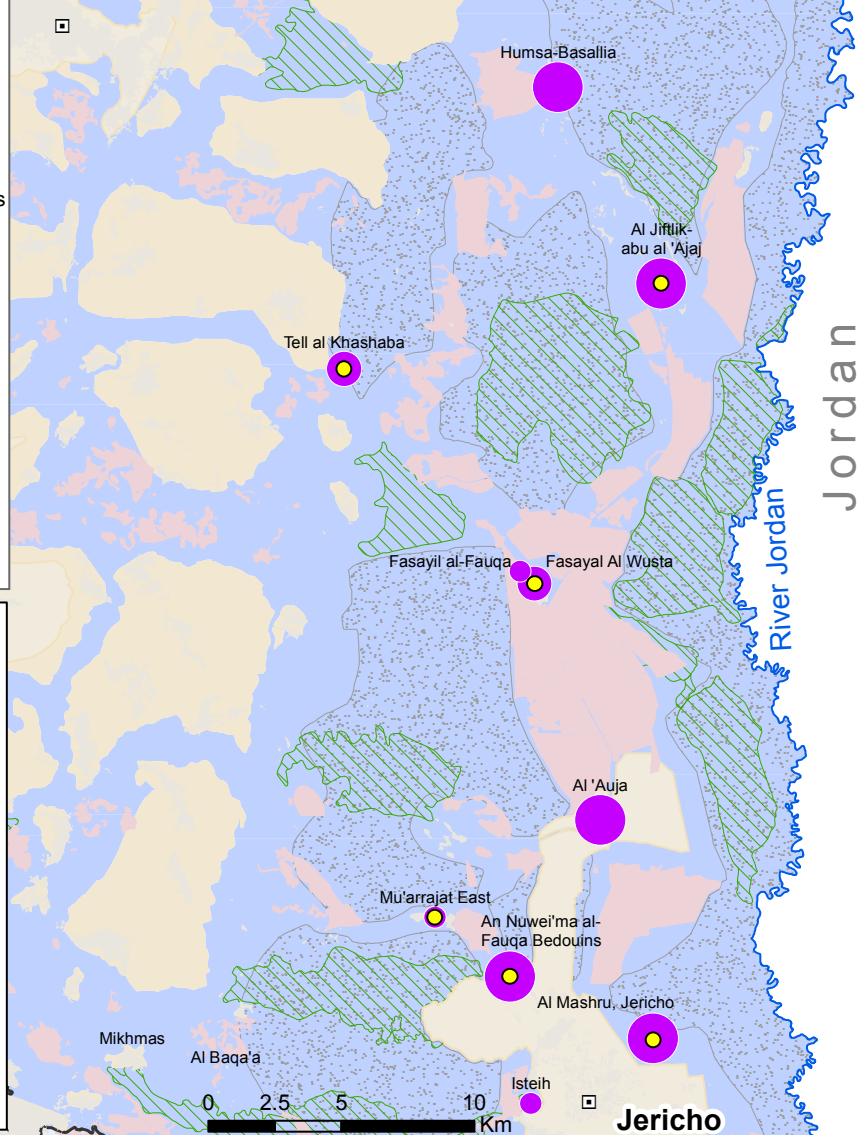
Legend

- 1-3
- 4-10
- 11-70
- Donor-Funded Structures
- Governorate Capital
- Constructed / Under-Construction Barrier
- Planned Barrier
- Palestinian Community
- Settlement Areas
- Oslo Areas A & B
- Oslo Area C
- Closed Military Area
- Israeli Nature Reserve

West Bank



Nablus



World Bank: Area C and the Future of the Palestinian Economy

In a September 2013 report, the World Bank attempted to calculate the potential contribution of Area C to the Palestinian economy, were Israeli restrictions to be removed. Regarding direct benefits, the study calculated that the potential additional output from certain key sectors – such as agriculture, construction, mining and quarrying, and tourism – ‘would amount to at least USD 2.2 billion per annum in valued added terms - a sum equivalent to 23 per cent of 2011 Palestinian GDP.’ Including indirect positive effects ‘the total potential value added from alleviating today’s restrictions on access to, and activity and production in Area C is likely to amount to some USD 3.4 billion - or 35 percent of Palestinian GDP in 2011.’⁵

Agriculture

The World Bank estimates that there are ‘326,400 dunums of other agricultural land notionally available to Palestinians in Area C’ which, with potential additional rain fed land as well as access to additional range and forest land added, ‘could deliver an additional USD 704 million in value added to the Palestinian economy, equivalent to 7 percent of total 2011 GDP, (which) is almost certainly an underestimate of the true figure: it concentrates almost solely on irrigated potential and uses as benchmarks levels of Palestinian production that are themselves repressed by movement and access restrictions.’⁶

Construction

Restrictions on building in the vast majority of Area C have increased the price of West Bank land: ‘A simple back of the envelope calculation ... suggests that the restrictions may have caused an increase in housing prices of around 24 percent. ... By estimating the extent by which the potential quantity of housing has been reduced by the 24 percent price increase, we can conclude that the potential value added in the construction sector could be increased by as much as USD 239 million, or 2 percent of Palestinian GDP in 2011 - if Palestinian companies are given easy access to construction land in Area C.’⁷



Mining & quarrying

According to the World Bank, stone mining and quarrying is the largest Palestinian industry, contributing about 15,000 jobs and about 2 percent of total value added, or USD 250 million, to Palestinian GDP. However, 'no new permits have been issued to Palestinian companies to open quarries in Area C since 1994. Consequently, only a very small number of quarries are still operating legally in Area C.' Similarly constrained is the West Bank stone crushing industry which ... generates some USD 60 million in sales per year. An expansion of the industry would require tapping into stone deposits in Area C but 'no such permits appear to have been issued in the past twenty years.' By contrast, Israeli companies operating in Area C produce about 12 million tons of construction material, mainly gravel from these quarries, generating as much as USD 900 million. The World Bank's conservative estimate of the potential value of Palestinian access to and use of marble and stone in Area C is USD 241 million per year, equivalent to 2 percent of 2011 GDP, and excluding the stone aggregate potential in Area C.⁸

Tourism

Area C has large tourism growth potential, as it contains 3,110 archaeological sites, including 443 in the Seam Zone and 247 in settlement municipal areas. In the Dead Sea area, despite a provision in the Oslo Accords regarding joint ventures in the tourism field, in practice 'neither the PA nor private Palestinian investors have been able to obtain construction permits for tourism-related investments (hotels, recreation facilities, supporting infrastructure) on the Dead Sea.'⁹ If Palestinians could develop a Dead Sea hotel industry 'of comparable profitability to Israel, this would provide annual revenues of some USD 290 million and value added of about USD 126 million, equivalent to 1 percent of 2011 Palestinian GDP,' while providing direct employment for about 2,900 workers.¹⁰



📷 Greenhouses in the Jordan Valley village of Frush beit Dejan.

Increase in demolitions and displacement in Area C in 2013

In 2013, 565 Palestinian-owned structures were demolished in Area C, compared to 540 in 2012, on the grounds that they lacked Israeli-issued building permits. These comprised 208 residential structures and 357 livelihood, animal and other structures. This resulted in the displacement of 805 people, (vs. 815 in 2012) including 405 children. In addition, 1,413 others were affected by demolitions, including 716 children.

565 Palestinian-owned structures were demolished in Area C in 2013, compared to 540 in 2012.

The number of structures demolished in the Jordan Valley during 2013 more than doubled compared to 2012 (from 172 to 390), displacing 590 people, compared to 279 in 2012.

Demolition of donor-funded projects

Many of the structures demolished were funded by international donors, often in response to prior demolitions of Palestinian-owned homes and other structures. In 2013 there was a significant increase (54 per cent) in the Israeli military's demolition of donor-funded assistance. OCHA recorded the demolition of 122 donor-funded structures, including 51 residential structures, 41 animal/

livestock-related structures and 22 WASH-related structures (including 10 cisterns and 11 latrines), up from a total of 79 in all of 2012. During the same period, the Israeli military seized 65 items of donor-funded assistance, mainly residential shelters (36). In a number of cases emergency shelters, usually tents, and other items provided as a form of emergency response were also demolished and/or confiscated by Israeli authorities.

The reasons given for the demolition of donor-funded structures was the lack of Israeli-issued building permits. However, members of the Humanitarian Country Team (HCT), the main humanitarian coordinating body for UN agencies and NGOs in the oPt, consider that the current requirements for 'prior coordination' or 'permits' from the Israeli authorities as requirements to access populations in need in Area C fail to effectively facilitate the rapid, unimpeded and impartial provision of assistance. Accordingly, HCT members do not generally apply for prior coordination or permits in the provision of such assistance.

Donor-funded structures demolished in the West Bank

	Residential	Animal	Agriculture	Cisterns	Latrines	other WASH facilities	Others
2011	47	26	1	12	0	2	5
2012	25	18	1	11	10	0	14
2013	51	41	2	10	11	1	6
Grand Total	123	85	4	33	21	3	25

Large Scale demolitions of Bedouin communities

Palestinian Bedouin communities are at particular risk of forced displacement. Of concern was the mass displacement of four Bedouin communities, three in Area C and one in East Jerusalem, which took place in 2013:

Bir Nabala / Tel Al 'Adassa

The Bir Nabala Bedouin community has lived in the Tal al Adassa area in East Jerusalem for decades and its members hold West Bank ID cards. On 19 August 2013, Israeli forces demolished all 21 residential and livelihood structures in the community, on the grounds that they lacked Israeli-issued building permits. Seven households, comprising 39 people, including 18 children were displaced. Residents reported that Israeli forces instructed them to move permanently to the 'West Bank' side of the Barrier within 10 days. On 25 August, the remaining members of the community left Tel al 'Adassa for the 'West Bank' side of the Barrier, dispersed to two separate locations.¹¹

Az Zayim

On 11 September 2013, the Israeli authorities demolished 18 structures, including eight residences, five animal structures, three kitchens and two storage rooms, in Az Zayim Bedouin community in Jerusalem, due to the lack of building permits. Five of the structures had been built with donor support. As a result, seven refugee families, comprising 41 people, were displaced and their livelihoods affected.

Mak-hul

On 16 September, the Israeli authorities demolished 58 residential and livelihood structures in the Bedouin community of Mak-hul in the Jordan Valley due to the lack of Israeli-issued building permits. Some of these structures had been funded by international donors. As a result, the entire community of ten families comprising 48 people, including 16 children, was displaced. In the following weeks, structures provided as emergency shelter assistance were also demolished and attempts to deliver emergency shelter assistance to the community were impeded.

Ein Ayoub

On 24 December, the ICA demolished most of the existing structures in the 'Ein Ayoub Bedouin community, in the Ramallah governorate, due to the lack of building permits. The entire community, comprising 61 people (including 29 children), the majority of them registered refugees, was displaced.

“ We collectively decided to move out of the area, not because we want to leave, but because we want to avoid movement restrictions, fines, demolition and intimidation by the Israeli authorities. Even going to school was a dangerous journey for our children. We want to stay where we were, but who can protect us? We cannot take any more. It is enough.”

Ali Hussein Ka'abne,
62-year-old resident of
Tel al 'Adassa.

Firing Zones and Displacement

Approximately 18 per cent of the West Bank, or 30 percent of Area C, has been designated as 'firing zones.' There are 38 Bedouin and herding communities, with a population of 6,200, located within these areas, and another 50 communities, with over

12,000 residents, in their immediate vicinity. A presence is formally prohibited in these zones without permission from the Israeli authorities, which is rarely granted; however, most of these communities have existed for decades, many before the designation of these areas as 'firing zones'.¹²

Due to the prohibition on access and residence in 'firing zones', these communities

“ We were forced to leave our modest houses on multiple occasions, taking water and bread, existing in a state of constant fear for the well-being of our children, families, and sheep. We are wondering why Israeli settlers in the nearby settlements of Roi and Beqa'ot are never evacuated by the Israeli army, even though they live in the same area and could easily be affected. Why only us? ”

A resident of Humsa Al Bqai'a, which was subject displacement on eight occasions in 2013.

Update on 'Firing Zone' 918

In 2013, there was a positive development concerning 14 communities (1,200 people) in southern Hebron (Masafer Yatta area) located in 'firing zone 918'. Since the late 1990's, these communities have been involved in protracted litigation in the Israeli High Court of Justice (HCJ), appealing the Israeli authorities' intention to evict them from their homes.¹³ As part of a mediation process proposed by the Israeli HJC and aimed at 'promoting mutual trust', both sides came to an agreement, which will be in force until mid May 2014:

- All pending demolition orders will be temporarily frozen;
- Residents will be allowed to rehabilitate eight structures and some roads damaged during Winter Storm 'Alexa' in December 2013;
- access to the area on foot will be generally allowed, unless there is a concrete suspicion of an intended 'illegal act';
- Palestinian Authority officials and aid workers will be allowed to enter the area with vehicles;
- The entry of construction materials and equipment without a permit is prohibited.

While the agreement provides some relief to the communities in this area, given its short term duration its impact will remain limited and will not remove the threat of displacement. As highlighted by the UN Secretary General, the removal of communities from the 'firing zone 918', 'would appear to amount to individual and mass forcible transfer, contrary to Israel's obligations under international humanitarian law. It also appears to amount to forced evictions contrary to Israel's obligations under international human rights law.'¹⁴

face significant humanitarian needs and are highly vulnerable to displacement. Over 60 percent have experienced demolitions since 2000 and community representatives report that more than 1,200 of their existing structures have outstanding stop-work and demolition orders against them, including 330 structures funded by donors and provided as humanitarian assistance. At least seven schools (four elementary and three secondary) have pending demolition orders against them.¹⁵

The Israeli authorities also regularly carry out military training activities in some of these communities. In 2013, OCHA recorded 37 incidents involving such training activities which led to the temporary evacuation of eight communities, primarily in the northern

Jordan Valley.¹⁶ In total, 343 households, comprising 1,765 people, including 686 children, were affected. In addition to the temporary displacement, these incidents resulted in damage to private property, including cultivated fields and infrastructure, and distress and panic, in particular among children. According to the Israeli authorities, the residents of these communities are trespassers in an active training area and are regularly removed from the area for their own safety. Some of the evacuated residents reside in areas adjacent to, rather than in, areas previously declared as a 'firing zone', including Hamamat al Maleh, the majority of whose residents have resided there since the 1970s.

From the UN Secretary General's message on the occasion of the International Day of Solidarity with the Palestinian People, 29 November 2013.

[...] Meanwhile, Palestinians continue to be displaced through house demolitions in Area C of the West Bank and East Jerusalem. Of particular concern are developments in East Jerusalem. Hundreds more Palestinians are at risk because their homes were built without Israeli-issued building permits. This underscores the importance of Palestinian access to a fair planning and zoning regime. I remind Israel of its obligation to protect the population under occupation.¹⁷

East Jerusalem demolitions and displacement highest since 2009

As in Area C, demolitions of homes and other property due to lack of Israeli building permits are one of the primary causes for the displacement of Palestinians in East Jerusalem. The number of structures demolished in East Jerusalem in 2013, 98, almost equals the combined total from 2012 (64) and 2011 (42). Of these, 35 were homes, 39 were livelihood/commercial structures and 24 were uninhabited dwellings and different types of infrastructure. This has resulted in 298 Palestinians displaced, including 153 children, by far the highest number since 2009 and far exceeding the combined annual totals for 2011 (88) and 2012 (71). Almost 400 other East Jerusalem Palestinians were affected in 2013, due to demolition of livelihood-related structures.

Demolitions in East Jerusalem are carried out by a number of Israeli authorities, including the Jerusalem Municipality, the Ministry of Interior, and the Israel Nature and Parks Authority (INPA) targeting

residential structures, both inhabited and under construction, commercial buildings, and animal shelters, in addition to land levelling and destruction of roads and other infrastructure. In many cases, demolitions took place after protracted legal proceedings, including the payment of fines, and involved the destruction of furniture and personal belongings. Of note are 'self demolitions', carried out by the residents themselves following the receipt of demolition orders from the Israeli authorities, to avoid further fines by the Israeli authorities and salvage some of the materials invested in the construction. In 2013, Palestinians self demolished 16 residential structures in these circumstances in East Jerusalem.

All of these structures were demolished for lack of requisite building permits. 'Illegal' building has been widespread in East Jerusalem, largely because opportunities for authorized construction remain extremely limited as a consequence of the restrictive planning regime enforced by the Israeli authorities in the city. Over 35 per cent of the land in the Israeli-defined municipal area of East Jerusalem has been confiscated since 1967 for settlement use, and only 13 per cent of the total East Jerusalem area is available for Palestinian construction. However, much of this land is already built-up, the permitted construction density is limited and the application process is difficult and expensive. A range of issues relating to land registration further complicate the process.¹⁸ Combined, these factors make it extremely difficult for Palestinians to obtain building permits. It is estimated that at least 33 per cent of all Palestinian homes in East Jerusalem lack Israeli-issued building permits, placing over 93,000 Palestinian, to some extent, at risk of displacement.

The number of structures demolished in East Jerusalem in 2013, 98, almost equals the combined total from 2012 (64) and 2011 (42).

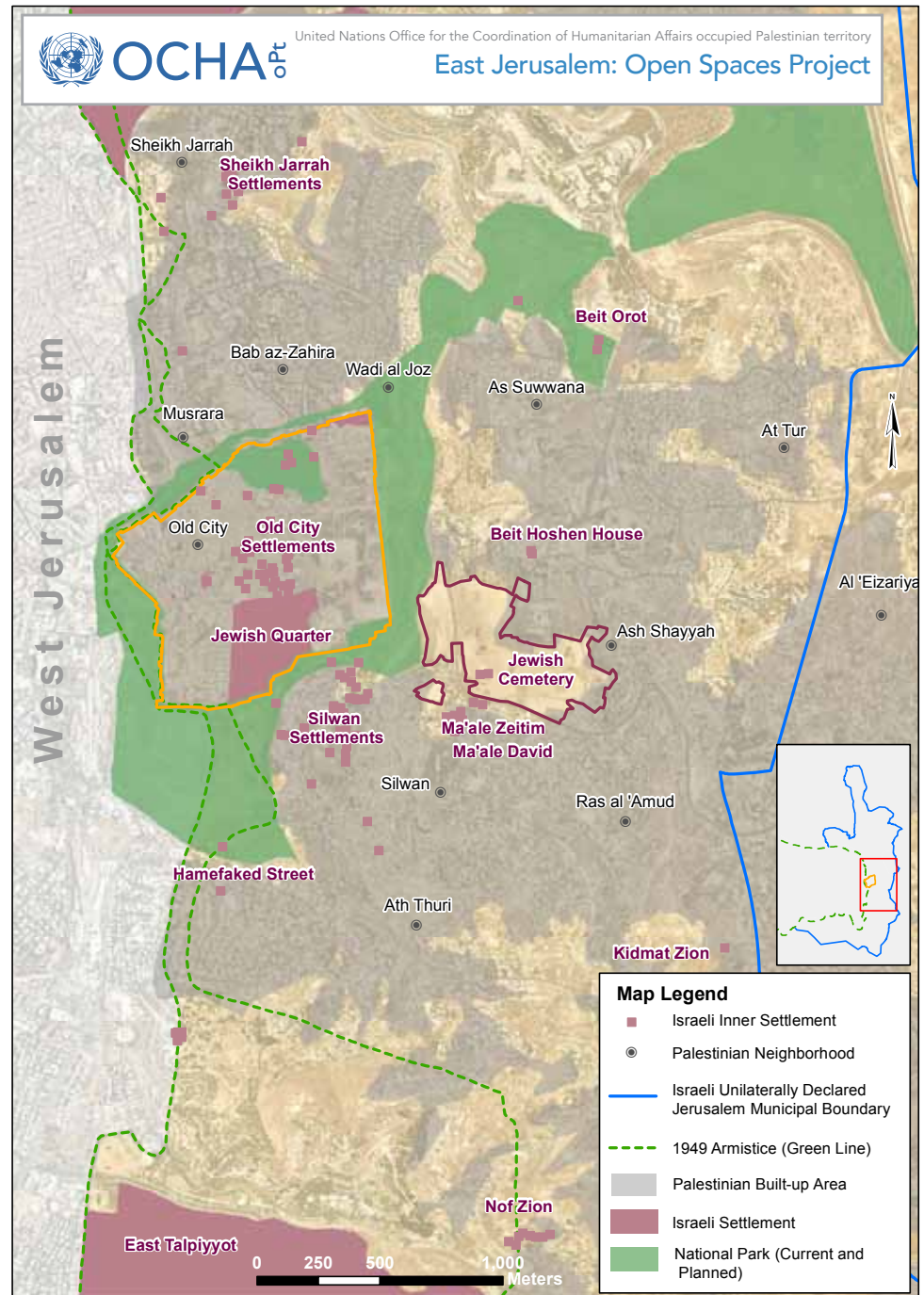
New National Park approved in East Jerusalem

Of note, at least a third (33 of 98) of demolished structures in East Jerusalem were in areas known to be designated as green or national parks. Of these, about half (17 of 33) were in an area planned by the Israeli authorities as the *Mount Scopus Slopes National Park*, between the Palestinian communities of At Tur and Al 'Isawiya, resulting in the displacement of 41 people and otherwise affecting 115 people. On 15 November, the Jerusalem District Planning and Building Committee approved the plan, reversing an earlier decision by the Israeli Minister of Environmental Protection to freeze it. The plan will affect some 740 dunums of land belonging to the two communities, prohibiting any residential construction in the area. This despite local residents' longstanding cooperation with the Israeli organization *Bimkom*, intended to develop an alternative plan to address critical housing and other infrastructural needs in Al 'Isawiya.¹⁹

The newly-approved National Park forms part of a project aiming to create a series of contiguous parks and 'open spaces' in the environs of

the 'Holy Basin', extending from the Old City to the E1/Ma'ale Adummim settlement bloc to the east of the city. If implemented, this park will further reduce the space available for

residential development to meet the natural growth needs of Palestinians in East Jerusalem.²⁰



Other displacement concerns affecting East Jerusalem residents

Evictions

Since 1967, in addition to the settlements constructed within the extended municipal boundary and in the wider metropolitan area of East Jerusalem, land and property have been expropriated from Palestinians to create an 'inner' layer of settlements within Palestinian residential areas, in the so-called 'Holy Basin' area. The impact of this settlement activity in Palestinian areas includes restrictions on public space, residential growth and freedom of movement. In the most severe cases – in the Old City, Silwan, and most recently Sheikh Jarrah – expropriation of Palestinian land and property by settlers has resulted in the loss of property and the eviction of the long-term Palestinian residents.²¹

While no Palestinian was evicted in this context during the year, in May 2013, settlers took over two shops in the Old City of East Jerusalem, following a court ruling in favour

of the settlers who claim ownership over the buildings. According to local Palestinian sources, the two shops have been closed for the past ten years. This contrasts to 2012, when 22 Palestinians, including 10 children, were evicted in four separate incidents in East Jerusalem.

Lack of secure residency status

Following the war of 1967, the Government of Israel unilaterally annexed East Jerusalem and the surrounding West Bank hinterland, an area of approximately 70 Km². The right to reside in East Jerusalem was restricted to those Palestinians who were recorded as living within this expanded municipal boundary. These Palestinians were defined as permanent residents of Israel, rather than citizens, and their residency status is conditional on their proving that their 'centre of life' lies within the Israeli-defined municipal boundary or in Israel proper. The status of permanent resident expires if that person



lives for a period of seven years or more outside East Jerusalem or Israel, including in any other part of the West Bank or Gaza Strip, and/or if he/she obtains citizenship or residency in another country. According to official data from the Israeli Ministry of Interior, in 2012, Israel revoked the residency of 116 East Jerusalem Palestinians, including 64 women and 29 children, compared to 101 revocations in 2011.²² This brings the number of East Jerusalem Palestinians who have had their residency revoked between 1967 and 2012 to 14,263. (No figures available yet for 2013.)

Family unification

Discriminatory policies which apply only to Palestinian residents of Jerusalem mean that a permanent resident who marries a non-resident must submit, on behalf of the spouse, a request for 'family unification' in order for the partner to reside in East Jerusalem. This process is currently frozen for those from the West Bank and Gaza, although in certain circumstances temporary 'military' permits may be obtained.²³ If the father does not hold permanent residency status, the children of such unions can face

problems in obtaining registration numbers from the Israeli Ministry of Interior, which would enable them to receive their own ID cards at the required age of 16. Because of the arduous process, many West Bank spouses and children of such unions have no alternative other than to live apart from their partners, or to reside in East Jerusalem 'illegally.'²⁴

Between January 2000 and July 2013, the Ministry of Interior rejected 43 per cent of family unification applications, 4,249 out of 12,284.²⁵ The figures also reveal the delay in processing and reaching a decision on the applications: in 2012, 809 new applications were filed but only 322 cases were concluded. In total, at least 2,406 cases are pending.²⁶ Between 2004 and July 2013 the Ministry of Interior received 17,616 applications for child registration; 12,247 were approved, 3,933 rejected. The figures show that 24 per cent of all decisions were negative and that 'nearly 4,000 children live in Jerusalem without a legal status which entails basic provisions like health insurance and school education.'²⁷

Between January 2000 and July 2013, the Ministry of Interior rejected 43 per cent of family unification applications, 4,249 out of 12,284.



The Gaza Strip

No displacement caused by hostilities in Gaza in 2013.

In recent years, hostilities in Gaza have been a key cause of forced displacement within the oPt. The escalation in hostilities in November 2012 resulted in the highest number of persons displaced since the Israeli military operation 'Cast Lead' in 2008-2009. The general adherence to the ceasefire understanding resulted in no recorded conflict-related displacement in Gaza in 2013.

However, displacement persists from previous hostilities. In the course of the November 2012 hostilities, 382 housing

units in Gaza were either totally destroyed (184 units) or damaged beyond repair (198 units), displacing almost 2,500 persons, and as many as 8,000 housing units sustained minor damage. Nearly 70 per cent of the families who lost their homes (1,718 people) have remained displaced, residing either in rented accommodation or with host families.

Temporary displacement in the Gaza Strip resulted from two winter storms which struck the oPt in January and December 2013. The latter, 'Alexa', believed to be the worst winter storm since 1953, brought unprecedented rainfall to the Gaza Strip. The consequent heavy flooding across the Gaza Strip resulted in the displacement of approximately 6,000 people to temporary shelters and relatives' homes at the height of the storm.²⁸



The Way Forward: Forced Displacement

There are a number of measures that could be taken by the Israeli authorities to end the forced displacement of Palestinians and the related increase in vulnerabilities. Actions that may be taken with immediate effect include the following:

- The Government of Israel should protect the Palestinian population from forced displacement by:
 - Ceasing the forced eviction of Palestinian families and the demolition of Palestinian homes and other structures, such as animal shelters, water cisterns, schools, electricity networks, roads and other infrastructure in the West Bank, including East Jerusalem;
 - Reconsidering current zoning of large areas of land in the West Bank with a view to allocating public or state land, including land designated as 'closed military zones for training purposes' (firing zones) for Palestinian use and development;
 - Reforming the current planning regime to bring it in line with international human rights standards, thereby ensuring that Palestinians have access to a fair, effective and participatory planning framework for their communities that effectively meets their needs for growth and development.
- Ceasing requisition of Palestinian private land and resources;
- Ensuring that Palestinians have a secure legal status and are able to reside, without arbitrary restrictions, in any part of the oPt. This includes:
 - » Repealing policies that result in the denial or revocation of the residency status of Palestinians or restrict their right to reside in, and move between, the different parts of the territory;
 - » Restoring the status of Palestinians whose residency has been revoked and ensure that requests for change of residency and family unification are processed in a timely, fair and effective manner;
- Allowing families that have been forcibly displaced to return to their homes in safety and dignity, and ensure that they are given access to an effective remedy for any harm they have suffered, including the destruction of land, homes and other property.
- During hostilities, all parties should ensure the protection of civilians by refraining from launching attacks which target or are likely to result in damage to civilian homes and essential infrastructure.

1. 'The growth rate of the settler population in 2012 was five percent, which means that the number of Israelis in the West Bank increased at a pace almost three times as fast the nation's 1.9 percent growth rate last year, according to numbers released by the Central Bureau of Statistics. Put in real numbers, the number of West Bank settlers in 2012 was 341,400, up by 16,200 from the 2011 population of 325,200, according to the CBS.' Tovah Lazaroff, '2012 settler population grew almost three times as fast as national rate,' *Jerusalem Post*, 17 July 2013. <http://www.jpost.com/National-News/2012-West-Bank-settler-population-growing-almost-three-times-as-fast-as-national-rate-326309>
2. Information about current planning schemes was provided to OCHA by the Israeli NGO Bimkom – Planners for Planning Rights.
3. B'Tselem, *Acting the Landlord: Israel's Policy in Area C the West Bank*, June 2013, pp. 16, 21.
4. Information about current planning schemes was provided to OCHA by Bimkom – Planners for Planning Rights.
5. World Bank, *Area C and the Future of the Palestinian Economy*, 2 October 2013, paras. vi, ix.
6. *Ibid.*, para. 23.
7. *Ibid.*, para. 40, 41.
8. *Ibid.*, para. 32, 33.
9. *Ibid.*, para. 45, 46.
10. *Ibid.*, para. 49.
11. OCHA Case Study, *The Bir Nabala / Tel Al 'Adassa Bedouin Community*, September 2013. http://www.ochaopt.org/documents/ocha_opt_bir_nabala_case_study_2013_09_10_english.pdf
12. At least ten Israeli settlement outposts, illegal under Israeli law, are partially or completely located in Firing Zones. According to available information, few of these settlement outposts have been removed or had their structures issued with demolition orders.
13. In 1999, the Israeli military evicted most of the residents from the area and destroyed or confiscated most of their homes and property. A few months later, the Israeli High Court of Justice, in a response to a petition filed by the residents, issued an interim injunction order allowing some of the people to return temporarily, pending a final court decision. For further information, see OCHA, *The Massafer Yatta Communities – Case Study*, May 2013. http://www.ochaopt.org/documents/ocha_opt_massafer_yatta_case_study_2013_05_23_english.pdf
14. Report by the Secretary-General on the Human Rights Situation in the Occupied Palestinian Territory, including East Jerusalem, A/HRC/24/30, 22 August 2013, para 29.
15. Data collected in 2013 as part of the Area C Vulnerability Profiling Project (VPP). The VPP is an inter-agency, inter-cluster humanitarian survey designed to identify vulnerabilities in Area C, identify areas for in-depth assessments, and inform humanitarian interventions and advocacy. See OCHA, 'In the Spotlight: Area C Vulnerability Profile', http://www.ochaopt.org/documents/ocha_opt_fact_sheet_5_3_2014_En.pdf
16. The military training took place within and/or adjacent to eight Palestinian localities: Hammamat al Maleh (three sub-communities); Ein Al Hilwa (two sub communities); Humsa Al Bqai'a; Ibbiq; Khirbet ar Ras al Ahmar and Khirbet Samara; all in the Tubas governorate; Deir al Qilt in Jericho and Arab ar Rashayida in the Bethlehem governorate.
17. http://www.un.org/depts/dpa/qpai/docs/Committee/SD2013/palestine2013_E.pdf
18. OCHA, *East Jerusalem: Key Humanitarian Concerns*, March 2011, p.p. 30. http://www.ochaopt.org/documents/ocha_opt_jerusalem_report_2011_03_23_web_english.pdf
19. See 'Planning Challenges in Al 'Isawiya' in *East Jerusalem: Key Humanitarian Concerns*, pp. 42-43.
20. See 'The Open Spaces Project' in *East Jerusalem: Key Humanitarian Concerns*, pp. 58-59.
21. See OCHA, *East Jerusalem: Key Humanitarian Concerns*, March 2011, Chapter 3. http://www.ochaopt.org/documents/ocha_opt_jerusalem_report_2011_03_23_web_english.pdf
22. See <http://www.hamoked.org/Document.aspx?dID=Updates1224>. In 2012, Israel 'reinstated' the residency status of 32 East Jerusalem Palestinians.
23. *The Nationality and Entry into Israel Law of 2003*, citing 'security concerns', cancelled the procedures for family unification between Israeli citizens and permanent residents of East Jerusalem and their spouses from elsewhere in the West Bank and the Gaza Strip and prohibits them from living with their spouses in Israel, including East Jerusalem. On 11 January 2012, in a 6 to 5 decision, the Israeli Supreme Court rejected a petition filed by a number of Israeli human rights organizations against the constitutionality of the law.
24. OCHA, *East Jerusalem: Key Humanitarian Concerns*, Chapter 1.
25. In September 2013, in response to a request under the Freedom of Information Act by the human rights organization, the Society of St. Yves, the Israeli Ministry of Interior published figures on family unification applications between the years 2000 to 2013, and child registration applications from 2004-2013. Society of St. Yves, *Palestinian families under threat: 10 years of family unification freeze in Jerusalem*, December 2013, p. 10.
26. 'If an average family size of four members is assumed – based on the average size of a Palestinian family – this means there are currently at least 9,624 persons living in uncertainty, which is proportionately 2.6% of the population in East Jerusalem. It must be stated that the real figure is much higher, as the 2.6% include just open applications, not considering rejected cases or families which do not fulfil the age or security criteria set by the Israeli authorities, or simply those who don't have the financial means to go through with the procedure.' *Ibid.*
27. 'It has to be mentioned that the real figures are much higher and that the figures mentioned above are just the official figures of applications published by the Ministry of Interior. The estimated number is about 10,000 not registered children in Jerusalem.' *Ibid.*
28. There were no evictions recorded by the de-facto authorities in Gaza, compared to 2012, when the Hamas authorities demolished more than 100 homes in the Abu Amra neighbourhood of Gaza City, displacing approximately 770 people.



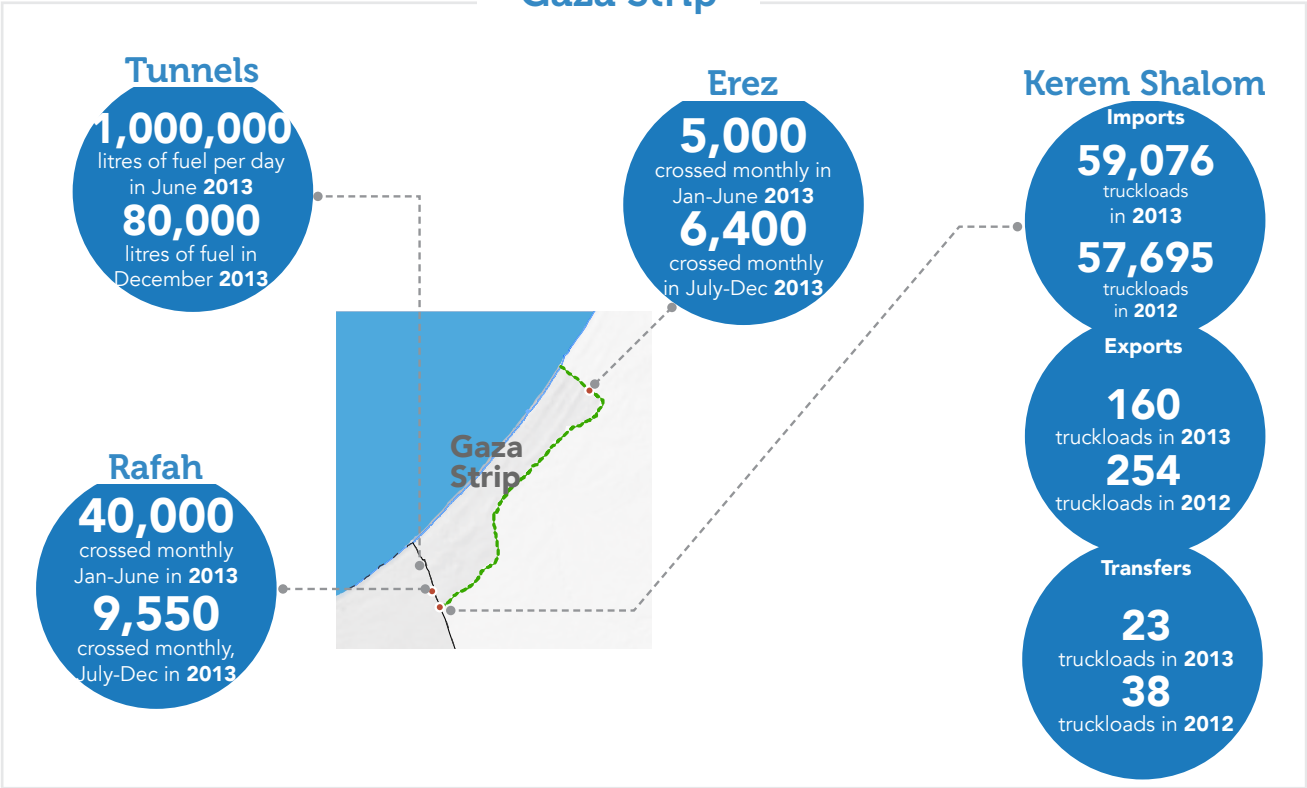
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📷 People waiting to exit Gaza to Egypt at Rafah crossing.

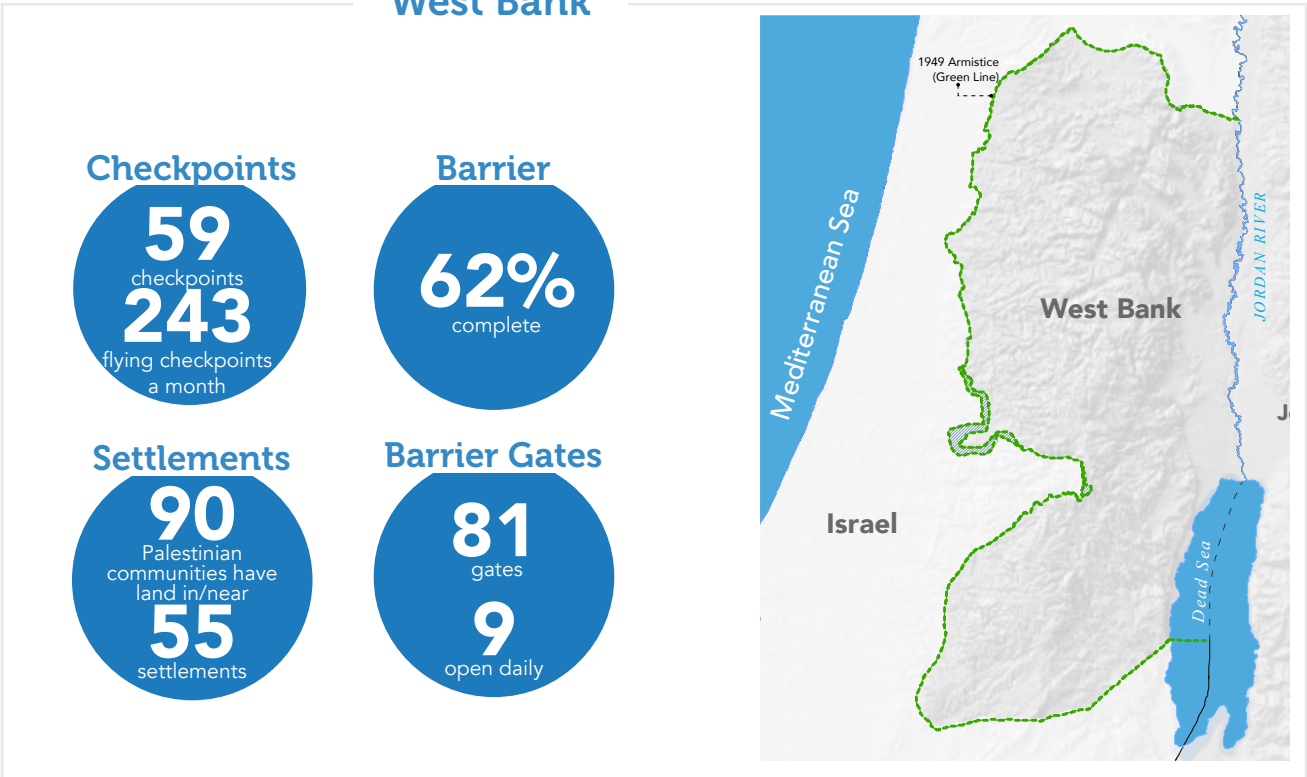
RESTRICTIONS ON MOVEMENT AND ACCESS OF PALESTINIANS IN THE OPT

Main trends in movement and access restrictions on Palestinians in 2013

Gaza Strip



West Bank



Overview

oPt

Israel restricts Palestinian movement within the oPt by a combination of physical obstacles, including checkpoints and roadblocks; and by bureaucratic constraints, such as permits and by the designation of areas as closed or restricted. This multi-layered system impacts the flow of persons and goods to and from the Gaza Strip; between the Gaza Strip and the West Bank; and within the West Bank, in particular East Jerusalem and the 'Seam Zone' area isolated by the Barrier. Combined, these restrictions are compounding the fragmentation of the oPt, impacting on a range of rights of the Palestinian people, and increasing the humanitarian vulnerability of large segments of the Palestinian population.

The Gaza Strip

Rafah Crossing

Compounding longstanding Israeli policies, movement and access in the Gaza Strip deteriorated significantly in the second part of 2013, following new Egyptian restrictions on the movement of travellers via the Rafah Crossing and the virtual closure of the illegal tunnel network under the Egypt-Gaza border. In recent years, Rafah had become Gaza's main access point to the outside world as a result of Israeli restrictions on the Erez crossing, which is limited to a small number of humanitarian cases, in particular medical patients, and to businessmen and employees of international organizations.

As a result of the new measures, the number of Palestinians crossing through Rafah in 2013 declined by 28 per cent compared to 2012.

Erez Crossing

The number of Palestinians permitted by Israel to cross through Erez increased, particularly in the second part of 2013, by 17 per cent overall compared to 2012. However, this was not enough to compensate for the restrictions on pedestrian traffic through Rafah.

Illegal Tunnels

From July onwards the Egyptian authorities closed the vast majority of the smuggling tunnels under the Egypt-Gaza border. In recent years, these tunnels were primarily used to smuggle construction materials for the private sector, whose entry through the Kerem Shalom crossing is still restricted by Israel, and fuel.

Kerem Shalom Crossing

As a partial response to the lack of construction materials on the private market, in September the Israeli authorities increased the number of truckloads for commercial use allowed in through Kerem Shalom. However, in October, following the discovery of an underground tunnel from the Gaza Strip into Israel, the Israeli authorities halted the entry of basic construction materials for both the commercial sector and for international organizations; the entry of construction materials for the latter was partially resumed in December. As a result of the shortages in building materials and fuel, unemployment rose steeply, food prices increased, and severe cutbacks in the operation of the Gaza Power Plant disrupted the provision of basic services, in particular health and water and sanitation.

Since 2007, the Israeli authorities have almost completely restricted exports from the Gaza Strip to Israel and transfers to the

The number of Palestinians crossing through Rafah in 2013 declined by 28 per cent compared to 2012.

In 2013, there was a significant decline in the amount of exports from Gaza, 160 truckloads as opposed to 254 in 2012, a 37 per cent decline.

West Bank, with only a minimal amount of agricultural produces, furniture and garments permitted to world markets. In 2013, there was a significant decline in the amount of exports from Gaza to the external world, 160 truckloads of select agricultural produce as opposed to 254 in 2012, a 37 per cent decline. 2013 also witnessed a reduction in transfers; 23 truckloads to the West Bank compared to 38 truckloads in 2012, a 40 per cent decrease.

Access Restricted Areas

Citing security concerns, the Israeli military has also imposed restrictions on access to farmland on the Gaza side of the fence, and to fishing areas along the Gaza Strip coast – the Access Restricted Areas (ARAs). Although following the November 2012 ceasefire agreement between Hamas and Israel significant improvement was recorded in access to areas near the fence, uncertainty concerning the new arrangements has limited improvements in livelihoods. In 2013, fishermen also continue to be affected by shooting and confiscation incidents in

the context of the enforcement of access restrictions by the Israeli Navy.

The West Bank

In 2013, some of the long-standing physical obstacles impeding movement into Hebron and Ramallah were eased, significantly improving access into these key urban hubs. However, checkpoints and the Barrier continue to impede Palestinian access throughout the West Bank, including into East Jerusalem, despite some easing of restrictions into the city during Ramadan.

Little change was registered in the restrictions affecting Palestinian access to large agricultural areas: a restrictive permit and prior coordination regime continues to limit Palestinian access to agricultural land behind the Barrier. In addition, Palestinian communities which have land within, or adjacent to Israeli settlements and settlement outposts continue to face access problems, in addition to attacks on their persons and property.



Gaza Strip

Severe restrictions on passage through Rafah Crossing

In recent years, the Rafah border crossing with Egypt has become the primary exit and entry point to the Gaza Strip for Palestinians, due to the long-standing restrictions imposed by Israel on the movement of people via the Erez Crossing. In 2012, there was a 65 per cent increase in people crossing compared to 2011; this trend continued into the first six months of 2013, when 40,000 crossed monthly (in both directions), with approximately 1,860 people crossing daily in June.

However, severe restrictions imposed by the Egyptian authorities on the operation of the crossing from June 2013 onwards, in the context of political uncertainty and military operations in northern Sinai, drastically reduced the passage of pedestrians in both directions. From July to December, the traffic declined to approximately to 9,550 per month. During the second half of 2013

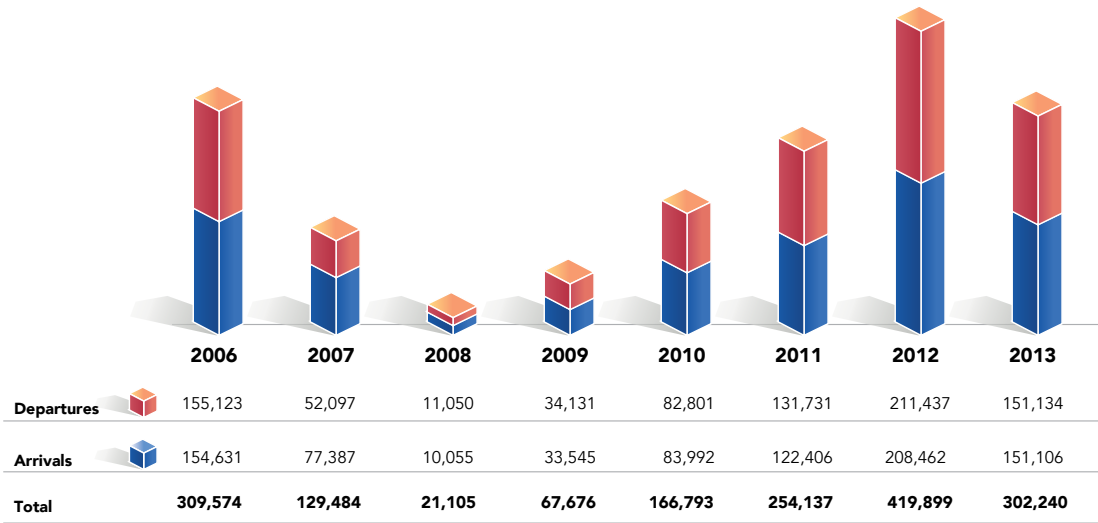
the crossing was closed for a total of 97 days, compared to five days during the first half.

The categories allowed to cross continue to be restricted to foreign nationals, Palestinians holding dual nationality and patients officially referred for medical treatment abroad by the Palestinian Ministry of Health (MoH) Referral Abroad Department in Ramallah. In a few instances, and on an exceptional basis, a number of students and Palestinians with visas for third countries were allowed to cross in the second half of 2013.¹ The health sector was particularly affected, as the Palestinian Ministry of Health has depended on Egypt to treat 20 per cent of its outside referrals from Gaza and for twenty-five per cent of its drug supplies; (see chapter on *Health & Nutrition*).

Rafah has not served for the transfer of goods since August 2005, with the exception of a limited number of humanitarian items, primarily medicines.² However, Egypt has exceptionally granted permission for construction materials, exclusively for a series of projects funded by the Government of Qatar, to pass through the Rafah crossing

During the second half of 2013, Rafah crossing was closed for a total of 97 days, compared to 5 days during the first half.

Rafah Crossing 2006 - 2013



on the grounds of their being 'humanitarian' rather than regular cargo goods. There was a significant increase in 2013 in imports for the Qatari construction projects, 8,749 truckloads (TL) compared to only 79 TL in 2012 and 1 TL in 2011.

Virtual shutdown of the illegal tunnels

Since 2007, the blockade and its related restrictions on imports led to the proliferation of a network of tunnels under Gaza's border with Egypt, used for the smuggling of goods otherwise unavailable or available at a higher price from Israel, such as construction materials, livestock, fuel, cash, and food products. With the easing of the blockade, in June 2010, and the resumption of the import of most consumer goods and raw materials through Kerem Shalom crossing with Israel, the number of operating tunnels decreased from around 1,000 to approximately 200 to 300.³ Most of the still operational tunnels shifted to the transfer of construction materials for the private sector, which were still restricted; and fuel, significantly cheaper in Egypt than in Israel, partially due to government subsidies.

In 2012, an estimated 1.7 million tonnes of aggregate, cement and steel bars were transferred to Gaza via the tunnels, compared to approximately one million tonnes of the same materials which entered through the Kerem Shalom crossing for authorized projects. Overall, the volume of construction materials transferred through the tunnels in the first five months of 2013 was over three times the amount allowed through the Kerem Shalom crossing, with the Palestinian Federation of Industries estimating that in June around 7,500 tonnes of construction materials were entering each day.

While in the past the Egyptian authorities have occasionally taken measures against the tunnels,⁴ the operation launched since June 2013, in the context of military operations in the Sinai, has resulted in an almost total halt in smuggling. The crackdown triggered a severe shortage of building materials on the Gaza market and a surge in prices, with cement increasing from NIS 400 per tonne to NIS 1,000 in June to NIS 1500 by the end of the year. As a result of the shortages and price spikes, there was a sharp slowdown in construction activities; by early July 2013, the Palestinian Contractors Union was reporting that 95 per cent of the concrete mix factories in the Gaza Strip had stopped operating, compounded by the already existing ban on the import of construction materials from Israel.

This sharp slowdown in construction activities led to layoffs in the construction sector, one of the few functioning outlets in the depressed Gazan economy, employing about 24,000 people, approximately 10 per cent of the workforce. As a result of the shortages in building materials and fuel, thousands of workers employed in the transport, fishing and agriculture sectors, as well as in tunnel smuggling, lost all or part of their income. The closure of the smuggling tunnels also led to an increase in food prices, with the cost of bread rising by 11 per cent, rice by 33 per cent and vegetable oil by seven per cent; see chapter on *Food/Livelihood*.

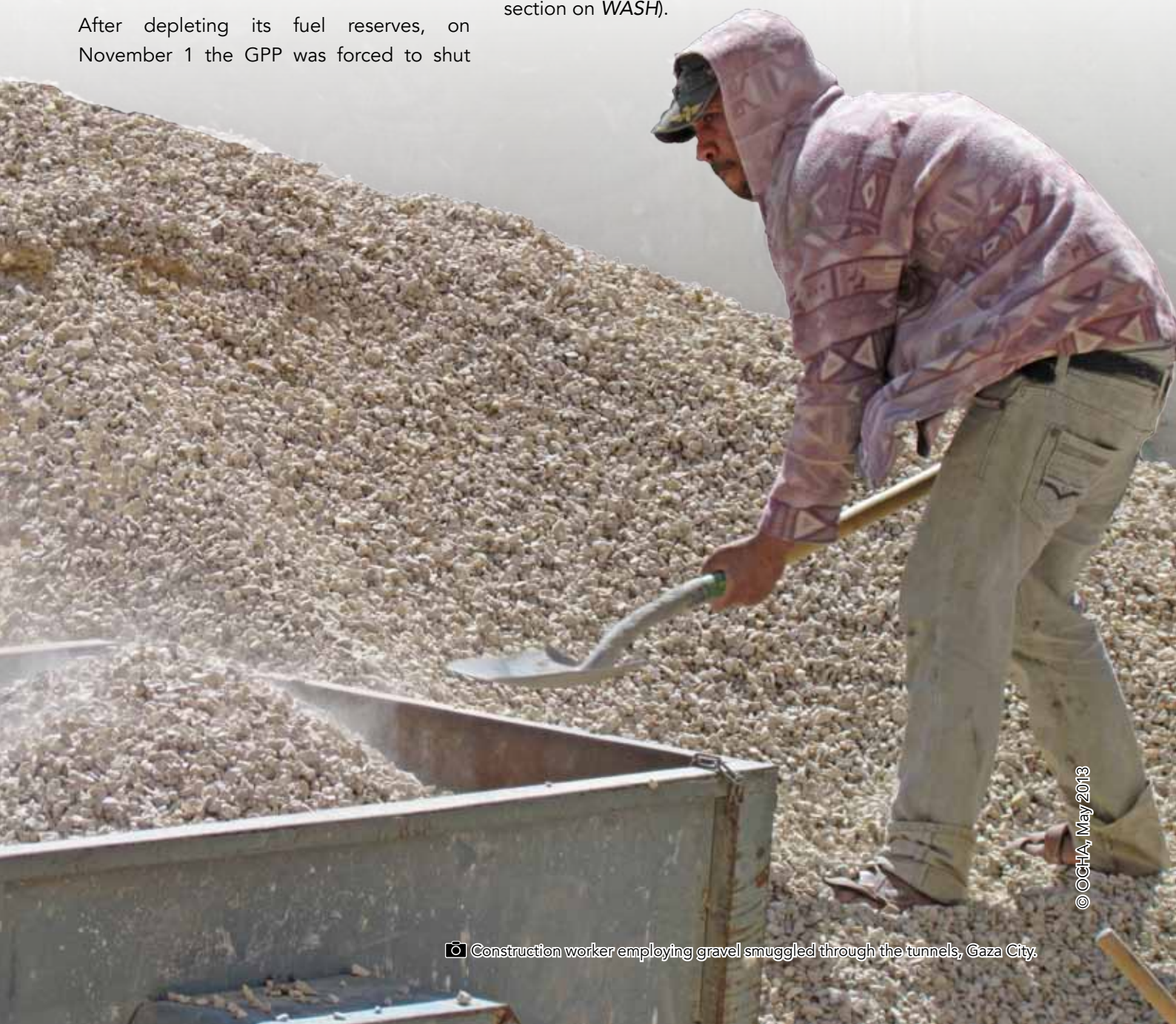
In recent years, the smuggling tunnels also became the main source for the supply of fuel to the Gaza Strip, due to the lower cost of Egyptian compared to Israeli fuel.⁵ Egyptian-procured fuel was used not only by the private sector, but to operate schools, hospitals and water and sanitation facilities.

The closure of the tunnels triggered a severe shortage of building materials on the Gaza market and a surge in prices, with cement increasing from NIS 400 per tonne to NIS 1,000 in June to NIS 1500 by the end of the year.

The Gaza Power Plant (GPP), in particular, which until recently supplied 30 per cent of the electricity available in Gaza, had become entirely dependent since January 2011 on Egyptian diesel smuggled through the tunnels. Following the Egyptian operations against the tunnels, only negligible amounts continued to trickle through; it was estimated that in December 2013 only 80,000 litres of fuel were transferred, compared 30 million litres per month before July.

After depleting its fuel reserves, on November 1 the GPP was forced to shut

down, triggering power outages of up to 16 hours per day. It resumed operations on 15 December following the provision of industrial fuel through the Kerem Shalom crossing, but reserves remain critical. Chronic electricity shortages continue to undermine already precarious infrastructure, severely disrupting the provision of basic services, including health, and in particular Gaza's 281 main water and sanitation (WASH) facilities, all requiring electricity to operate (See section on WASH).



📷 Construction worker employing gravel smuggled through the tunnels, Gaza City.

Increase in the movement of Palestinians through Erez Crossing

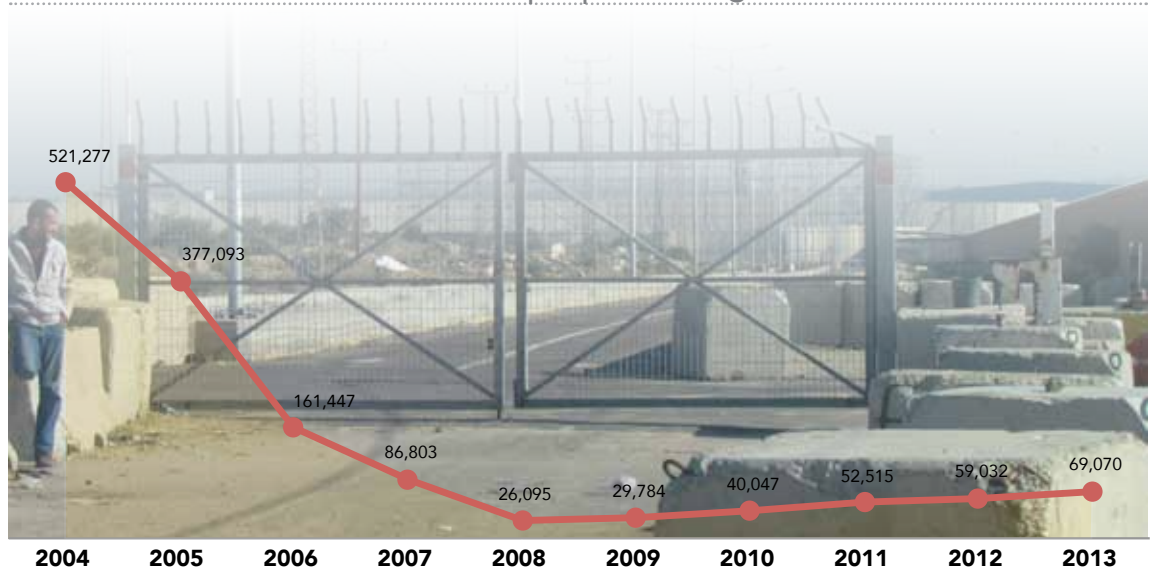
In 2013, the number of Palestinians permitted to cross Erez Crossing increased, a continuation of the trend since June 2010, when the Israeli authorities announced a 'streamlining' of the permit policy regarding the movement of people for humanitarian purposes and 'additional ways to facilitate' such movement. However, access through Erez continued to be restricted to 'humanitarian cases', which include Palestinians requiring medical care and their escorts, a number of businessmen and traders and staff of international organizations.⁶ Even for those who qualify, the permit application process is time consuming, arduous and uncertain. Applications by persons who meet the established criteria can still be denied on security grounds, without disclosure of details for the denial. The burden of proof always falls on the individual, and often requires lengthy follow up when the initial request is denied.

Over 6,400 Gazans crossed Erez monthly between July and December 2013, compared to the approximately 5,000 crossings recorded monthly from January to June.

There was a 17 per cent increase in the number of people travelling from Gaza via Erez in 2013 compared to 2012 (69,070 vs. 59,032). The increase was most marked in the second part of the year, when the Israeli authorities eased restrictions somewhat to compensate for severe Egyptian limitations on Palestinians crossing in both directions through the Rafah border crossing (see below). Over 6,400 Gazans crossed Erez monthly between July and December 2013, compared to the approximately 5,000 crossings recorded monthly from January to June.

The severe restrictions imposed by Egypt on the Rafah crossing since the second half of 2013, which affected medical referrals, among others, resulted in an increase in patient referrals through Erez to hospitals in Israel and the West Bank, including East Jerusalem; 13,672 patients applied for permits compared to 9,329 in 2012, a 47 per cent increase; see section on *Health & Nutrition*). However, the total figure for 2013

Erez: Number of people crossing to Israel



Israeli district court orders state to elaborate on policy for exit permits from Gaza

In August 2013, in response to a petition filed by the Israeli human rights organization B'Tselem, whose staff were denied permits to exit Gaza, the Israeli District Court instructed the State to explain the inconsistency of its policy in granting exit permits from the Gaza Strip to Israel. The State was requested to clarify why, as stated in the petition, the strict criteria for issuing the permits - restricting them to exceptional humanitarian and medical cases - are frequently not applied. Citing COGAT's website in support of the petition's claim, the Court was informed that Palestinian national soccer team members, international organization workers and traders are allowed into Israel regularly. The Court instructed the State to outline a policy in response to the petition for potential applicants who want to enter Israel occasionally, and not for humanitarian needs. The state has yet to submit a response.

for Erez crossing is still 57 per cent less than the volume of travellers in 2006, and only about 1 per cent of the amount of people allowed to exit the Gaza Strip prior to the start of the second intifada in 2000, when some 26,000 Palestinians crossed Erez on a daily basis.

Slight increase in imports to Gaza through Kerem Shalom crossing

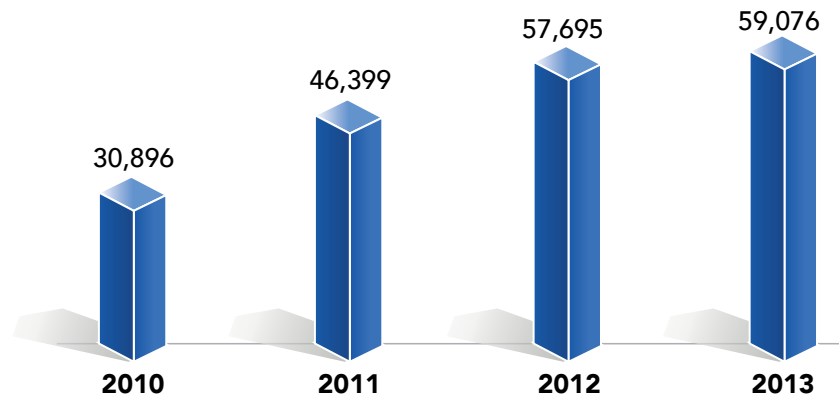
Since June 2007, Israel has imposed restrictions on the transfer of goods into the Gaza Strip.⁷ The introduction, in June 2010, of a list of 'dual-use' items, which remain prohibited, and the liberalization of other goods led to an increase in the volume of imports, in particular construction materials (including cement, aggregates and metal bars; see table). However, such imports were restricted to approved international projects and were subject to a lengthy approval process by COGAT. This led to significant delays in the implementation of humanitarian projects, unnecessarily prolonging the

hardship of Palestinian families in need of shelter rehabilitation, construction, and other essential infrastructure. (See chapter on *Humanitarian Space*).

In late December 2012, as part of the ceasefire understanding, Israel began authorizing the entry of 20 truckloads of gravel per day for the private sector via the Kerem Shalom crossing, the first such private sector imports since June 2007. This quota was expanded on 22 September 2013 to 70 truckloads per day of aggregates, cement and steel bars for commercial use, as a partial response to the severe lack of construction materials on the market following the Egyptian closure of the smuggling tunnels, the sole source of such materials for the private sector.⁸

However, this improvement was short-lived. On 13 October 2013, following the discovery of a reinforced underground tunnel leading from the Gaza Strip into Israel, the Israeli authorities halted the entry of basic construction materials for both

Truckloads (TL) of goods through Kerem Shalom



the commercial sector and international organizations, citing concerns that such materials could be used for military purposes. With the smuggling tunnels virtually closed, almost all construction projects in Gaza, including schools, health clinics and basic infrastructure, were suspended: UNRWA, the largest UN implementing agency in Gaza, was also forced to suspend all its ongoing construction projects. Between the third and fourth quarter of 2013 unemployment in Gaza rose by six percentage points, from 32.5 to 38.5 per cent.

In early December, the Israeli authorities announced the partial lifting of the ban on the import of basic construction materials for international projects, with the first four truckloads of cement and aggregates entering Gaza on 10 December. However, as of February 2014 work on UN projects is still not back at the level that had already been approved by the Israeli authorities; only 12 UNRWA projects – at various stages of completion – were re-approved and resumed; 18 COGAT approved projects worth almost USD 40 million are still pending re-approval; and 38 projects worth over USD 111 million are pending COGAT approval.¹⁰ The ban on the import of construction materials for the private sector remains in place.

There was only a two per cent increase in imports through Kerem Shalom compared to 2012 (which had witnessed a 16 per cent increase compared to 2011), primarily as a result of the two month prohibition on construction materials. Overall in 2013, 59,076 truckloads entered Gaza via Kerem Shalom, around 4,923 truckloads per month, a figure still only approximately around 40 per cent of the 12,350 truckloads that entered monthly through all the crossings (Karni, Sufa, Nahal Oz) during the first five months of 2007, before the imposition of the blockade.

Prohibition on collective penalties

While parties to an armed conflict may take security measures, such measures must comply with international law and should be necessary and proportional. Numerous statements made by Israeli officials in their professional capacities have made clear that the blockade is being imposed to apply pressure to the de facto authorities, and in response to acts committed by various groups in Gaza, including Palestinian armed groups, towards or in relation to Israel. However, the blockade and related restrictions target and impose hardship on the civilian population, effectively penalizing them for acts they have not committed. As such, these measures contravene article 33 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War (Convention IV) prohibiting collective penalties.⁹

Human rights situation in the Occupied Palestinian Territory, including East Jerusalem, Report by the Secretary-General, August 2013.

Decline in Exports and Transfers from Gaza.

Exports have traditionally played an important role in the economy of the Gaza Strip. Prior to the intensification of the blockade in 2007, 76 per cent of all Gaza-manufactured furniture products, 90 per cent of garments and 20 per cent of all food products were marketed outside the Gaza Strip, mainly to Israel and to the West Bank. Since 2007, exports from the Gaza Strip to Israel have been prohibited and transfers to the West Bank severely restricted. Only a minimal amount of cash crops – strawberries, flowers, peppers and tomatoes – has been exported from the Gaza Strip to the Netherlands, as part of an agreement with the Dutch Government. Ongoing restrictions, such as requiring export shipments to be palletized at one meter high, increase logistics costs and directly contribute to the inability of Gazan traders to expand market penetration abroad.

The ceasefire understanding in November 2013 did not bring about any change in the longstanding restriction on exports or the transfer of goods from Gaza to the West Bank, which has continued to prevent any reactivation of the productive capacity in the Gaza Strip, resulting in high unemployment levels. To the contrary, 2013 witnessed

a significant decline in the amount of exports from Gaza, with only 160 truckloads of select agricultural produce allowed to exit Gaza to the external world as opposed to 254 in 2012, a decline of 37 per cent.

Regarding transfers, since June 2007, almost the only goods authorized to leave the Gaza Strip for the West Bank have been locally-produced date bars for the World Food Programme (WFP) school-feeding programme in the West Bank, which were first authorized in March 2012.¹¹ However, 2013 also witnessed a reduction in transfers; 23 truckloads of special goods were transferred to the West Bank (in coordination with the PA and WFP) compared to 38 truckloads in 2012, a decrease of 40 per cent. Combined, these 183 truckloads represent only 3.2 per cent of the over 5,700 truckloads of a wider range of exports, which exited Gaza to Israel, the West Bank and the external world in 2007. The installation in Kerem Shalom, in late 2013, of an X-ray machine funded by the Dutch Government has not altered the Israeli authorities' decision to prohibit exports to Israel and restrict transfers to the West Bank.

2013 witnessed a significant decline in the amount of exports from Gaza, with only 160 truckloads of select agricultural produce allowed to exit Gaza as opposed to 254 in 2012.



Trucks waiting at Kerem Shalom crossing.

The Access Restricted Areas: Continuing restrictions at sea

Over the past ten years the Israeli military, citing security concerns, expanded restrictions on access to farmland on the Gaza side of the 1949 Armistice Line ('Green Line'), and to fishing areas along the Gaza Strip coast – the Access Restricted Areas (ARAs). From early 2009, fishing boats were prohibited from going beyond three nautical miles (NM) from the coastline and restrictions were enforced through the use of live ammunition by the Israeli military and naval forces. As part of the 21 November 2012 ceasefire agreement between Hamas and Israel, access at sea was extended to six NM. This was reversed again to three NM in March 2013, in response to the launching of rockets by Palestinian armed groups. The United Nations Secretary-General has noted that this was an example of 'ongoing punitive measures against the civilian population of Gaza' and that such measures contravene article 33 of Geneva Convention IV prohibiting collective penalties.¹²

On 21 May the limit was again extended to six NM, allowing fishermen access to sardine shoals in deeper waters for only a part of the peak fishing season, which

occurs between April and June, mainly for sardines. In the latter part of the year, fishermen's livelihoods were also affected by fuel shortages following the Egyptian authorities' closing of the smuggling tunnels under Egypt's border with Gaza. The shortage led to quotas on fuel purchases for fishing boat issued by the Ministry of Agriculture in Gaza, and consequently a decrease in the number of active fishing boats.

Despite the return to the six NM limit, fishermen in Gaza are still denied access to the most profitable fishing areas off the Gaza coast. The current limit is less than one third of the fishing areas allocated under the Oslo Accords - 20 NM off the Gaza coast. According to the UN's Food and Agricultural Organization (FAO), the majority of high value fish are found at a distance of eight to twelve nautical miles from shore. Fishermen fear that the three NM restriction may be re-imposed at any time, and many are unable or unwilling to invest financially in order to make the best use of the increased access, knowing that their investments may be lost.¹³ Fishermen also continue to be affected by shooting and confiscation incidents in the context of the enforcement of access restrictions by the Israeli Navy (see section on *Life, Liberty and Security*).

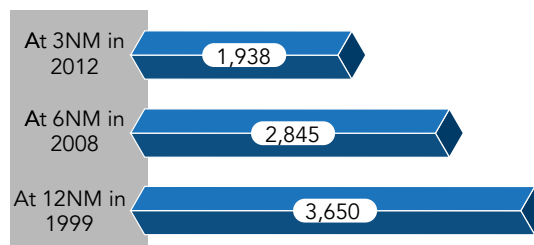
“These are ordinary fishermen struggling to make out a living in this traditional Gazan livelihood - they want to be able to provide for their families, but the long-term restrictions imposed on access to the sea are driving them deeper into poverty and debt.”

United Nations
Humanitarian
Coordinator Mr. James
W. Rawley, July 2013.



📷 Fish market in Gaza.
© OCHA, May 2013

Annual fish yield at various access limitations



metric tonnes of fish

The Access Restricted Areas: Easing of restrictions by land

From early 2009 until November 2012, the Israeli authorities, citing security concerns, totally or partially prevented Palestinians from accessing land, in some places located up to 1,000-1,500 metres from the border fence with Israel. Although the November 2012 ceasefire understanding also eased restrictions in the ARAs by land, communications from the Israeli authorities regarding the new policy have been inconsistent. Following the November agreement, COGAT informed the humanitarian community on several occasions that farmers would be permitted to access on foot areas up to 100 metres from the fence.¹⁴ However, on 10 March 2013, in response to their requests for information, the Israeli human rights organisation GISHA received a letter from the Israeli military spokesperson stating that Palestinians are prohibited from accessing areas within 300 meters from the fence.¹⁵

This has resulted in an overall feeling of instability and lack of clarity regarding future access and sustainability of livelihoods. In most areas across the Gaza Strip, farmers report being able to access, for the first time in years, land up to 300 metres from the

fence. However, safe access is only possible during daylight hours, limiting working hours for farmers and agricultural workers, who would generally begin work earlier. Farmers have reported that when they attempted to work outside of these hours, warning shots have been fired. In some areas, farmers have been able to access areas within 300 metres of the fence, as initially communicated by COGAT. However, like their counterparts by sea, many are unable or unwilling to invest financially in order to make best use of the increased access, knowing that this access may be limited at any time and their investments lost. Most farmers have planted their land close to the Israel fence with low-yielding rain-fed crops, as this involves the least financial investment, as well as physical risk.¹⁶ In addition, While Israel has legitimate security concerns, and the United Nations has condemned the digging of tunnels into Israel as well as militant activity by the fence, the methods used by the Israeli military to enforce the access restrictions have continued to result in killings, injuries, detention and property destruction and damage; see section on *Life, Liberty and Security*.



📷 Farmer tending land in the Access Restricted Area Gaza.

West Bank

Easing of restrictions to Ramallah and Hebron

Following the beginning of the second Intifada (September 2000), the Israeli authorities began implementing a comprehensive system of physical obstacles and administrative restrictions to limit Palestinians' freedom of movement within the West Bank, including East Jerusalem. Since 2008, there has been a gradual relaxation of restrictions on Palestinian movement between the main towns and villages in the West Bank, with the exception of East Jerusalem, improving people's access to services and livelihoods. Most of these easings consisted of the opening of blocked routes, while maintaining some of the obstacle infrastructure on the ground. This has typically involved the replacement of roadblocks with road gates, which are generally kept open; the opening of road gates that were previously closed; and the changing of permanently-staffed checkpoints into partial checkpoints staffed on an ad-hoc basis.

In this context, in July 2013 in the Ramallah area, the Israeli authorities removed two earth mounds that had blocked vehicular access to a main road leading to Ramallah city from the north (the original Road 60) and another earth mound, in the eastern Ramallah governorate, that had blocked a road leading to three villages, facilitating the access of residents of these villages to the Jordan Valley. Also in July, the Israeli authorities partially opened to Palestinian traffic the historic access road into Hebron City from the south, which had been blocked for two years, forcing over 70,000 Palestinians living in villages adjacent to Hebron to use alternative detours through the western or eastern entrances to the city.¹⁷ As both Ramallah and Hebron cities function as regional hubs for services and commercial activities, with Ramallah serving also as an important administrative centre, the impact of the opening was significant.

Despite these improvements, operational checkpoints (permanent, partial and flying) continue to impede Palestinian access throughout the West Bank, including East Jerusalem. In addition, in 2013 little change was registered in the restrictions affecting Palestinian access to large agricultural areas,

Checkpoints

Checkpoints, in conjunction with other physical obstacles and permit requirements, form part of a comprehensive system used by the Israeli authorities, citing security concerns, to control Palestinian movement in the West Bank, including East Jerusalem. As of the end of 2013 there were 59 permanently staffed military checkpoints within the West Bank (excluding those located on the Green Line; see table below).¹⁸ Additionally, there are 25 partial checkpoints, which have permanent infrastructure but are staffed on an ad-hoc basis, as well as dozens of 'flying' checkpoints deployed on a daily basis along roads and junctions; in 2013, OCHA recorded a monthly average of 243 flying checkpoints.

Gilo checkpoint, located between Bethlehem and East Jerusalem to control the movement of Palestinians holding special permits through the Barrier, demonstrates how time-consuming and difficult an experience checkpoints can prove to be for Palestinians. In October 2013, the Ecumenical Accompaniment Programme (EAPPI), an international NGO providing protective presence, reported that between 04:00 and 07:30, an average of almost 4,600 people, mostly workers, crossed the checkpoint. According to the organization, on 70 per cent of the days, the checkpoint area was characterized as 'chaotic' and 'dangerously overcrowded'; some days it required up to 40 minutes for people to pass.



Checkpoint type	Checkpoint description	Number
Israel and East Jerusalem	Located along the Barrier (except one) and controlling access into Israel and East Jerusalem for Israelis (mostly commuting settlers); Palestinians holding Jerusalem IDs; and a limited number of other Palestinians holding special permits. Some of these checkpoints are also used to control commercial traffic into Israel.	21
Palestinian enclaves	Located along the Barrier and controlling access of Palestinians holding special permits to and from communities isolated by the Barrier; ¹⁹ some of these checkpoints also allow permit holders' access to farming land isolated by the Barrier, as well as to workplaces within Israeli settlements.	10
Israel and East Jerusalem + enclaves	Combines the two categories detailed above.	4
Main route	Located on routes on the eastern, 'Palestinian' side of the Barrier and controlling Palestinians' vehicular movement from one area to another; some of these checkpoints are also used to prevent entry of Israelis into Area A.	13
Hebron city	Located within or next to the H2 area of Hebron city and controlling movement of Palestinians into or within that area; some of these checkpoints are also used to prevent entry of Israelis into the PA controlled area of Hebron (H1).	11
Total		59

including those located behind the Barrier and near Israeli settlements.

Access into East Jerusalem

East Jerusalem has traditionally served as the focus of political, commercial, religious and cultural life for the entire Palestinian population of the oPt. Since the unilateral annexation of East Jerusalem by Israel in 1967, and the designation of a separate residential status for East Jerusalem Palestinians, Palestinians from the remainder of the West Bank have been prohibited from residing within the Israeli-defined municipal boundary, other than through the restrictive process of 'family unification.' Since the early 1990s, when Israel imposed a general closure, non-Jerusalem Palestinians have been required to obtain permits to enter the city.

Access to East Jerusalem for this population has been further restricted following Barrier construction around the city; in 2013, the restrictions on access of Palestinians from the rest of the West Bank to East Jerusalem remained, with permit holders limited to four of the 14 checkpoints functioning along the Barrier, which they can only cross on foot.²⁰

Palestinian access to Jerusalem during the month of Ramadan

As in previous years, in 2013 the Israeli authorities implemented a number of measures aimed at facilitating access of Palestinians from the rest of the West Bank

to East Jerusalem during the month of Ramadan, which ended in August. Men above the age of 40, women of all ages and children below the age of 13 were allowed to gain access to Jerusalem, without permits, every Friday and for prayers on the Night of Destiny (*Laylat al Qadr*). In a new measure, implemented this year for the first time, men and women above 60 years of age and children 12 years and under were allowed to enter Jerusalem, without permits, every day during the month, except Saturdays. Other West Bank ID holders not included in these categories needed to apply for special permits for the purpose of attending the Friday prayers or for family visits. As in previous years, Palestinians from the Gaza Strip continued to be denied access.

Also during the month of Ramadan, the Israeli authorities issued an exceptionally high number of permits allowing West Bank ID holders to enter East Jerusalem and Israel for the purpose of 'family visits.' Overall, on the four Fridays and on the Night of Destiny some 545,000 Palestinians crossed through checkpoints into East Jerusalem. Despite the crowded conditions, access through the checkpoints generally proceeded without incident. According to the Israeli Civil Administration, approximately one million Palestinians entered Israel throughout the month of Ramadan.²¹



Developments in the Barrier in 2013

Israeli Court upholds Barrier route in the Cremisan Valley

In April, an Israeli court ruled on the route of the Barrier in the Cremisan Valley in the Bethlehem governorate. The ruling rejected the petition by Palestinian landowners and representatives of the Cremisan Monastery and Convent, who had appealed to have a section of the Barrier re-routed. As a result, the Barrier will separate some 58 Beit Jala farmers from approximately 3,000 dunams of land.²² The Cremisan Convent, and the primary school it operates for Beit Jala residents, will be on the 'Palestinian' side of the Barrier, separated both from its farmland and from the Monastery, which will remain on the 'Israeli' side. The Court noted that an agricultural gate that will be installed in the Barrier will allow the nuns and monks access in either direction, in addition to allowing farmers to access their lands.

Re-routing of the Barrier in Khirbet Jubara

In May, the Israeli authorities completed construction of a new Barrier route in the Tulkarm Governorate to reconnect the community of Khirbet Jubara, and approximately 2,900 dunams of land, to the rest of the West Bank. Since 2003, when the Barrier and a checkpoint were erected in the area, residents of Khirbet Jubara were required to obtain a resident permit from the Israeli Civil Administration (ICA) in order to remain in, and access, their community. Access for non-residents, including relatives, friends, Palestinian social and emergency service officials and humanitarian organizations, required permits and/or prior coordination, contributing significantly to the community's isolation. Removal of the checkpoint and permit system will improve access to social services and livelihood opportunities in the West Bank. However, the new route leaves roughly 12,200 dunams of land to the west of the Barrier, including 50 dunams of agricultural land owned by several families from Khirbet Jubara. These landowners, and their workers, will now have to apply for permits to access their land.

Barrier re-routing around Jayyus

Following an order by the Israeli High Court of Justice, re-routing of the Barrier is ongoing in Jayyus (population 2,894), in the Qalqiliya governorate. Jayyus has 13,000 dunams of land, and more than 50 per cent of the population depends totally on agriculture for their livelihoods. The re-routing will 'return' around 2,220 dunams of land and two artesian wells (one unused) to the 'Palestinian' side of the Barrier, but will continue to isolate around 6,000 dunams of prime agricultural land. Five artesian wells will also remain isolated behind the re-routed barrier, including two that will be connected to Jayyus for domestic consumption.

International Court of Justice Advisory Opinion on the Barrier July 2004

On 9 July 2004, the International Court of Justice (ICJ), the principal judicial organ of the United Nations, issued an advisory opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory. The ICJ recognized that Israel 'has to face numerous indiscriminate and deadly acts of violence against its civilian population' and that it 'has the right, and indeed the duty, to respond in order to protect the life of its citizens. [However], the measures taken are bound nonetheless to remain in conformity with applicable international law.'

The ICJ stated that the sections of the Barrier route which ran inside the West Bank, including East Jerusalem, together with the associated gate and permit regime, violated Israel's obligations under international law. The ICJ called on Israel to cease construction of the Barrier 'including in and around East Jerusalem'; dismantle the sections already completed; and 'repeal or render ineffective forthwith all legislative and regulatory acts relating thereto.'²³

The Court's Advisory Opinion stated that UN member states should not recognize the illegal situation created by the Barrier and should ensure Israel's compliance with international law. UN General Assembly Resolution ES-10/15, of 20 July 2004, demanded that Israel comply with its legal obligations as stated in the ICJ opinion.



The Barrier

Barrier construction continued in 2013, albeit at the reduced scale of recent years. Approximately 62 per cent of the Barrier is now complete, a further 10 per cent is under construction and 28 per cent is planned but not yet constructed.

The Barrier's impact has been particularly severe for farmers in the approximately 150 communities who have land isolated between the Barrier and the Green Line. They are obliged to use a 'prior coordination' mechanism or obtain 'visitor' permits from the Israeli authorities to access their farming land and water resources, with access restricted to a designated gate. While comprehensive data on the number of permits granted is not available, the approval rate in the northern West Bank in 2013 was approximately 50 percent, consistent with figures collected by OCHA over the last three years.

Most Barrier crossings only open during the annual olive harvest and only for a limited amount of time during those days, prohibiting year-round access and cultivation. In total, as of the recent 2013 olive harvest, there were 81 gates designated for agricultural access. However, of these, only nine open daily; an additional nine open for some day(s) during the week in addition to the olive season; and the majority, 63, open during the olive season, an approximate 45-day period annually. Productivity data collected by OCHA in the northern West Bank over the last five years show that olive trees in the 'Seam Zone' have an approximately 60 per cent reduction in yield compared to their equivalents on the 'Palestinian' side of the Barrier, where essential activities such as ploughing, pruning, fertilizing and pest and

weed management can be carried out on a regular basis.

Limited Palestinian access to land in the vicinity of settlements

An estimated 90 Palestinian communities in the West Bank which have land within, or in the vicinity of, 55 Israeli settlements and settlement outposts can access their land only through 'prior coordination' with the Israeli authorities. If 'prior coordination' is approved, access is generally granted for a limited number of days during the annual olive harvest, when Israeli soldiers are deployed in the area. In some of these cases,

Addressing settler violence through protective presence

As part of the response to settler related violence, the Protection Cluster, through the OHCHR-chaired Core Group on Settler Violence, coordinated during the olive harvest season protective presence initiatives by humanitarian and human rights organizations, to provide support and protection to Palestinian farmers affected by settler violence and access restrictions. The initiatives involved 12 organizations, including three Palestinian NGOs, one Israeli NGO, five international organizations and three UN agencies, which provided protective presence in 84 communities.

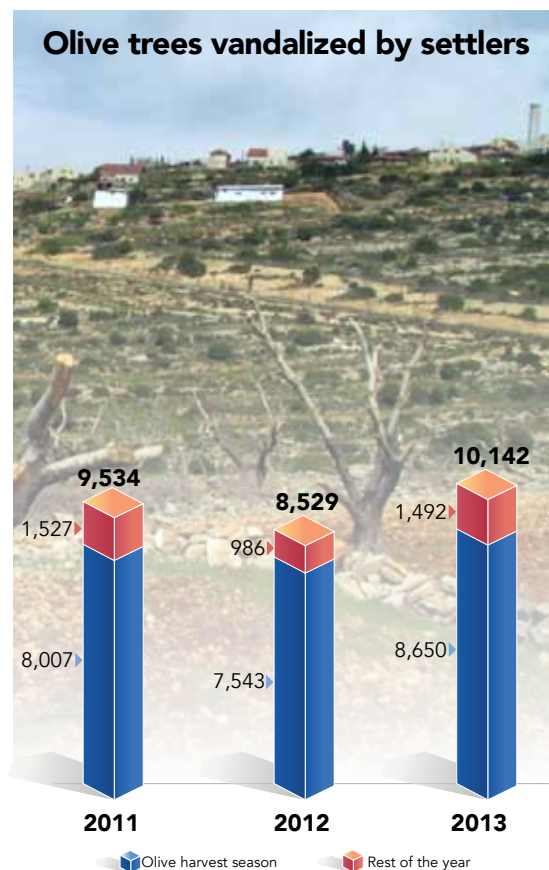
Initial assessments indicate that protective presence contributed to, and in some cases played a critical role in, preventing settler attacks and mitigating the impact of those that occurred. Overall, the involved organizations documented 22 settler-related incidents, some of which served to trigger further responses, including legal support in filing complaints, psychosocial support responses, further coordination for access related matters, intensified protective presence, and material responses.

In 2013, 10,142 trees were reported burned, uprooted, or otherwise vandalized, compared to 8,259 trees in 2012.

entrance of Israelis is forbidden by military order during the olive harvest period. For the 2013 olive season, as in previous years, the Israeli army deployed additional forces to protect farmers from settler violence and designated limited periods when, following 'prior coordination', farmers were permitted to access their olive groves. These coordination arrangements related mostly to Palestinian land now encircled by settlement fences, and to areas where settler violence is recurrent. During the harvest period, the Protection Cluster undertook coordination of humanitarian and human rights organizations' protective presence initiatives (see box) aimed at supporting Palestinian access to olive groves.

Despite the prior coordination arrangements, the organizations providing a protective presence reported incidents of settler related violence taking place within the allocated time schedule, including physical attacks, intimidation and damage to property and trees. In several cases, upon accessing their land farmers discovered damage to property, trespassing and the illegal takeover of land by settlers. In other instances, Israeli forces ordered the Palestinian farmers off their land, on the grounds that it was for their own safety, resulting in farmers losing time from the already restricted allocated schedule. Instances of settler intimidation and attacks against Israeli soldiers, journalists, and protective presence actors were also reported. Overall, the 'prior coordination' regime places the onus on farmers whose access to their own lands is restricted, rather than enforcing the rule of law on Israeli settlers.

In total, during the 2013 olive harvest OCHA recorded 32 settler attacks resulting in property damage or injuries, down from the 51 recorded during the 2012 olive harvest.²⁴ However, the number of trees and saplings damaged by settlers during this year's olive harvest (1,492) increased compared to 2012 (986). In addition, while the prior-coordination system has reduced clashes and settler attacks on farmers while they are working, it has proven largely ineffective in preventing vandalism or theft of olive trees throughout the rest of the year. In total, during 2013, 10,142 trees were reported burned, uprooted, or otherwise vandalized, including in areas adjacent to settlements at times when Palestinian access was restricted, compared to 8,259 trees during 2012.



The Way Forward: Restrictions on Movement and Access of Palestinians in the oPt

Palestinian civilians should be able to move freely and in safety to and from and within the oPt, subject only to restrictions provided for in international law. The following actions aimed at lifting restrictions on free movement of people and goods would affect an immediate improvement in the humanitarian situation in the oPt:

- The Government of Israel must fulfil its obligations to ensure free movement of people and goods throughout the oPt by:
 - » In the West Bank, removing physical obstacles and administrative restrictions on free movement that are not necessary for legitimate security purposes. This includes lifting the arbitrary restrictions on the movement within, to and from East Jerusalem, the 'Seam Zone' and the Old City of Hebron; the re-designation of 'closed military zones' as land available for Palestinian use; and the removal of restrictions on access to Palestinian private land currently located within settlements;
 - » Complying with the ICJ Advisory Opinion on the Barrier in the West Bank and the subsequent General Assembly resolution, and stop all Barrier construction, dismantle or re-route the constructed sections to the 1949 Armistice Line ('Green Line'), and repeal the gate and permit regime;
 - » Fully lifting the blockade of the Gaza Strip, subject only to restrictions provided for in international law. Specific actions in this regard include the following:
 - » Allowing, as an immediate measure, unrestricted travel for normal family visits, access for patients, ambulances and health personnel to health care facilities, students' access to

educational institutions and allow for people to seek legal remedies in the Israeli judicial system;

- » Granting the Palestinian Authority the power to approve changes of residency within the oPt and support family unification;
- » Immediately expanding access to the sea to 12 nautical miles from the Gaza shore, as a technical recommendation without prejudice to the agreement under the Oslo Accords for 20 nautical miles.
- » Allowing land owners safe access to their land, property and livelihood opportunities in the Access Restricted Areas near the fence with Israel, subject to specific security arrangements;
- » Reviewing methods used by the Israeli military to enforce access restrictions on land and sea in the Gaza Strip to ensure that they are consistent with Israel's international legal obligations.
- » Where security threats necessitate closure or additional restrictions on the passage of goods by Israel, ensuring that that any closure of a crossing point is proportionate to a specific threat and temporary in nature. Alternate passages should be put in place to facilitate continuous movement of goods.
- The Egyptian authorities are encouraged to resume operations at Rafah Crossing at the same level as they were in January 2013. The entry of relief consignments to the Gaza Strip should be facilitated without delay.

1. Other exceptions included the Egyptian authorities reopening the Rafah Crossing for four days, 1-4 October, almost exclusively to allow the passage of pilgrims en route to Mecca.
2. In 2004-05, prior to the *Agreement on Movement and Access*, an average of 390 truckloads of goods were imported daily to Gaza from Egypt via the Rafah crossing. Gisha and Physicians for Human Rights, *Rafah Crossing: Who Holds the Keys?*, March 2009. http://www.gisha.org/item.asp?lang_id=en&p_id=1118
3. OCHA, *Easing the Blockade*, March 2011. http://www.ochaopt.org/documents/ocha_opt_special_easing_the_blockade_2011_03_english.pdf
4. For example, in February 2013 the Egyptian authorities flooded a number of tunnel entrances on the Egyptian side of the border. The Ministry of National Economy in Gaza stated that the volume of construction materials and fuel from the tunnels decreased temporarily in the first half of the month, but largely recovered by the end of the month. The price of such materials increased by 15 to 20 percent, but by the end of the month prices returned to normal.
5. This has been complicated by the lack of an agreed mechanism between the Palestinian authorities in Ramallah and Gaza to allow for the purchase of fuel from other sources, including Israel.
6. An official document released following a petition under the Freedom of Information Act specifies 16 categories of people eligible for permits to leave Gaza and enter Israel or the West Bank. These include patients in need of life-saving treatment, merchants, first-degree relatives of the very ill, journalists, and staff of international organizations.
7. In June 2007, the Karni Crossing, which served as the main crossing for goods, was closed, leaving only a single conveyor belt in partial service for grain and animal feed, and since the summer of 2010 also gravel, until it closed in March 2011. The Sufa Crossing, which served mainly for the transfer of building materials, closed in 2008, and the Nahal Oz Crossing, through which fuel was transferred into the Gaza Strip, closed in 2010.
8. The Ministry of National Economy in the Gaza Strip estimated that the increased amount of construction material imports still covered less than 15 per cent of demand.
9. A/HRC/24/30, 22 August 2013, para. 22.
10. No new projects have been approved by COGAT since March 2013. UNRWA plans to submit a significant number of new projects in the coming months.
11. Through this programme, WFP is promoting the local Gaza economy while supporting children from among the poorest households in the oPt.
12. *Report by the Secretary-General on the Human rights situation in the Occupied Palestinian Territory, including East Jerusalem*, A/HRC/24/30, 22 August 2013, paras. 22-23.
13. See OCHA Case Study, *Restricted Livelihood: Gaza's Fishermen*, July 2013. http://www.ochaopt.org/documents/ocha_opt_gaza_fishermen_case_study_2013_07_11_english.pdf
14. This information was published on COGAT's website on 25 February 2013, but later removed.
15. Protection Cluster, *Analytical Update on the Access Restricted Areas in the Gaza Strip: Monitoring of Access to Land in the 'Buffer Zone' following the 21 November 2012 Agreement*, May 2013.
16. See Protection Cluster, *Update on the Access Restricted Areas in the Gaza Strip*, 1 July to 31 December 2013.
17. The Israeli military has justified this closure by the need to protect the Bet Haggai settlement (population approximately 550), located next to the blocked entrance.
18. This figure excludes 81 'agricultural gates', used to control access to farming land behind the Barrier.
19. Checkpoints controlling access to East Jerusalem for communities isolated from the rest of the city by the Barrier are considered enclaves.
20. The remaining 12 checkpoints are used by Israelis, internationals and Palestinians holding Jerusalem ID cards.
21. August 2013 announcement of the Coordinator of Government Activities in the Territories, available at: <http://www.cogat.idf.il/901-11037-en/Cogat.aspx>.
22. 1 dunam = 1000 m². In 1967, Beit Jala lost over 3,000 dunams of land, which was incorporated into the expanded Jerusalem municipal boundary.
23. ICJ, *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion of 9 July 2004, para. 141. The full text of the ICJ opinion can be found at: <http://www.icj-cij.org/docket/index.php?p1=3&p2=4&k=5a&case=131&code=mwp&p3=4>
24. This includes incidents of damage to property only discovered during the olive harvest, when farmers had access to their groves, but perpetrated earlier.



📷 A family provided with food assistance, Gaza.

HUMANITARIAN SPACE

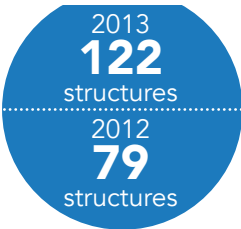
Main trends in Humanitarian Space

West Bank

Incidents at checkpoints

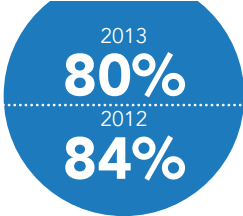


Donor-funded structures demolished



Gaza Strip

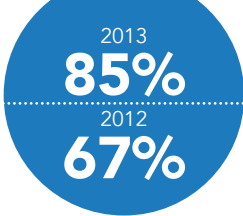
Approval rate UN national personnel



Access Incidents Erez Crossing



Approval rate INGO personnel



Overview

oPt

Throughout 2013, humanitarian organizations continued to face a range of obstacles which hampered their ability to provide assistance and protection to Palestinians in need across the oPt. These obstacles include physical and administrative restrictions on the access and movement of (I)NGO and UN personnel, especially national employees; restrictions on the delivery of materials needed for humanitarian projects; and limitations on the implementation of projects that involve building, expanding or rehabilitating infrastructure in the Gaza Strip and Area C of the West Bank.

Gaza Strip

The Israeli permit process, approval rate and processing time for the movement of both international and national staff in and out of Gaza has improved considerably over the last few years. However, the Israeli approval, coordination and verification process for international reconstruction projects remains problematic, resulting in lengthy delays to implementation and increasing costs.

Humanitarian operations were also hindered by demands by the Hamas de facto authorities in Gaza for compliance with a range of administrative procedures affecting INGOs, and the 'no contact' policy adopted by certain countries and donors,

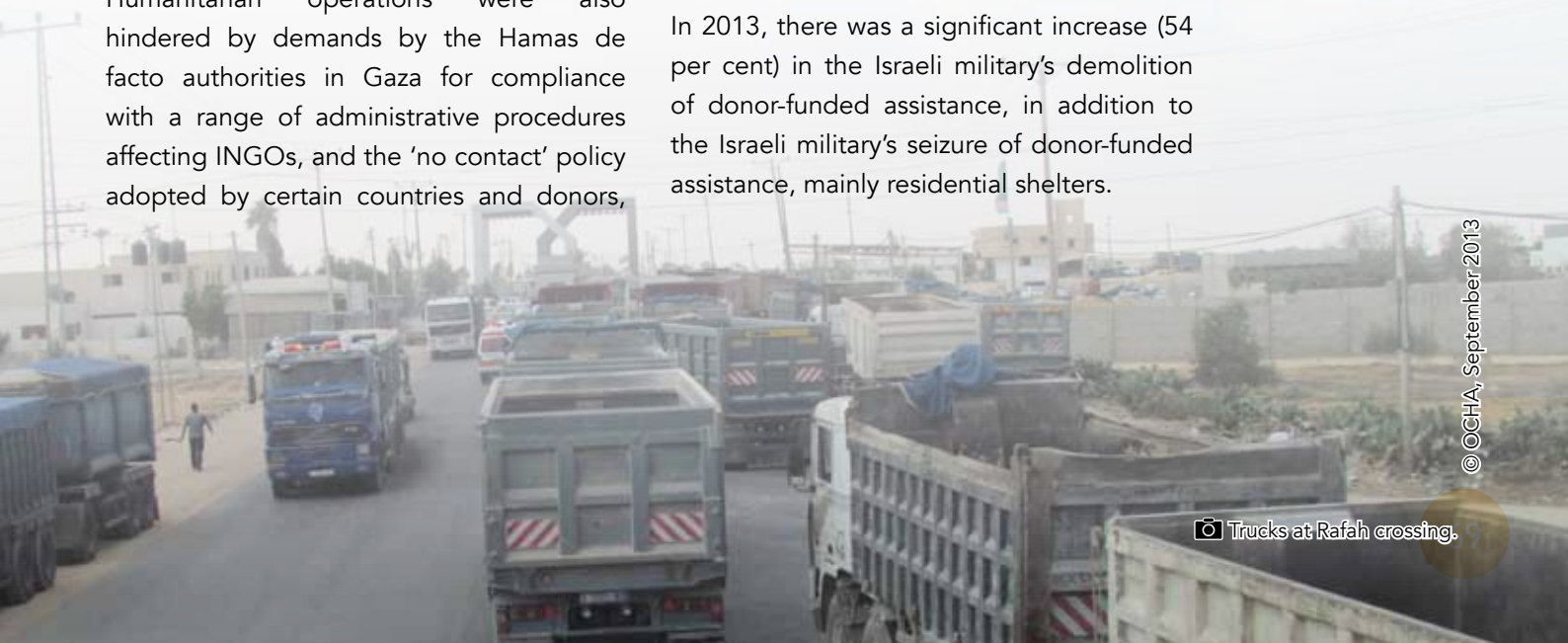
which prohibits contact with the de facto authorities, even on an operational level. Additionally, humanitarian operations in the Gaza Strip were hampered by political and security developments in Egypt and the consequent severe restrictions on movement through the Rafah crossing; (see chapter on Movement and Access).

West Bank

The easing of physical closures has improved humanitarian access throughout large parts of the West Bank, with the number of access incidents at West Bank checkpoints, staff affected and related loss of working hours declining in 2013. However, national humanitarian personnel continue to face limitations imposed by Israel on their ability to access and work in East Jerusalem.

Physical and administrative restrictions also continue to impede access to some of the most vulnerable communities living in Area C of the West Bank, and particularly the 'Seam Zone' and closed military areas. In Area C, the implementation of humanitarian assistance projects that requires some form of construction or rehabilitation continues to be severely hampered by the permit regime applied by the Israeli authorities.

In 2013, there was a significant increase (54 per cent) in the Israeli military's demolition of donor-funded assistance, in addition to the Israeli military's seizure of donor-funded assistance, mainly residential shelters.



Trucks at Rafah crossing.

Gaza Strip: Humanitarian Goods

Throughout 2013, one of the key factors impeding provision of humanitarian assistance in the Gaza Strip remained the approval, coordination and verification process for international reconstruction projects. The process created in June 2010 with the aim of easing the blockade imposed since 2007, impedes the ability of humanitarian agencies to respond to urgent needs, increases project costs considerably and ultimately prolongs the hardship of some of the most vulnerable people in the Gaza Strip. Since 2010, 74 per cent of international projects submitted to the Israeli authorities have been approved, 17 per cent are pending and nine per cent have been rejected. On average, it takes 12 months for a project to receive a response, whether denied or approved, from the Israeli authorities.

In 2013, COGAT approved a total of USD 20.8 million worth of UN reconstruction and community development projects aimed at improving livelihood, education, WASH and infrastructure in the Gaza Strip. As in the past, almost all project approvals were announced immediately prior to the biannual Ad-Hoc Liaison Committee (AHLC) meetings (in March and September 2013), except for one project that received approval outside of that period. These projects had been pending approval by the Israeli authorities for an average of 14 months. By the end of 2013, a total of USD 96.2 million worth of projects remained pending approval for an average of 18 months.

Once approved, each truckload of project related material has to be coordinated for

transfer through Kerem Shalom crossing. The other commercial crossings have all been gradually closed over the years (Karni between 2007-2011; Nahal Oz fuel pipelines in 2010; Sufa in 2011), leaving Kerem Shalom as the only operational crossing for the import and export of goods. Kerem Shalom crossing operates five days a week and is often closed due to holidays or security incidents, a total of 77 days in 2013, resulting in backlogs in the transfer of goods if closed for longer than three days in a row. The closure of Kerem Shalom for the entry of basic construction materials for international organizations in mid-October, following the discovery of a reinforced underground tunnel, led to the halt of almost all construction projects in Gaza; the partial lifting of the ban in early December has resulted in UN projects pending re-approval by COGAT.

Gaza Strip: Humanitarian Personnel

In addition to ongoing restrictions on the entry of humanitarian goods into the Gaza Strip, the Israeli permit policy conditioning access for (I)NGO and UN personnel remains in place. However, a positive trend was identified over the last few years, whereby the permit approval rate for humanitarian personnel as well as the processing time has steadily improved (tables 1).

The number of access incidents involving humanitarian personnel at Erez crossing, including strip-searches, has also declined (table 2). However, the decision by the CLA Erez (Civil Liaison Authority) to close Erez crossing for vehicular traffic on Fridays

By the end of 2013, a total of USD 96.2 million worth of projects remained pending approval for an average of 18 months.

Table 1: Gaza Strip: Humanitarian Personnel Permits

UN national personnel

Year	2010	2011	2012	2013
Approval Rate	71%	72%	84%	80%
Processing Time (days)	18	17	13	9

International INGO Personnel

Year	2012	2013
Approval Rate	67%	85%
Processing Time (days)	22	12

since January 2013 has had a negative impact on UN operations, and further restricted the movement of international staff, already limited by the weekday operating hours for vehicular traffic (08:00 – 15:30).

While there has been no substantive change in Israel's policy on humanitarian access in Gaza, a number of measures introduced in the last two years eased access by making the application/coordination system more transparent. These measures include setting clearer permit eligibility criteria; streamlining the review of security files; issuing more long-term permits and introducing an on-line application system. In addition, at the onset of the Egyptian security campaign in the Sinai in June 2013, COGAT instructed its staff at the Israeli controlled Gaza crossings of Erez and Kerem Shalom to make arrangements that would accommodate an increase in the movement of people and goods. This included permitting foreign and dual nationals, and Palestinian ID holders working for international organizations who entered or would have otherwise travelled through Rafah, to leave through Erez; this was previously prohibited due to a policy that required that the point of exit from Gaza

be the same as the point of entry.

Nevertheless, INGOs that are not registered with the Israeli Ministry of Social Affairs continue to encounter difficulties applying for permits, unless sponsored by registered INGOs or diplomatic missions, as do Palestinian NGOs whose application process via the Gaza-based PA Ministry of Civil Affairs is lengthy, lacks transparency, and usually ends in permit denials.

In addition to the ongoing Israeli access restrictions and Egyptian limitations on movement, humanitarian space has been further impeded by the Gaza de facto authorities introducing a new travel procedure at Bet Hanoun crossing in 2013, requesting all Palestinian staff working for international organizations to apply for permits before entering or leaving Gaza. The issuance of permits has often been conditioned on INGO

A positive trend was identified over the last few years, whereby the permit approval rate for humanitarian personnel as well as the processing time has steadily improved.

Table 2: Access Incidents at Erez Crossing for humanitarian personnel

Year	2011	2012	2013
Total Number	121	106	59
of which Strip-searches	10	9	1




compliance with a number of administrative procedures concerning the payment of VAT and income tax, and disclosing confidential information about staff salaries and aid beneficiaries. Addressing those issues is becoming increasingly more difficult, given the 'no contact' policy adopted by certain countries and donors, prohibiting contact with the de facto authorities, even on an operational level.

West Bank: Humanitarian Personnel

The easing in recent years of physical closures between the main cities, and between cities and many of their satellite villages, has improved humanitarian access throughout large parts of the West Bank. In July 2013, the Israeli authorities opened up two key roads leading into the cities of Ramallah and Hebron for Palestinian traffic, facilitating the access of tens of thousands to services and livelihoods (see chapter on Movement and Access). Originally intended as temporary measures, the roads remained open after the end of Ramadan which was a welcome decision.

However, incidents at West Bank checkpoints continue to obstruct and delay the movement of personnel and goods to the 'Seam Zone' areas of the West Bank and East Jerusalem, albeit less so than in previous years, as indicated by the decrease in the number of incidents recorded, staff affected and working hours lost.

Similar to 2012, over two-thirds of all access incidents at West Bank checkpoints involved UN

			
Year	Incidents	Staff	Hours lost
2010	491	3,682	2,530
2011	392	2,872	1,532
2012	365	2,040	1,517
2013	342	1,807	1,334

staff attempting to enter Jerusalem. Some 78 per cent of these incidents were the result of requests to search UN vehicles, in violation of the Convention on UN Privileges and Immunities, to which Israel is a signatory. Such access incidents disproportionately affect national UN personnel.

Humanitarian personnel continue to face limitations on their ability to operate in East Jerusalem. National staff who hold West Bank ID cards need to apply for permits to access and work in East Jerusalem, typically valid for a limited period of time during the day (0700-1900). Permits may be turned down on 'security grounds', delayed or not renewed in a timely manner.



Impediments to implementation of humanitarian projects in Area C

In 2013, the implementation of humanitarian assistance projects involving some form of construction or rehabilitation of housing or essential infrastructure in East Jerusalem and in Area C continued to be severely hampered by the permit regime applied by the Israeli authorities in these areas. The construction, expansion and rehabilitation of schools, medical clinics, shelters and water infrastructure require Israeli-issued building permits, which are only granted, if at all, after a complex and costly application process that often takes several years to complete.

Humanitarian organizations providing assistance to Palestinians in Area C whose homes or other property have been

demolished by the Israeli authorities, on the grounds that they lack building permits, have come under increasing pressure from the Israeli authorities, resulting in confiscation of assistance and vehicles, harassment and arrest of personnel and demolition of donor-funded structures. In 2013, there was also a significant increase (54 per cent) in the Israeli military's demolition of donor-funded assistance in Area C; 122 such structures were destroyed, up from 79 in 2012. During the same period, the Israeli military seized 65 items of donor-funded assistance, mainly residential shelters (36). (See chapter on *Forced Displacement*).



📷 Soldiers confiscating humanitarian assistance in Mak-hul.

The Way Forward

Noting that Israel has been unable or unwilling to fulfil its responsibilities with regards the Palestinian civilian population in the West Bank, including East Jerusalem, and the Gaza Strip, humanitarian organizations have sought to address the urgent needs of some of the most vulnerable Palestinian populations. Rooted in international law and grounded in operational practice, humanitarian principles provide a practical framework in which humanitarian organizations can ensure that these populations receive the protection and assistance they so desperately need in a safe and effective manner, with priority given to the most urgent cases of distress. Adherence to these principles by all actors and authorities is therefore critical.

The following measures are recommended with a view to improving respect for humanitarian principles and international humanitarian law by all relevant authorities:

- All relevant authorities should afford safe, rapid and unimpeded access of all staff of UN agencies, NGOs and other organizations providing protection and humanitarian assistance to populations in need. Such access must be afforded continuously, uniformly and regardless of the nationality of the staff.
- The Government of Israel should fulfil its responsibilities to facilitate the work of humanitarian organizations by undertaking the following actions:
 - » Providing clarity on the permit and visa system relating to the movement of international and national staff of humanitarian agencies (including UN and international and national NGOs). Specifically, information is required on the criteria for issuing or denying permits and visas; in individual cases, information on the rationale for denial of a permit or visa should be provided; a periodic review of denied or refused applications should be provided for; and timelines for completion of the

application process should be outlined;

- » Rescinding the permit requirement for the installation or rehabilitation of structures as part of humanitarian interventions addressing the basic needs of people living in Area C and East Jerusalem;
- » Ceasing confiscation, seizure, demolition or destruction of assets, including relief items, of agencies implementing humanitarian projects;
- » Removing construction materials from the list of restricted 'dual-use' items and ending the system of approvals, coordination and user-end verification applied to international reconstruction efforts in the Gaza Strip;
- » Ensuring that all military and civilian staff at checkpoints and border terminals respect the provisions of the UN Convention on Privileges and Immunities, ensuring passage of all UN staff without delay.

- The de facto authorities in the Gaza Strip should fulfil their responsibilities to facilitate the work of humanitarian organizations by:

- » Taking appropriate measures to ensure free movement of humanitarian personnel, irrespective of their nationality, to and from the Gaza Strip through all relevant crossings;
- » Aligning their policies and practices with those already signed into Palestinian law or policy with regards the registration and treatment of international organizations.

- Donor countries should support humanitarian operations in the oPt by:

- » Strengthening their advocacy in support of principled humanitarian action – undertaking concrete steps to secure compliance by all parties with the obligation to ensure safe, rapid and unimpeded passage of humanitarian relief and personnel to and within the oPt; and
- » Ensuring their funding policies support the provision of humanitarian assistance aimed at alleviating suffering wherever it is found and guided solely by needs, with priority given to the most urgent cases of distress.



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📷 Children's hospital, Gaza.

SECTOR SPECIFIC OVERVIEW: HEALTH AND NUTRITION

This section was contributed by WHO on behalf of the Health and Nutrition Sector

Health and Nutrition

Access to essential health services and the referral of Palestinian patients who need specialized health care remains limited in the Gaza Strip; East Jerusalem and its peripheries; Area C; closed military areas; the 'Seam Zone'; and some localities in Area B of the West Bank.

Overall, the fragmentation of the oPt due to movement restrictions imposed by the Israeli authorities, as well as due to the internal Palestinian divide, has affected national health planning, coordination and the ability to implement health programmes: from health promotion to vaccinations and primary and secondary medical care. These divisions have also led to a shortage of highly qualified doctors and a lack of up-to-date training opportunities for health personnel in Gaza.

The fiscal crisis of the Palestinian Authority also affected the availability of essential medicines and disposables, and resulted in a halt in referral services to Jordan.

The Gaza Strip

The access to and quality of public health services, already compromised by the protracted Israeli occupation and blockade, worsened in 2013 due to measures adopted by the Egyptian authorities since July 2013, in the context of the deteriorating security situation in Sinai. These measures included the frequent closure of the Rafah crossing, which reduced the number of patients travelling to Egypt and disrupted the supply of critical medicines,¹ and the closure of the illegal tunnels, which generated severe fuel

Right to Health in International Law

The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 12

To the fullest extent of the means available to it, the Occupying Power has the duty of ensuring and maintaining, with the cooperation of national and local authorities, the medical and hospital establishments and services, public health and hygiene in the occupied territory... Medical personnel of all categories shall be allowed to carry out their duties.

Fourth Geneva Convention, Article 56

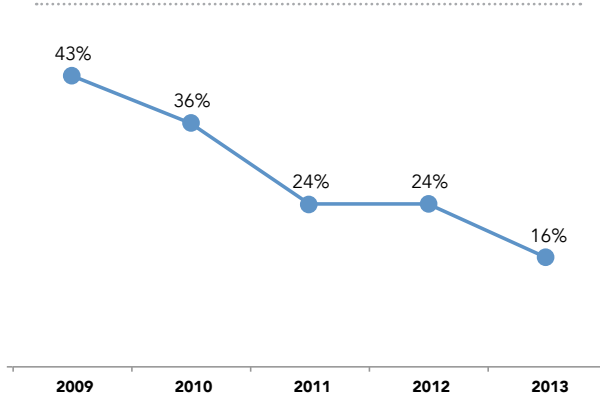
and electricity shortages, further disrupting the functioning of medical facilities.

In 2013, the MoH referred about 14,900 patients for specialized care outside of Gaza, a 17 per cent increase compared to 2012. Of these, 55 per cent were referred to facilities in the West Bank, (including East Jerusalem) within the oPt, and the remainder to Egypt (19 per cent), Israel (26 per cent) and Jordan (0.4 per cent).²

Overall, access to Egypt via Rafah for patients, both those referred by the MoH and self-funded ones, decreased dramatically during the second half of 2013. Whereas between January and June 2013 an average of 4,146 patients (20 per cent of all travellers) crossed Rafah each month, in the second half of the year only 305 patients per month (6 per

Overall, access to Egypt via Rafah for patients, both those referred by the MoH and self-funded ones, decreased dramatically during the second half of 2013.

Referrals to Egypt as a percentage of all referrals



cent of the total) were able to cross; of the 3,101 travellers who entered Egypt through Rafah terminal in December, only 154 were patients.

The decrease in the volume of referrals to Jordan and Egypt was partially compensated by an increase in referrals to hospitals in the West Bank, including East Jerusalem, and in Israel. Exiting Gaza to these destinations is subject to a permit regime administered by the Israeli authorities. In 2013, the volume of applications from patients and companions for permits to exit Gaza via the Erez crossing increased by 48 per cent compared to 2012 figures. Therefore, despite a slight decrease in the rate of approval compared to 2012 (87.9 per cent compared to 92.5 percent), the total number of permits issued increased by nearly 3,500.³

The restrictions on the movement of people also limited the access of health personnel out of Gaza for professional development training (13 out of 31 were denied exit by the Israeli military authorities) and the entrance of health professionals into Gaza. Likewise, there have been no medical missions entering Gaza through Rafah since July 2013, while there were 63 medical delegates who travelled there in the first half of the year and

more than 120 in 2012. Some delegations also bring with them needed medicines, medical supplies and sometimes equipment, as donations.

The lack of financial resources to ensure fuel supplies to both the Gaza Power Plant (GPP) and the backup generators in hospitals has worsened since July 2013, following the halt in the smuggling of subsidized Egyptian fuel. Electricity cuts ranging between eight to 12 hours per day were prevalent throughout Gaza in 2013, impacting the delivery of health services. Although the main hospitals have more stable direct lines, during power cuts hospitals reserve power for essential medical services by operating standby electric generators. During the year, government hospitals were able to maintain at least seven days of reserve fuel supplies, but frequent

In November 2013 the Gaza Community Mental Health Programme conducted a study to examine the long-term impact of the November 2012 escalation of violence in the Gaza Strip. The study's findings indicated that 30 per cent of children in Gaza who were exposed to a high level of trauma during the latest escalation of hostilities remain affected by post-traumatic stress disorder (PTSD). Additionally, those children developed associated behavioural and emotional problems, especially children in low-income families. (GCMHP, 2013)⁴

According to UNRWA, the incidence of psychological trauma and post-traumatic stress disorder (PTSD) more than doubled following the escalation of hostilities in November 2012, supporting the findings of a UNICEF survey which also revealed a sharp rise in conflict-related psychological disturbances.⁵



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Children's hospital, Gaza.

and prolonged power cuts strained back-up power sources, affecting medical equipment and resulting in interrupted or postponed medical treatment.

In 2013, the fragile health system was also challenged by a severe winter storm that struck the oPt in December, increasing the already long electricity outages, due to fuel shortages affecting the GPP. Water damage and failing back-up generators reduced health service delivery to many public and NGOs health facilities.

West Bank

In the West Bank, restrictions on the movement of persons and goods affected access to health care for many Palestinians, both in terms of patients' physical access to health facilities and the availability of quality health care services and infrastructure.

Restricted access to health care and nutrition services poses health and safety risks for the populations living in vulnerable communities, mainly in Area C of the West Bank, where

access to emergency and secondary care, and in more marginalized areas access to primary care, can be difficult, costly and time-consuming. The Barrier around Jerusalem physically cuts access to the urban centre of approximately 55,000 Palestinian residents of East Jerusalem, whose homes are located on the other side of the Barrier; to access health, emergency services, education and other services to which they are entitled as residents of Jerusalem, these residents must cross crowded checkpoints.⁶

The approximately 11,000 Palestinians residing in the closed area between the Barrier and the Green Line are required to have either 'permanent resident' permits or 'prior coordination' with the ICA in order to continue living in their homes. As most services and livelihoods are located outside of these areas, residents have to pass through Barrier gates to reach hospitals and health centres, schools and workplaces. Health workers, including physicians and mobile health teams, are required to apply for permits to access the 'Seam Zone'. Gates are locked and unstaffed by soldiers between the short opening times, thus complicating access to first aid or emergency care.

Patients and companions holding West Bank ID cards, including emergency cases, require permits for accessing health services in the six Palestinian non-profit specialized hospitals in East Jerusalem. Of the 236,027 permit applications submitted in 2013, 79.5 per cent were approved, almost the same rate of approval as in 2012.⁷ In addition to the stress and increased health risks incurred in applying and waiting for requests to be granted (or denied), permits are often issued for shorter periods than the treatment requires, particularly if multiple consultations or operations are necessary. For some kidney

disease patients who must travel two or three times weekly to East Jerusalem hospitals for dialysis, and for cancer patients requiring a series of treatment sessions, Israel began to issue longer-term permits. However, it can be difficult for parents or family members of sick children to receive permits to accompany the patients. Those with West Bank ID cards and who have permits are required to cross either in a special hospital shuttle or by walking through prescribed checkpoints, which often implies waiting in crowded lines for long periods.

Overall, hospitals in East Jerusalem serve as the main centre for specialized care within the Palestinian health system.⁸ In 2013, a total of 26,850 West Bank and Gaza patients were referred by the MoH to these hospitals, representing 44 per cent of all MoH referrals,⁹ and more than half of the caseload of these hospitals. However, the accrued debt of the Palestinian Authority for patient care, totalling almost NIS 150 million as of 31 December 2013, has caused major financial problems for the East Jerusalem hospitals, which find themselves unable to meet staff salaries on time or procure medical supplies as needed. Several facilities were forced to reduce staff and may curtail operations due to the increasing budget deficit.¹⁰

In 2013, according to the main emergency services provider Palestinian Red Crescent Society (PRCS), approximately 90 per cent of their ambulances were permitted to enter Jerusalem directly with their patients; the remaining had to transfer patients on gurneys from a Palestinian to an Israeli-licensed vehicle at the checkpoint, causing delay and loss of dignity for the patient.

Endnotes

1. WHO estimates that the Ministry of Health (MoH) in Gaza had previously received twenty-five per cent of its drug supplies from, or through, Egypt via Rafah. In 2013 the zero stock of medicines and medical disposables averaged 29 and 52 percent, respectively.
2. New patients' referrals to Jordan were halted in May 2012, due to the PA's accrued debts in hospitals.
3. In 2013, 41 patients were denied access (0.3 per cent), and 11.04 per cent experienced delays in receiving responses to their applications. Eight patients or patient-companions were detained at the Erez crossing between Gaza and Israel while crossing with a valid permit, twice the number detained in 2012.
4. WHO Referral of Patients from the Gaza Strip monthly monitoring reports: <http://www.emro.who.int/pse/publications-who/monthly-referral-reports.html>
4. Khamis, V. 2013, Long-Term Psychological Effects of the last Israeli Offensive on Gaza on *Palestinian Children & Parents*. Unpublished research by Gaza Community Mental Health Programme.
5. UNRWA, Serious upsurge of post-conflict trauma in Gaza, says UN, 21 January 2013.
6. OCHA, *East Jerusalem: Key Humanitarian Concerns*, March 2011. http://www.ochaopt.org/documents/ocha_opt_jerusalem_report_2011_03_23_web_english.pdf
7. WHO, *Right to health: Barriers to health access in the occupied Palestinian territory: 2013* (forthcoming April 2014).
8. The East Jerusalem Hospital Network is a coordinating body which brings together the six non-profit Palestinian-run hospitals in East Jerusalem.
9. WHO, *Right to health: Barriers to health access in the occupied Palestinian territory: 2013* (forthcoming April 2014).
10. Urgent appeal, *Growing PA Debt to East Jerusalem Hospitals*, East Jerusalem Hospital Network, Jerusalem, 16 January 2014.



📷 Classroom in Khan Al Ahmar

CLUSTER SPECIFIC OVERVIEW: EDUCATION

This section was contributed by UNICEF on behalf of the Education Cluster

Education

Overview

Communities in the Gaza Strip and the West Bank, including East Jerusalem, are affected by a range of factors that negatively impact their children's right to education. These include armed hostilities; Israeli settler harassment and violence; domestic and crime-related violence; arrest and detention of children and youth; disruption of schooling; restrictions on movement; impediments to the developing educational infrastructure; demolitions and displacement; and an array of psycho-social factors, including excessive stress, fear and distress.¹

In 2013, there were 59 documented violent incidents in the oPt resulting in damage to educational facilities and disruption of schooling and affecting almost 12,000 Palestinian children, as well as 128 incidents of denial of access to education, directly affecting more than 21,000 Palestinian students.² During 2013, Education Cluster partners were able to rehabilitate the majority of school facilities damaged during the hostilities that took place in the Gaza Strip and Israel in November 2012, with the exception of kindergartens.

Currently, 39 schools serving over 4,500 Palestinian children in Area C and East Jerusalem are under threat of demolition, having had verbal or written stop-work or demolition orders issued against them by the Israeli authorities. In addition, the restrictive permit regime in these areas makes it extremely difficult for Palestinian communities to build classrooms or schools. This perpetuates an unsafe and over-crowded learning environment that leads to a high drop-out rate, low learning achievements

Right to Education in International Law

The States Parties to the Present Covenant recognize the right of everyone to education ... primary education shall be compulsory and available free to all.

International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 13.

The Occupying Power shall, with the cooperation of the national and local authorities, facilitate the proper working of all institutions devoted to the care and education of children.

Fourth Geneva Convention, Article 50.

and increased violence in schools. The winter storm in December 2013, which caused severe flooding in the Gaza Strip and heavy snow fall in the West Bank, further damaged the already stretched school infrastructure in the oPt.

Gaza Strip

In the Gaza Strip, the high population growth and the recurrent Israeli military operations, combined with the ongoing blockade, have generated enormous infrastructural needs, including in the education sector. Since July 2013, the recurrent closure of the Rafah crossing and the virtual closing of all the illegal tunnels under the border with Egypt have intensified the fuel crisis, leading to lack of electricity, sewage overflows, lack of materials and transport, and inflated prices. In Gaza, some 463,600 children attend 694 basic and secondary schools, including 399 government schools, 245 UNRWA schools,

and 50 private institutions.³ To make up for the lack of educational facilities, 67 per cent of government and 71 per cent of UNRWA schools run on double shifts. This system inevitably leads to limited instruction time in the schools, affecting learning outcome and student performance, and resulting in the suppression of extra-curricular activities.

UNESCO and the Ministry of Education and Higher Education (MoEHE) have developed a list of the 80 most vulnerable schools in the Gaza Strip vis-a-vis protection-related concerns. Among these, 12 MoEHE schools with 3,860 girls and boys and 217 staff,⁴ and one UNRWA school with 680 boys and 19 teachers, are located in the Access Restricted Areas (ARAs) and face the most recurrent threats.⁵ Access to these schools is often disrupted by clashes between the Israeli military and Palestinian armed groups, or by use of live ammunition by Israeli soldiers against Palestinians seeking access to these areas near the fence with Israel. All 13 schools sustained damage during Israel's military operation 'Pillar of Defense' in November 2012.

West Bank

Area C

In Area C of the West Bank there are almost 48,000 students enrolled in MoEHE schools.⁶ The restrictive planning regime applied by the Israeli authorities in Area C has resulted in a significant shortage of, or inadequate school infrastructure, and placed some of the schools at risk of demolition. Although no school was demolished in 2013 in Area C, at least 32 schools, serving approximately 3,900 children, have pending stop-work or demolition orders (verbal or written) issued by the Israeli authorities.⁸ Some of the schools

Additional schools are needed now to respond to an increasing number of children at school age in the coming years. The number of school-age children is projected to increase to 673,000 by 2020, by an average of 14,000 per year. Currently, there is a shortage of up to 250 schools in Gaza. Based on the number of schools needed now ... and population projections for the number of children of school-age, a further 190 schools would be needed by 2020.⁷

are also located far from the communities they serve, imposing high transport costs on families or obliging children to walk long distances to reach them.⁹ Access to school is also hindered by physical obstacles, threats and harassment by the Israeli army and settlers, leading to high drop-out rates for boys and girls. A protective presence and the provision of transport have been the main interventions to mitigate the effects of the lack of safe access to education and the lack of education provided in these communities.¹⁰

East Jerusalem

In East Jerusalem, the education sector is characterized by multiple providers, with little coordination and wide discrepancies in the quality of education offered and resources available for education services. The around 76,000 children enrolled in East Jerusalem schools are divided between five providers, with large differences in quality between the different schools. Regarding Palestinian children in Jerusalem municipality schools, concerns have been raised that alterations to the text books in 2013 signal changes regarding the teaching of Palestinian history, culture, and identity that are not in

The educational system in East Jerusalem is also characterized by a chronic shortage of classrooms, with an estimated 2,200 additional ones needed.

accordance with Israel's obligation under international law.¹¹

The educational system in East Jerusalem is also characterized by a chronic shortage of classrooms, with an estimated 2,200 additional ones needed.¹² Existing classrooms are often unsuitable or substandard, this being the case for more than half of the classrooms in the municipal system. Pupils are often accommodated in rented houses, which fail to meet basic educational and health standards. Consequently, parents have to resort to fee-paying alternatives, with a significant impact on the household economy. As in Area C, zoning and other planning restrictions in East Jerusalem inhibit both new construction and the expansion of existing buildings, and unfair resource allocation and lack of investments by Israeli authorities leads to sub-standard education facilities for many Palestinian children in East Jerusalem.

With East Jerusalem's increasing isolation from the remainder of the oPt, permit restrictions, checkpoints and the Barrier result in teachers and pupils with West Bank ID cards facing difficulties accessing schools there. Figures for *Waqf* schools indicate that 10 per cent of pupils, 20 per cent of teachers and almost 30 per cent of school staff cross a checkpoint on a daily basis to access their schools.¹³ Children with East Jerusalem ID cards living in locations separated from the rest of the city by the Barrier need to cross a checkpoint to access their schools. Al Quds University's main campus is also separated from the city by the Barrier and the institution's certificates are not recognized by the Israeli authorities.¹⁴

Preliminary findings of a survey among students and teachers in a sample of East

Jerusalem schools found use of physical and verbal violence at school both by teachers and among students. The study suggests that occupation-related issues, such as exposure to violence by Israeli Security Forces, home demolitions, arrests and detentions, friction with Israeli settlers and having to cross checkpoints, among others, play a role in school violence.¹⁵

Rising Tensions Reduce Access to Education in H2

The Israeli military maintains exclusive security control over part of Hebron city, H2, in order to protect four Israeli settlements (combined population of a few hundred) established within the boundaries of the city. In this context, the Israeli military imposes a range of access restrictions on Palestinians, the most affected being the approximately 6,000 people living in areas adjacent to the settlements.

In 2013 access to education in H2 faced a number of impediments, including an increased Israeli military presence, a rise in settler abuse towards school children, frequent direct confrontations between Israeli forces and youth, and the subsequent arrests of the latter. Combined, these events resulted in declining school attendance, the closure of some schools and the injury and arrest of school-age children.

Of the 21 Palestinian primary and secondary schools in H2, five are located in the most affected areas: Al Ekhawwa secondary school, Al Fayha primary school, Al Mutanabbi primary school, Al Ibrahimiya primary school, and Qurdoba primary school. Because of a ban on Palestinian vehicular movement along some of the main traffic arteries there, as well as the measures adopted to control

pedestrians' access into these areas, the five schools can be reached by most of their students and staff only on foot and require the crossing of one or more checkpoints. Soldiers often search school children's bags, despite the attempted interventions of internationals providing protective presence. This practice appears to have become accepted as normal by students, who open their bags as a matter of routine when entering the checkpoint, in anticipation of the inevitable search. Female

teachers have been made to pass through metal detectors, despite a long-standing understanding that they can use a side gate. The access regime applied in the restricted areas has turned students' and teachers' daily trip to and from school into a long and unpredictable journey.



📷 Schoolgirls during sewage flooding, Gaza.

Endnotes

1. Humanitarian Needs Overview, Education Cluster oPt October 2013.
2. Information provided by the MRM Working Group.
3. MoEHE 2013: *Educational Statistical Yearbook 2012/2013*.
4. Education Cluster Vulnerable School Matrix, February 2012 and MoEHE data 2011-2012, August 2010.
5. UNRWA June 2012.
6. Education Cluster Vulnerable Schools Matrix, VSM, December 2013.
7. Gaza in 2020: A Liveable place?, A Report by the United Nations Country Team in the occupied Palestinian territory, August 2012, p.15. <http://www.unrwa.org/userfiles/file/publications/gaza/Gaza%20in%202020.pdf>
8. Education Cluster Vulnerable Schools Matrix, VSM, December 2013.
9. Some 15 per cent of 116 West Bank communities, many of them in Area C, surveyed in a mapping exercise by the Child Protection Working Group and the Education Cluster, reported that school children and youth must walk along busy or dangerous routes to get to school. *Ibid*.
10. *Education under occupation*, EAPPI, February 2013.
11. According to the International Covenant on Economic, Social and Cultural Rights, the government is obliged to ensure that the school curriculum is acceptable (i.e. relevant, culturally appropriate and of good quality) to students, and in appropriate cases to parents.
12. ACRI, Ir Amim, 2013 *Annual Review Status Report*.
13. Waqf Directorate of Education, 2011-2012.
14. For more on the situation of education in East Jerusalem, see OCHA, *East Jerusalem: Key Humanitarian Concerns*, March 2011, chapter 5. http://www.ochaopt.org/documents/ocha_opt_jerusalem_report_2011_03_23_web_english.pdf
15. UNICEF/UNESCO survey among students and teachers in East Jerusalem conducted in 2011.



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📷 Sewage outlet, Gaza Strip.

CLUSTER SPECIFIC OVERVIEW: WATER, SANITATION AND HYGIENE (WASH)

This section was contributed by UNICEF on behalf of the WASH Cluster

Overview

The lack of access to essential resources such as water and energy, and the prevention of sustainable development due to a variety of impediments, in particular the ongoing blockade on Gaza and the cumulative impact of planning restrictions imposed in Area C of the West Bank, continue to negatively impact the Palestinian population in general, and its most vulnerable segments in particular.

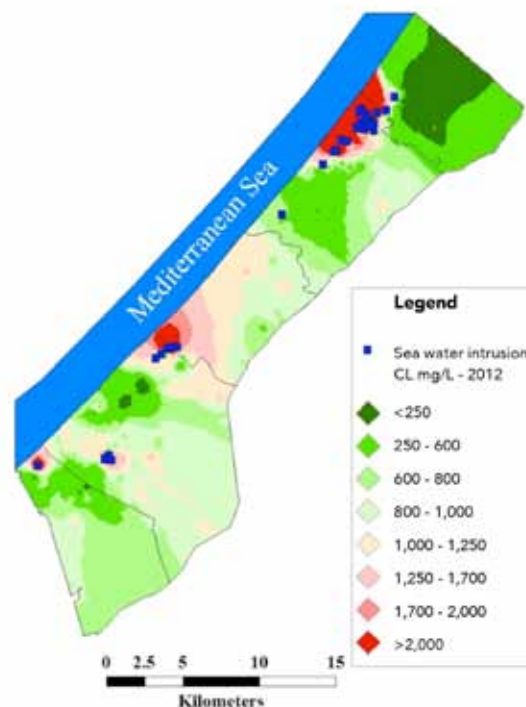
- 55,000 Palestinians in the West Bank consume less than 30 litres of water per capita per day, compared to an internationally recommended requirement of 100 l/c/d.
- 49,000 Palestinians in the West Bank pay more than 20 NIS per m³ of water, compared to 5 NIS per m³ if connected to a water network.
- 340,000 persons in the Gaza Strip consume drinking water of unacceptable quality.
- 105,000 persons in the West Bank have inadequate toilet facilities.
- Gaza communities with a total of 156,000 inhabitants have a less than 75 per cent connectivity to sewage networks.
- A total of 300,000 students throughout the oPt suffer from poor WASH facilities in schools.

The Gaza Strip

Water

Given its inability to benefit from Palestinians' rightful share of trans-boundary water resources, the Gaza Strip relies on the underlying portion of the Coastal aquifer as

Seawater Intrusion Wells in Gaza Strip CL Concentration/2012



its only water source. While the estimated annual recharge of this aquifer from rainfall is 55 Million Cubic Metres (MCM), extraction reaches around 180 MCM a year, or more than three times this amount. The systematic ongoing over-extraction during the past few decades has resulted in the intrusion of seawater and up-coning of the underlying saline water.

Consequently, about 74 per cent of the water extracted from the Gaza aquifer contains salinity levels far beyond acceptable standards for drinking water, as reflected in the high concentration of chlorides.¹ While the health risks posed by the consumption of such water are uncertain, the taste of saline water makes it unsuitable for drinking or cooking.

The excessive amounts of nitrate found in the water, as a result of application of fertilizers and the release of nitrogen from wastewater

discharge, constitute an additional health risk, particularly for infants.

Taking into consideration the combined effect of chloride and nitrates, only 5.5 per cent of the piped water meets WHO (World Health Organization) quality standards, with 94.5 per cent considered unsafe for drinking or cooking. Therefore, the majority of the Gaza population uses water from the network only for other domestic purposes.

In order to provide the population with water for drinking and cooking, the CMWU (Coastal Municipalities Water Utility) operates 14 desalination plants (13 with brackish water and one with seawater).

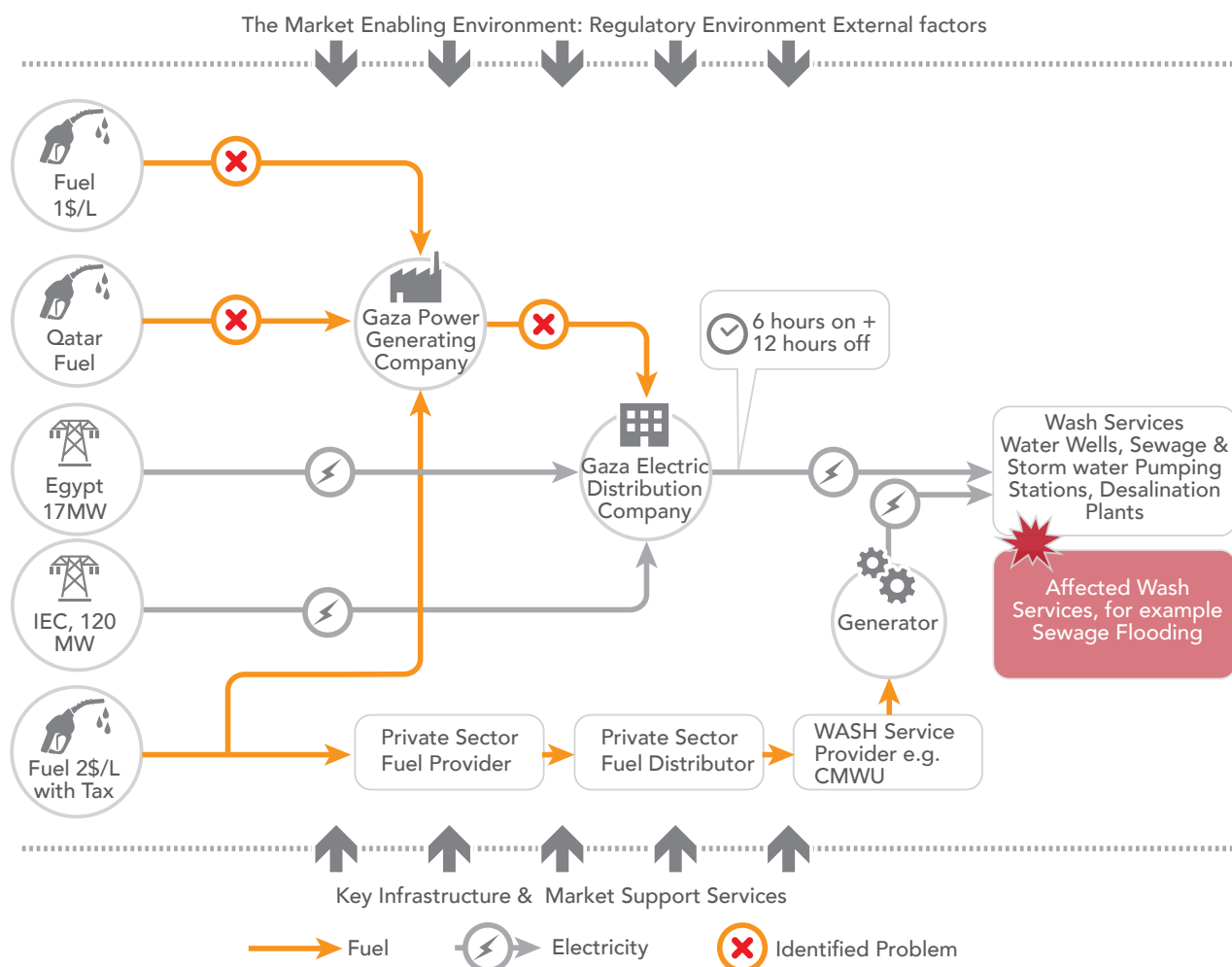
However, the insufficient coverage of this supply has triggered the emergence of an unregulated private desalination sector, supplying households with desalinated water of questionable quality.²

Additionally, the dual water supply system, from the network and from desalination plants, requires households to operate an additional storage system and increases their expenditure on water.

There is ample evidence that the underlying coastal aquifer cannot sustain Gaza's growing population.³

Strategic planning includes, amongst other measures, the reuse of wastewater for irrigation, collection and re-infiltration of storm

Electricity and Fuel Market Gaza December 2013



water, and the import of water from Israel.⁴

While desalination of seawater has been also raised as an option, this has been queried by critical voices pointing to the constraints in access to energy and the low power purchasing capacity of the population.

Waste Water & Sanitation

The Gaza Strip currently relies on Waste Water Treatment Plants (WWTPs) which are either working beyond their capacity, or were constructed as temporary installations for partial treatment. As a result, every day about 90 million litres of untreated or partially treated sewage are discharged directly into the sea.⁵ The resulting contamination of seawater poses a potentially serious health and sanitation hazard to beaches and seafood.

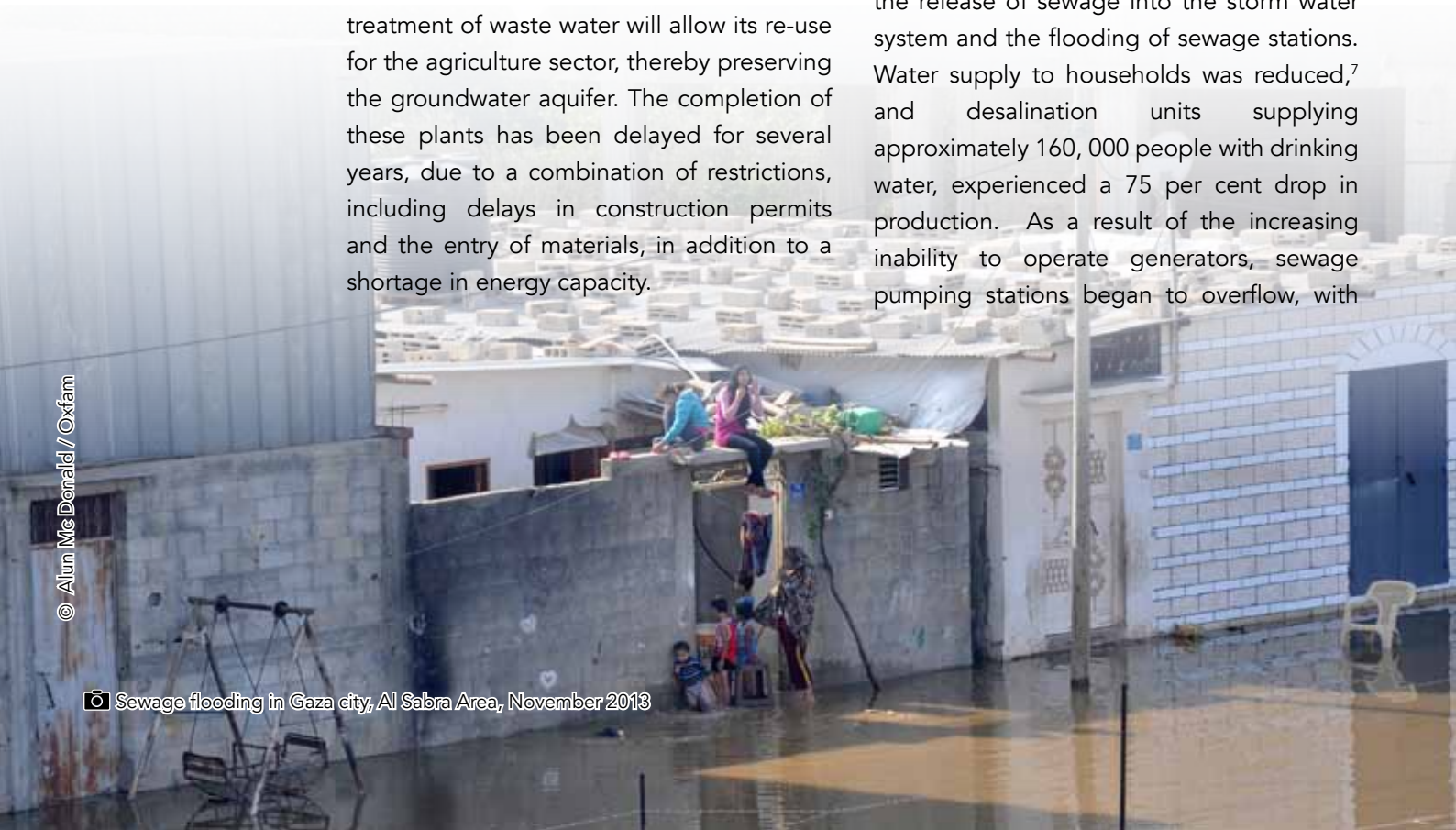
The Gaza Strip urgently needs the rapid completion of three major WWTPs: the North Gaza Emergency Sewage Treatment Project (NGEST), the Gaza City WWTP, and the Central UNDP WWTP in Khan Yunis. Effective treatment of waste water will allow its re-use for the agriculture sector, thereby preserving the groundwater aquifer. The completion of these plants has been delayed for several years, due to a combination of restrictions, including delays in construction permits and the entry of materials, in addition to a shortage in energy capacity.

Energy and fuel crises

Gaza's existing WASH infrastructure comprises a total of 281 main facilities, all needing electricity to operate.⁶ In the absence of electricity from the grid, they rely on stand-by generators run on fuel. From June 2013, in connection to increasing unrest across Egypt and a deteriorating security situation in the Sinai Peninsula, the Egyptian authorities closed or destroyed the majority of the illegal smuggling tunnels under the Egypt-Gaza Strip border, bringing the supply of cheaper fuel from Egypt to an almost total halt. (See chapter on *Movement & Access*).

This resulted in the shutdown of the Gaza Power Plant on 1 November 2013, with a subsequent worsening of the electricity supply schedule, from eight hours 'on' and eight hours 'off' to six hours 'on' and 12 hours 'off'. The lack of financial resources on the part of service providers to buy fuel caused the release of sewage into the storm water system and the flooding of sewage stations. Water supply to households was reduced,⁷ and desalination units supplying approximately 160,000 people with drinking water, experienced a 75 per cent drop in production. As a result of the increasing inability to operate generators, sewage pumping stations began to overflow, with

Gaza's existing WASH infrastructure comprises a total of 281 main facilities, all needing electricity to operate.



at least ten stations diverting sewage to open channels, to the sea or to storm water lagoons

When winter storm 'Alexa' struck the oPt in December 2013, at least 25 low-lying areas across Gaza flooded, due to the storm water system's inability to discharge the water fast enough into the sea. Entire areas were flooded with a mixture of sewage and storm water, creating public health concerns.⁸ Although the rainfall was exceptional, a well-functioning system of WASH facilities would not have had storm water channels and collection ponds filled with sewage before a storm event; it would have possessed enough fuel to operate facilities, and enough equipment such as mobile pumps for emergency response.

In addition to appropriate infrastructure,⁹ Gaza service providers and communities need support for improving preparedness and response capacity. This involves, amongst others, the provision of fuel, spare parts, mobile pumps, and other indispensable items which serve to guarantee essential water and sanitation services, as well as a national emergency plan with a well-established link to the inter-cluster contingency plan; the aforementioned issues constitute major WASH Cluster concerns and are considered a priority.

West Bank

Water

In the context of the Oslo accords signed during the 1990's, an Israeli-Palestinian Joint water Committee (JWC) was established with the authority to regulate the water and wastewater sector in the occupied Palestinian territory (oPt). Despite Palestinian representation at the JWC, this mechanism

granted Israel the ability to veto or delay water-related projects (including in Areas A and B). Under the accords, Palestinians should have access to 118 MCM/year with an additional 78 MCM promised for development. In practise, instead of 196 MCM/year, Palestinians extract only 87 MCM, while the additional amount of 78 MCM has never been developed.¹⁰ This has resulted in an enormous discrepancy between Palestinian and Israeli water use.

In addition to the JWC's approval, projects to be implemented in Area C also require a permit by the Israeli Civil Administration (ICA). Under the Israeli interpretation of the accords, this requirement applies even to the renovation of existing wells and cisterns. Water structures constructed without permit are under risk of demolition/confiscation by the Israeli authorities (see also *Displacement* section).

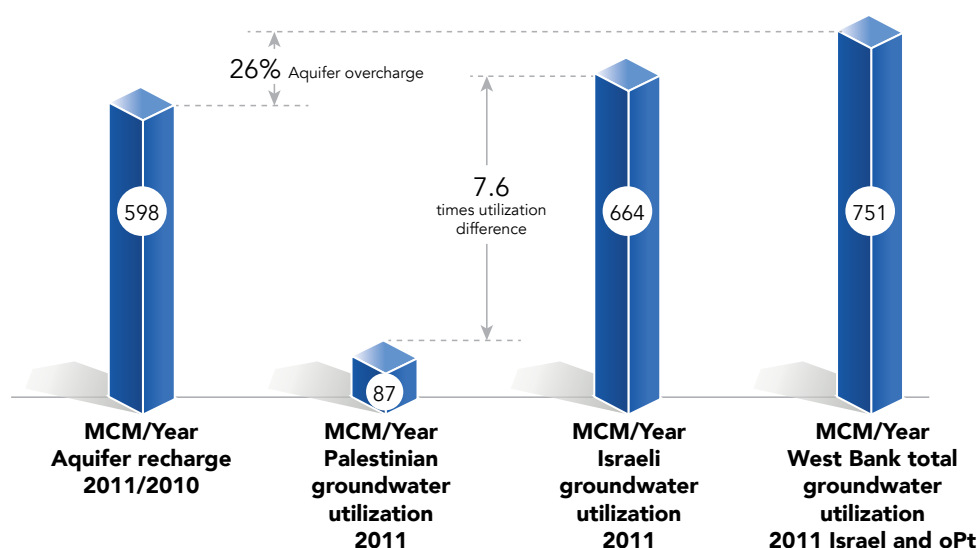
In 2013, the Israeli authorities destroyed at least 62 WASH facilities across Area C, on the grounds that they lacked the adequate permits, down from 56 facilities in 2012. Structures targeted in 2013 included 22 water tanks, 19 latrines, 15 cisterns, 5 pipelines and a water well. Demolitions have predominantly occurred in the Jordan Valley and Hebron governorate, with the majority taking place in areas which have been classified as firing zones, or are within close proximity of settlements. These demolitions have deprived vulnerable Palestinians of essential water sources (in the case of ancient cisterns, also affecting the cultural heritage), threaten good hygiene and public health and further undermine the already fragile livelihoods.

Water scarcity particularly impacts vulnerable un-served and under-served communities in marginalized areas of the West Bank. In

In 2013, the Israeli authorities destroyed at least 62 WASH facilities across Area C, on the grounds that they lacked the adequate permits, down from 56 facilities in 2012.

The provision of adequate sanitation facilities in vulnerable communities and in schools, and in critical areas the replacement of open sewers with enclosed pipes, are of major Wash Cluster concern and considered a priority.

West Bank aquifer recharge and utilization in MCM/year, based on Draft PWA National Water Strategy report



Area C, 18,660 residents in 122 communities consume less than 30 l/c/d. Unconnected households are spending more than one-sixth of their income on water supplied by tankers, the quality of which is not monitored. In 2013, a coordinated proposal for a water scarcity intervention in four key water scarce areas identified a total of 49,000 people paying more than 20 NIS/m³ water, more than four times the price of piped water.

Waste Water & Sanitation

Efforts for sanitation improvement in the West Bank have had to contend with serious constraints. Of the 30 Palestinian WWTP's proposals submitted by the Palestinian Authority to the JWC since 1995, only four have received approval.¹¹ Implementation of those JWC approved projects has been repeatedly delayed, with only one Palestinian wastewater treatment plant currently functioning in the West Bank. Overall, less than a third of all Palestinian households are connected to sewage networks¹², mostly in urban areas, and less than five per cent of

the total generated wastewater is treated inside the West Bank, while 20 per cent is treated in Israel. The inability to implement projects and expand the existing wastewater infrastructure forces Palestinians to pay for the construction and maintenance of wastewater treatment plants in Israel,¹³ while depriving them of the benefit of treated wastewater as a much needed resource for the agricultural sector.

In many Area C communities, the construction restrictions deny residents access to basic closed sanitation facilities. This particularly affects women and girls, who lack privacy and appropriate hygiene conditions. In areas without networks, sewage flows in open channels and constitutes an environmental concern and a public health hazard. Illegal Israeli settlements continue to be a major source of pollution as they generate wastewater, which in some cases is discharged untreated into the surrounding environment.

Endnotes

1. PWA. (September 2013). Evaluation of Groundwater, Part B, Water Quality in the Gaza Strip Municipal Wells. Published by Water Resources Directorate
2. According to a KAP (Knowledge Attitude and Practice) study conducted in 2012, 39 per cent of samples taken from private vendors showed the presence of faecal coliforms.
3. According to the Palestinian Water Authority (PWA), 'with the absence of alternative water resources in the short-term, there will be a real catastrophic water situation in the Gaza Strip.' PWA. (September 2013). Evaluation of Groundwater, Part B, Water Quality in the Gaza Strip Municipal Wells. Published by Water Resources Directorate, chapter 6. Chloride Concentration Prediction with Time for Year 2017 and 2022, page 11.
4. PA. PWA. (2011). The Comparative Study of Options for an Additional Supply of Water for the Gaza Strip (CSO-G).
5. In July 2009, the World Health Organization (WHO) reported that water samples taken from seven separate beach areas in the Gaza Strip were contaminated with faecal coliforms and faecal streptococcus. WHO, *Sea Water Biological Situation in the Gaza Strip*, July 2009.
6. Including 208 water wells, 12 booster stations/reservoirs, 12 brackish and 1 seawater desalination plant, 42 main sewage pump stations, 4 storm water pumping stations and 4 wastewater treatment plants.
7. Fifteen per cent of the population received water supply every day, 25 per cent once every four days, 40 per cent once every three days, and 20 per cent every two days; the supply cycles last from five to six hours.
8. Worst affected was the Sheikh Radwan neighbourhood of Gaza City, a residential area 250 dunums in size, containing some 1,000 households.
9. For example, a separation of the sewage and storm water system in Rafah.
10. PWA. (December 2012), *National Water Policy and Strategy for Palestine*, draft copy.
11. PWA, *Summary Report in Preparation for the Meeting of the Ad Hoc Liaison Committee (AHLC)* 2012.
12. *National Water Strategy for Palestine: Towards Building a Palestinian State from Water Perspective*, Palestinian Water Authority, Draft C opy, Decrmbrt, 2012, Version 10 22/10/2012.
13. 'Since 1996, Israel has unilaterally deducted over \$US42 million from Palestinian tax revenues (with no prior notification and no accounting of details) for the construction and maintenance of wastewater treatment plants in Israel built to treat and reuse Palestinian wastewater for the exclusive use of Israel's agricultural sector. Palestinians receive no compensation for this lost resource. Today, Israel treats approximately 21 per cent (15MCM) of sewage produced in the West Bank, which flows across the 1967 Green Line. It automatically deducts all costs associated with its treatment from tax monies owed to the PA.' PWA, *Summary Report in Preparation for the Meeting of the Ad Hoc Liaison Committee (AHLC)* 2012.



©Photo by Marco Longari/FAO

📷 Woman tending her home garden in West bank village of Yatta al-Carmel.

SECTOR SPECIFIC OVERVIEW: FOOD SECURITY

This section was contributed by FAO on behalf of the Food Security Sector

Overview of food insecurity

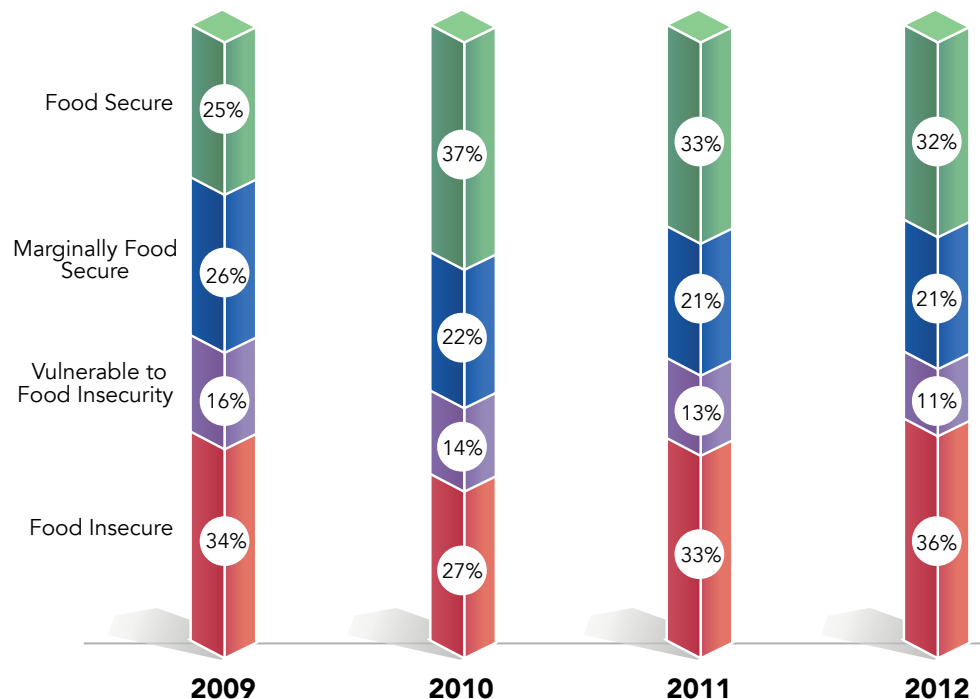
Large parts of the population in the oPt suffer from food insecurity. The primary problem of food insecurity is not the lack of food, but rather the lack of available and stable income to pay for it.¹ For the most part this is caused by loss of livelihood sources, unemployment and restricted movement and access. The results of the 2012 Socio-Economic and Food Security Survey (SEFsec) show a sharp increase in food insecurity, reversing the progressive improvements registered since 2009. In 2012, more than a third (34 per cent) of Palestinian households, approximately 1.6 million people, were found to be food insecure, marking a dramatic rise from 27 per cent in 2011. In the West Bank, food insecurity levels among households rose from 17 to 19 per cent. The deterioration was

1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.
2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed.

International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 11

more pronounced in the Gaza Strip, where food insecurity levels increased from 44 to 57 per cent over the year.² In both the West Bank and Gaza Strip, the growth in food

Household food security levels in the oPt, 2009-2012



insecurity rates was particularly concentrated in the middle and southern governorates, in refugee camps and among refugees.

This rise in food insecurity in 2012 was driven by a number of factors, including the Palestinian Authority's fiscal crisis, persistently high and growing unemployment rates, a continued increase in the cost of living, low wages and a slowdown in economic growth. The PA's budget deficit led to significant delays in the paying of public sector salaries and social benefits, increasing food insecurity and further deepening food insecure households' reliance on external assistance.

Palestinian economic growth rate continued to decline, while unemployment remained high. In 2012, the overall growth rate declined to six per cent, down from 11 percent in 2010-2011. This further deteriorated to 2.7 per cent in the first quarter (Q1) of 2013 compared to Q1 2012,³ and declined overall to 1.9 per cent in the first half of 2013.⁴ The average unemployment rate (ILO definition) in the oPt during 2013 was 23.3 per cent, with the rate in the Gaza Strip (32.5 percent) significantly higher than the West Bank (18.6 per cent). Of particular concern is the high youth unemployment rate, (youth aged between 15 and 29), reaching more than 31 per cent in the West Bank and more than 50 per cent in Gaza.⁵

The above mentioned limited economic growth in the oPt is unsustainable, as it is largely driven by public sector growth rather than tradable sectors such as agriculture and manufacturing. As long as the political context remains volatile, investment in the productive economy, including agriculture, is considered hazardous by many private investors. Overall, the imposed constraints

on trade and access to resources, both in the West Bank and in the Gaza Strip, continue to prevent any meaningful and sustainable recovery of the Palestinian productive economy.

Gaza Strip: ongoing blockade and tunnel closure

While updated figures for 2013 are unavailable, the scope of food insecurity in the Gaza Strip is expected to have increased due to the curtailment of smuggling activities between Gaza and Egypt, which compounded the impact of the longstanding Israeli blockade. Both factors combined triggered a sharp increase in unemployment levels, driven by the loss of jobs in the construction sector due to a severe shortage in construction materials. During the year, the two largest UN agencies, UNRWA (for refugees) and WFP (for non-refugees), provided food assistance to approximately 1.1 million out of 1.7 million people in the Gaza Strip.

In addition to the decrease in the availability of construction materials and fuel, detailed further in the chapter on *Movement & Access*, the closure of the illegal tunnels has also reduced the supply of food commodities, leading to price rises in 2013. Food prices increased by 11 per cent for bread, 33 per cent for rice and seven per cent for vegetable oil, with fuel prices increasing between 15 and 23 per cent. These increases are reflected in the food consumer price index (FCPI) which increased by 4.6 per cent over the same period.⁶ The loss of GDP is estimated at 18 per cent, and the recent Israeli restrictions on construction materials further exacerbated unemployment and caused the prices of some goods to increase by 50 per cent.

The scope of food insecurity in the Gaza Strip is expected to have increased due to the curtailment of smuggling activities between Gaza and Egypt.

The Ministry of Economy in Gaza estimates that losses to the local economy since June 2013 amount to USD 460 million, equivalent to over half the annual budget.

Gaza also faces a significant reduction of fiscal revenues from tax collection on tunnel smuggling by the local authorities. The Ministry of Economy in Gaza estimates that losses to the local economy since June 2013 amount to USD 460 million, equivalent to over half the annual budget and 26 per cent of the 2012 GDP. Due to falling tax revenues, the salaries of approximately 50,000 civil servants, some 20 per cent of the total number of employees in Gaza, have either been delayed substantially or not been paid at all since November 2013. The food security situation of civil servants and construction sector workers is most likely affected by the postponement of wage payments.

As the effects of the import restrictions and tunnel closures continue, the first affected have been poorer communities and those relying on the agriculture and construction sectors. Income losses are expected to continue in 2014 in the transportation, fishing and construction sectors. These factors will result in increased food prices and decreased households' purchasing power, thus increasing food assistance beneficiary numbers.

Storm damage and response

The oPt experienced extreme weather conditions on two occasions during the year, in January and December. The latter, winter storm 'Alexa', which lasted from 11 to 14

Table 1: Total physical damages to the agriculture sector –
WBGS Location

	Livestock (USD)	Crops (USD)	Total (USD)
Gaza Strip	3,962,675	6,431,595	10,394,271
West Bank	8,669,565	7,592,588	16,262,153
Total	12,632,240	14,024,183	26,656,424

December 2013, covered the West Bank with heavy snow and brought unprecedented rainfall to the Gaza Strip. The winter storm caused severe damage and losses to the agriculture sector, resulting in an increase in humanitarian needs for farming and herding households who suffered losses to their productive assets and livelihoods.⁷

Almost USD 27 million worth of plants, animals and infrastructure (including greenhouses, open field crops, livestock and animal sheds) were damaged or destroyed as a result of the storm.

In the West Bank, damage included the reported death of over 280,000 animals, including 17 per cent of all layers (i.e. egg-producing poultry). In addition, almost 200,000m² of animal sheds were damaged. In the crop sector, damage in the West Bank was driven by snow-related damage to greenhouses. In all, 12 percent of the total area of greenhouses were damaged.

In the Gaza Strip, damage to crops was more significant than to livestock. This includes USD 2.5 million in damage to irrigation systems, equivalent to 56 percent of all cultivated open fields. Strong winds and hail damaged as much as 88 percent of the total area covered by greenhouses. As vegetable consumption in the Gaza Strip relies largely upon domestic production, damage to greenhouses may have a substantial impact on consumption. In addition, USD 1.35 million worth of ready-to-harvest crops were destroyed.

Animals were also impacted by the extreme cold conditions in the Gaza Strip, including the loss of some 508,000 animals. Among the sub-sectors, the poultry sector was one of the hardest hit, with 20 per cent of

all broilers (i.e. chickens raised for meat production) killed by storm conditions. This is of particular concern as 70 percent of the protein consumed in Gaza is from locally-grown chicken meat.

In addition to the monetary cost of damage to plants, animals and infrastructure, the total value of production loss is estimated at USD 49.4 million (58 percent in the West Bank and 42 percent in the Gaza Strip). In the West Bank, production losses were primarily driven by lost income resulting from the destruction of greenhouses and open fields

Emergency response

During the storm and immediately after, people affected by the snowfall in the West Bank and by the floods in Gaza were provided with emergency food assistance and vouchers.

Also, based on Ministry of Agriculture (MoA) and FAO damage assessments, Food Security Sector partners have identified two intervention priorities in response to immediate emergency needs in agriculture, as follows:

- 1 Emergency support to the livestock sector through rehabilitation of animal shelters; and
- 2 Rehabilitation of greenhouses to prevent the total loss of productive assets and the consequent negative effects this could have on food security.

In order to secure resources needed for the emergency response, Food Security Sector partners have reallocated resources from their ongoing interventions to repair damaged animal shelters and greenhouses worth USD 1.5 million. The remaining gap in resources is to be covered by 14 applications, worth USD 3.3 million, to the Emergency Response Fund (ERF), pending approval.

due to flooding and frost. In addition, the productivity of grape vines and olive trees is expected to decline in the upcoming season. In the Gaza Strip, production losses were primarily related to the destruction of vegetables grown in open fields and the loss of greenhouse production.

Overall, it is expected that the storm will have both an immediate and long-term negative impact on the economy of the oPt. Palestinian farmers and herders have limited financial resources, assets and access to agricultural inputs to help them recover from this natural disaster. It is not until crops reach maturity and are sold in the local market that farmers will be able to repay their debts and earn income to cover basic living expenses – including food, education and health care. As such, the loss of crops and livestock will have adverse effects on farmers' and herders' livelihoods, food security, overall resilience and ability to cope with future shocks.

Destruction of agricultural structures in Area C

Farmers and herders across Area C of the West Bank experienced increased losses as a result of the destruction of productive assets built, planted or installed without the permits required by the Israeli authorities (See chapter on Displacement). For example, in 2013 the Israeli authorities uprooted or levelled at least 1,720 trees (mostly in areas designated as 'state land' or 'nature reserves') and demolished 189 animal sheds and pens, compared to 737 trees and 138 animal

shelters demolished in 2012. Additionally, in some areas farmers' livelihoods have been also affected by settler violence, which during 2013 resulted in the uprooting or damage to 10,143 trees, compared to 8,259 trees in 2012.

The destruction of productive assets has significant economic consequences; to grow an olive tree to its peak age of production costs around USD 600. To replace a damaged tree also involves 20 years' loss of olive oil value until it resumes its productive level. Similarly, the demolition of animal sheds leads to the spread of animal diseases and declining productivity of meat and dairy products. A productive ewe costs up to USD 500 and produces an average of 200 litres of milk per year, equivalent to an income of USD 400. In addition, a ewe will generate 1.5 lambs per year, worth USD 200.

In 2013, material support to farmers and herders affected by demolitions and settler violence was primarily covered by two projects; one providing support that would cover the first 90 day needs, led by ACTED; and the second looking at asset rehabilitations (FAO). On average, the two projects covered around 80 per cent of emergency and recovery needs.

Any disruption in the response to demolitions could have a significant impact on the possibility of herders and farmers maintaining their source of income, and therefore increases the possibility of displacement in Area C.

To replace a damaged tree also involves 20 years' loss of olive oil value until it resumes its productive level.

Endnotes

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