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Gaza, M. El Halabi/OCHA, 2011.



FRAGMENTED LIVES

HUMANITARIAN OVERVIEW 2011
MAY 2012



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Over the years, OCHA has produced reports on the humanitarian situation in the occupied Palestinian territory (oPt). These have been based on thematic concerns – movement and access restrictions, forced displacement, the Barrier – or geographically-specific issues – Gaza, Area C, East Jerusalem. *Fragmented Lives: Humanitarian Overview 2011* represents a new approach to the humanitarian situation in the oPt, in that it brings together the key concerns oPt-wide in one document. These reflect the advocacy priorities identified by the Humanitarian Country Team (HCT), the main humanitarian coordinating body for UN agencies and NGO partners in the oPt.

Overall, the HCT considers the situation in the oPt to be a protection-based crisis, resulting from ongoing conflict and occupation, a lack of respect for international law, a near complete absence of accountability and a system of policies that severely undermine 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 lives free of large scale humanitarian interventions. In 2011, the main advocacy priorities to address the above mentioned-concerns were *Accountability & Third State Responsibility; Life, Liberty & Security; Forced Displacement; Movement & Access; and Humanitarian Space*.

The report is structured around these priorities, with the question of accountability addressed throughout the report. In addition, concerns related to the main clusters – Health, Education, WASH and Food/Livelihood – are detailed in separate chapters. Most of the information presented here has been reflected in other OCHA documents and products. The *Way Forward* sections identify the immediate and longer-term actions which need to be implemented, primarily by the Government of Israel, to improve the humanitarian situation and to remedy the protection concerns.

It is planned to update the report on an annual basis and provide relevant indicators to enable the humanitarian community to monitor trends and developments in the oPt for advocacy purposes and to track developing humanitarian trends. I hope that the *Humanitarian Overview* will serve both as a practical advocacy tool and a comprehensive overview or ‘snapshot’ of the humanitarian situation in the oPt in a given year. As such, it should be of use not only for the humanitarian community but for all who are concerned with finding a durable solution to the Arab-Israeli conflict.



Maxwell Gaylard

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Executive Summary

The *2011 Humanitarian Overview* addresses the key advocacy priorities identified by the Humanitarian Country Team (HCT), the main humanitarian coordinating body for UN agencies and NGO partners in the oPt. The report identifies the following trends in the main priority areas:

Life, Liberty and Security

Palestinian civilians throughout the oPt face threats to their life, security and property as a result of policies and practices relating to the ongoing occupation, as well as intermittent outbreaks of hostilities. Overall, 2011 witnessed an increase in Palestinian fatalities and injuries caused by the Israeli military. In the West Bank there was also a significant increase in settler-related violence, directed both against persons and their properties. Israeli civilians are also threatened by rockets and mortar shells fired indiscriminately at southern Israel by Palestinian armed groups, although those directly affected are fewer. While the context in which civilians are killed or injured differs, the common denominator affecting all victims of unlawful acts of violence is a pervasive absence of accountability and a culture of impunity, resulting from lack of respect for international law by the parties and failure of law enforcement on the part of Israeli authorities.

Forced Displacement

Forced displacement represents a growing threat to vulnerable Palestinian communities in the oPt, as a result of policies and practices

enforced by Israeli authorities. In 2011, both the number of structures demolished (622) and the number of persons displaced (1,094) in the West Bank was the highest since OCHA started collecting statistics systematically in 2006. In the West Bank, including East Jerusalem, home demolitions are the direct cause of most displacement. However, a combination of other factors, including the revocation of residency rights, settler violence, movement restrictions, and restrictions on planning and zoning and access to services and resources, contribute to the displacement of Palestinians from their communities, particularly in Area C, where the Israeli authorities retain full control over security and planning and zoning. Israeli military operations have been the main cause of displacement in the Gaza Strip; an estimated 15,000 remain displaced from the 'Cast Lead' offensive in 2008/09.

Restrictions on Movement and Access

Movement and access within the oPt is restricted by a combination of physical obstacles – most notably the Barrier, checkpoints – and by bureaucratic constraints, such as permits and access restricted areas. This multi-layered system impacts the flow of both persons and goods into the Gaza Strip; between Gaza and the West Bank; within the West Bank itself, and into East Jerusalem from the remainder of the oPt. These restrictions also impact access to services – health, education, and housing – on the part of the

'Palestinians are utterly frustrated by the impact of Israeli policies on their lives. They can't move freely around their territory. They can't plan their communities. They are evicted from their homes. Their homes are regularly demolished. I don't believe that most people in Israel have any idea of the way planning policies are used to divide and harass communities and families. They would not themselves like to be subjected to such behavior.'

United Nations Under-Secretary-General for Humanitarian Affairs, Baroness Valerie Amos, May 2011.

Palestinian population, in addition to limiting the capacity of the local and international organizations who deliver assistance to the most vulnerable populations. In the Gaza Strip the blockade continues to be the main impediment to access, economic recovery and restoration of basic rights. In the West Bank, the application of movement and access restrictions is discriminatory, targeting mostly Palestinian residents, for the benefit of the Israeli settler population.

Humanitarian Space

In 2011, while the capacity of humanitarian organizations to provide assistance benefited from the absence of large-scale violence, a mixture of bureaucratic, physical and political constraints continue to significantly undermine the ability of humanitarian actors to function and deliver assistance throughout the oPt. The situation is exacerbated by the fragmentation

of the oPt into disconnected areas – the Gaza Strip, East Jerusalem, the ‘Seam Zone’, and the rest of the West Bank. Even those parts of the West Bank under the control of the Palestinian Authority (Areas A & B), are non-contiguous and are divided by swathes of Area C.

Overall, while the Palestinian Authority’s state-building initiative continued in those parts of the West Bank which it controls (Areas A & B), 2011 witnessed the continuing fragmentation of the

occupied Palestinian territory. The Gaza Strip remains effectively isolated by the blockade, with the movement of people and goods highly restricted, particularly from the West Bank, counter to Israel’s commitment, under the Oslo Accords, to recognize the Gaza Strip and the West Bank as a ‘single territorial unit.’ East Jerusalem – which traditionally served as the focus of political, commercial, religious and cultural life for the entire Palestinian population of the oPt – is increasingly separated

from the remainder of the West Bank and the Gaza Strip, as a result of policies and practices adopted by Israel following its unilateral annexation in 1967. The remainder of the West Bank is further subdivided by a complex system of physical and bureaucratic restrictions, centred round Palestinian inability to build or to develop land and water resources, particularly in Area C, and the continuing expansion of settlements.

The Way Forward

The civilian population in the oPt has suffered several decades of conflict and occupation, which has had serious and negative impact upon all aspects of their lives. Many of the humanitarian concerns outlined in this report relate directly to a failure, on all sides, to respect international law and ensure that civilians are protected and respected. The situation has been further exacerbated by lack of accountability and a pervasive culture of impunity, which has allowed violence and confiscation of land and resources to continue unabated. These trends must be reversed.

The Palestinian population has the ability and the resilience to recover from years of conflict and occupation with continued international support in a relatively short period of time, provided that their rights were fully respected and their ability to sustain their livelihoods supported. Improved respect for international law would go a long way to address most of the root causes that give rise to humanitarian vulnerability and dependency in the oPt, facilitating recovery and enabling the population to rebuild their lives pending a more durable solution. The objective of this report is to contribute to that aim by highlighting the main humanitarian concerns and their root causes, and by suggesting a way forward.

LIFE, LIBERTY AND SECURITY

1. Overview

Palestinian civilians throughout the oPt face significant threats to their life, security and property as a result of occupation-related policies, in addition to hostilities. Overall, 2011 witnessed an increase in Palestinian fatalities and injuries caused by the Israeli military. In the West Bank there was also a significant increase in settler-related violence, directed both against persons and their properties.

In 2011, according to OCHA figures 121 Palestinians were killed

(including 15 children) and 2,110 injured (including 425 children) in direct conflict incidents. The majority of the fatalities took place in Gaza (108 vs. 13), while most injuries occurred in the West Bank (1,643 vs. 467). This represents a 30 percent increase compared to the overall number of casualties in 2010, when 86 Palestinians were killed and 1,536 were injured. In Gaza, members of armed groups accounted for the majority of the fatalities in 2011 (59 vs. 49), but the vast majority of those injured were civilians (406 vs. 61 militants).

In 2010, the number of armed Palestinians killed was twice the number of civilian fatalities (48 vs. 24); however, in 2011 armed fatalities were only 17 percent more than civilian ones.

The number of Israeli fatalities in the West Bank increased compared to 2010 (8 vs. 6); declined slightly as a result of Gaza-related hostilities (4 vs. 5). However the number of projectiles launched indiscriminately from Gaza into Israel increased.¹

2. West Bank

2.1 Settler-related violence

Settler-related violence in the West Bank includes physical assault; harassment; takeover of and damage to private property; obstructed access to grazing and agricultural land; and attacks on livestock and agricultural land.²

This represents a significant increase compared to 2010, with 1 fatality and 109 injuries, and 243 incidents targeting Palestinian private property. The most severe escalation in settler violence in 2011 occurred in March, when OCHA recorded 78 incidents (both physical attacks and property damage), the majority of them following the killing of an Israeli family of five (including three children) in the settlement of Itamar (Nablus) by two Palestinians from the neighbouring village of Awarta.³ As outlined in the chapter on Forced Displacement, the risk of displacement of vulnerable

families as a result of settler violence is an issue of increasing concern. Settler violence creates pressure on certain Palestinian communities, particularly when combined with other difficulties, such as access and movement restrictions and house demolitions.

2.2 Demonstrations

A significant number of Palestinian injuries (45 percent) in the West Bank occurred as a result of clashes with Israeli forces during demonstrations. In 2011, these accounted for the death of two and the injury of 742 Palestinians, and the injury of 15 Israelis and 16 foreign nationals demonstrating in solidarity with the Palestinian communities. Regular demonstrations are held by Palestinians to protest access restrictions imposed by the Israeli authorities to protect Israeli settlements and safeguard space for their development. These include

In 2011, Israeli settlers were responsible for three fatalities and 183 injuries, in addition to 290 incidents resulting in damage to Palestinian private property.

anti-Barrier demonstrations held in the villages of Bil'in and Ni'lin, next to the Modi'in Illit settlement block (Ramallah); the protests against the closure of the main entrance to Kafr Kadum village, next to Qedumim settlement (Qalqiliya); and protests against the access restrictions to farming land belonging to Beit Ummer village, next to the Karmeit Zur settlement (Hebron).

Other demonstrations were held to protest settler activities carried out under the protection of the Israeli authorities. The largest and most regular of these demonstrations continue to be held in the village of An Nabi Saleh to protest the takeover of private land and

water springs by settlers from the nearby Hallamish settlement (Ramallah). Similar, although less frequent, protests have also been held in villages around Nablus city affected by systematic settler attacks and intimidation. Clashes usually involve the use of tear gas, stun grenades and pepper spray, as well as physical assault by Israeli forces, along with stone-throwing by demonstrators. Rubber-coated metal bullets and live ammunition

have been also used by Israeli forces, but with less frequency. A number of Palestinian and Israeli human rights organizations have claimed that in some of these demonstrations Israeli forces have used unnecessary or excessive force.

Overall in 2011, incidents carried out by Israeli settlers or by the Israeli army in contexts such as demonstrations against settler

takeover of land or the Barrier, or clashes where settlers were involved, accounted for roughly two thirds of the Palestinian casualties incurred in direct conflict incidents. Other incidents in the West Bank, where the Israeli army was responsible, took place in the context of night raids on Palestinian houses, after Israeli soldiers broke in covertly, at checkpoints or during routine patrols.

3. Gaza

3.1 Military operations

In the Gaza Strip, attacks mostly took place in the context of hostilities between Palestinian armed groups (mainly groups not controlled by Hamas) and Israeli forces. OCHA recorded two major waves of hostilities in 2011: in March-April, when 97 percent of the injuries and 40 percent of the fatalities were civilians not involved in the fighting, and in August, when a number of armed men infiltrated into southern Israel

through Egypt and killed eight Israelis, triggering a cycle of attacks and counterattacks between Gaza groups and Israeli forces. Unlike the Israeli population in southern Israel, no alarm or shelter system is available for the civilian population in Gaza.

In 2011, Palestinian armed factions shot rockets and mortar shells indiscriminately at multiple locations in southern Israel on a weekly basis, which led to the death of three and the injury of 24

Israeli civilians, a sharp increase compared to 2010, when two Israeli civilians were injured inside Israel⁴. In addition, the storing of weaponry in, and the launching of rocket attacks from, densely populated areas, is a widely reported practice among armed factions in Gaza. In addition to contravening international law, this exposes the civilian population in Gaza to Israeli attacks targeting those sites, as well as to the danger of accidental explosions.

In his own words:

Mahmoud Abu Samrah (1998 – 2011)

The following is part of an interview with 12-year-old Mahmoud Abu Samrah, conducted by UNESCO on 10 August 2011 just one week before the boy was killed by a GRAD rocket launched by a Palestinian armed group. The rocket fell short of the border with Israel and hit the boy's home, killing him instantly. The boy's mother and three siblings were injured in the attack, their house destroyed, and a nearby school sustained damage.

'I'm afraid to come to school whenever I hear loud noises. My parents force me to come to school, but I can't wait to go home because of all the noise that I hear around the school. Also there are many sites around the school that are constantly targeted. The Safina building is under constant attack. Last time they [Israeli military] struck the Safina, our house window shattered, and I could see fire coming out of the building.

I walk to school. I'm not afraid to walk to school because there are many kids walking with me.

When there is an airstrike, we hide under the stairwell. One boy was accidentally injured by shrapnel that was still lying around. It hurt his eye. This was during school time.

There is a lot of shrapnel from rockets and missiles that are fired by the Israelis lying around the school. I stay away from them, but I see many kids that come close to them, and some hold them and start playing, and even throw them at each other.'

UNESCO interview conducted at Al Qastina School, as part of UNESCO Protective Education Programme – Conflict-Disaster Risk Reduction for vulnerable schools in Gaza.



Photo by UNESCO

3.2 Access Restricted Areas

More than 23 percent of the fatalities and 45 percent of the injuries in Gaza took place in the Access Restricted Areas (ARAs), the land areas up to 1,000/1,500 metres from the Border fence and sea areas up to three nautical miles from the shore, where Israel enforces access restrictions (see chapter on *Movement and Access*). Palestinian armed groups use the ARAs near the Border fence for carrying out military activities against Israeli targets. Restrictions into the ARAs are primarily enforced by opening warning fire at people entering the areas, although the Israeli authorities have not informed the affected population about the precise

extent of the restricted areas and the conditions under which access to these areas may be permitted or denied.

While the overall number of fatalities in the ARAs decreased by fifty percent in 2011 compared to 2010 (from 51 to 26), this was due to a dramatic drop in fatalities among armed groups (39 to 4); who use the ARA's near the border fence for carrying out military activities against Israeli targets. However OCHA recorded a 43 percent increase in Palestinian civilian fatalities (12 vs. 22). The pattern of injuries follows the same trend: civilian injuries increased by 22 percent and armed group injuries decreased by around 90 percent compared to 2010.

During 2011, at least 72 incidents by Israeli forces targeting fishermen were recorded, with at least 36 recorded cases of damage to fishing equipment. Forty-three fishermen were detained and subjected to interrogation by Israeli forces. In all cases, the Palestinian fishermen were later released, but the requisition of their fishing boats resulted in heavy financial losses.⁵

A particular source of concern is the threat to the life and security of Palestinian children in the ARAs. Some children on their way to school have become victims of violence occurring in the restricted area, and educational structures have been damaged. Due to the blockade and economic distress,

RISKS WITHIN ACCESS RESTRICTED AREAS

Sixty-seven year-old Shaaban Qarmout, was a Gazan farmer, father of five and grandfather, who worked his land in Beith Hanoun, now located near the perimeter fence in the Access Restricted Area, for over twenty-five years. On 10 January 2011, he was shot and killed while working on this land near their former hut, located just 600 metres from the fence. His 20-year old son Khaled was with him at the time of his death.

Khaled relates, 'In the early morning we usually hear gunfire from the towers, just a few rounds meant to keep bird hunters away from the fence, but that morning we heard and saw nothing strange or out of the ordinary.

[After lunch] I went 200 metres to the south of the house to collect some rubble. While I was walking, I heard a swish – the sound of bullets passing by me... Then I heard my father calling me... [but] had no idea where he was, so I ran into the house to look for him. I found him lying on his back about 13 metres from the house.

When I reached him there was no shooting. As soon as I moved him, he began spitting blood... I then ran towards a group of rubble collectors with an excavator about 300 meters further to the south. They came and we carried my father in the machine towards the hospital... At the hospital they told me first that my father was injured, but I was certain he was dead. He was hit by three bullets, two in the neck and one in the back. The donkey next to him was uninjured.

I am too scared to go back to the land now. This was our family's only source of income. Nothing provoked this incident. I don't know why he was shot. We were just working our land.'



Shaaban Qarmout next to his former house. Photo taken on the day he was killed.

Photo by GVC: 2011

children are engaged in labour to support their families, including the collection of gravel and scrap metal in industrial zones near the border area, where they are at risk of being shot and injured. In 2011, nine children were killed in the ARAs, in addition to 67 injured, a dramatic increase compared to 2010, when four children were killed and 38 were injured. In addition, in 2011 at least three

schools were damaged due to military operations in the area.

3.3 Tunnel- related incidents

Several thousand people, some of whom are children, risk their lives smuggling goods through the tunnels under the border with Egypt. The thriving tunnel industry is a direct result of ongoing restrictions on the import of construction materials, the lack

of employment opportunities, and the enormous reconstruction needs in Gaza. In 2011, 36 workers, including one child, were killed, and 54, were injured, in tunnel-related incidents including two children. Casualties mostly occur from tunnel collapses, electrocutions, explosions of gas cylinders and Israeli airstrikes.

4. West Bank arrests and Detentions

Arbitrary arrest and detention, ill-treatment while in detention (including children, women and elected members of the Palestinian Legislative Council) and failure to respect due process and fair trial guarantees, remain serious concerns. This includes in

particular, cases of administrative detention by Israeli authorities where detainees can be held for indefinite renewable periods based on secret evidence without charge or trial, and reports of various forms of ill-treatment and, in some cases, torture, including beatings

and painful interrogation methods. There was a sharp increase in the number of Palestinian administrative detainees held by Israel, from 219 in January 2011 to 309 in January 2012⁶.

In 2011, Israeli forces conducted around 4,200 search-and-arrest operations throughout the West Bank, including East Jerusalem and in areas officially under Palestinian control, during which they arrested more than 3,000 Palestinians. The Jerusalem governorate, with nearly 750 arrests, was the main focus for arrests, many of which involved children. As of end-January 2012, there were some 4,377 Palestinians held by the Israeli authorities for acts, or suspicions of acts committed in connection to the Israeli-Palestinian conflict. Included in this population are 166 children (including 22 under 16), 5 women, 426 prisoners from the Gaza Strip (who have

been denied family visits since 2007) and around 309 others held under administrative detention, including 24 members of the Palestinian Legislative Council.⁷

A key concern regarding prisoners is the denial of due process rights during their trial and conviction in the Israeli military court system. This system applies to most Palestinian residents of the West Bank, except residents of East Jerusalem: Israeli civil law is de facto applied to all settlers and settlements in the West Bank. Additional concerns include that military court judges, who are IDF officers themselves, lack independence; that detainees are not promptly informed of the

charges against them; and that the accused and their attorneys are not provided with the facilities, sufficient time and information necessary for the preparation of an adequate defence.⁸

Moreover, detainees are not informed of the right not to incriminate themselves; instead, human rights groups report that considerable physical and psychological pressure is placed on defendants during interrogations to sign confessions. Forms of reported abuse include; beatings and threats, sleep deprivation, position abuse, prolonged cuffing, and having family members threatened and, in cases, arrested. During this period, many detainees

AN ACCOUNTABILITY CRISIS

Although the context in which civilians are killed or injured and their property destroyed and damaged vary, the common denominator affecting all victims of unlawful acts of violence is a pervasive crisis of accountability. This crisis is characterized by the absence of effective remedies to violations – primarily effective investigations and redress for victims. The lack of accountability not only denies justice to victims, but also obstructs a potentially useful mechanism to deter future violations. Although a positive development took place in April 2011, when the Israeli military began automatically initiating criminal investigations for incidents caused by Israeli military forces resulting in the death of Palestinian civilians in the West Bank, this still leaves a great potential for impunity in the OPT. As explained in the announcement, the scope and implementation of the new policy is limited: it does not apply to incidents where civilians are killed in the Gaza Strip; or occur in the West Bank where ‘an activity [is] clearly stated as combat (e.g. fire exchange between two parties)’; or in incidents resulting in the injury of civilians either in the West Bank or Gaza.⁹ In all such cases, an internal ‘operational inquiry’ system will continue to be implemented, which does not meet basic standards of promptness, thoroughness, independence and effectiveness, as required by international standards.

In addition, the Israeli authorities continue to largely fail to enforce the rule of law in response to Israeli settler acts of violence against Palestinians. Measures of the current system, including requiring Palestinians to file complaints at police stations located inside Israeli settlements actively work against the rule of law by discouraging Palestinians from filing complaints. Overall, in most cases regarding attacks committed by settlers, criminal investigations are closed without indictment.¹⁰ The root cause of the settler violence phenomenon is Israel’s decades-long policy of illegally facilitating the settling of its citizens inside occupied Palestinian territory, which promotes a culture of impunity that contributes to continued violence. Under international humanitarian law and international human rights law, Israel is obligated to prevent attacks against civilians or their property and ensure that all incidents of settler violence are investigated in a thorough, impartial and independent manner.

are often held in small windowless cells with extremely poor hygienic conditions, provided poor quality food, and denied sufficient access to quality medical care. In almost all cases, a defendant's attorney is not allowed to be present during interrogation and most detainees will spend weeks before they are able to meet with a lawyer.

Human rights organizations also report an almost complete lack of accountability for the alleged mistreatment of Palestinian detainees under interrogation: according to a joint report by the Israeli human rights groups B'Tselem and HaMoked, between 2001 and October 2010, 645 complaints by those interrogated were made to the Ministry of Justice concerning Israel Security Agency interrogators treatment of Palestinian detainees, but not one led to a criminal investigation.¹¹

A particular source of concern remains the arrest and detention of children. According to Defence for Children International/Palestine Section, approximately

700 Palestinian children between the ages of 12 and 17 are arrested and prosecuted by Israeli military courts in the West Bank each year, mainly on the charge of stone-throwing. In 2011, almost 200 children were held in detention, on average, every month.¹² Although the Israeli military issued an order raising the age of majority for Palestinians to 18 (previously set at 16) for security-related matters, children are not treated in a manner that takes into account their age, needs and special circumstances. Most children are arrested during Israeli military raids of their homes in the middle of the night and are tied with a plastic cord, in violation of Israeli army procedures introduced in April 2010. They are questioned without the presence of a family member or a lawyer and interrogations of children are rarely video-recorded. Detained

According to the Palestinian Prisoner Affairs Ministry, since 1967 the number of Palestinians arrested amounted to 800,000. As a result, more than 70 percent of Palestinian families have had at least one family member arrested at some stage. Prisoners are for the most part male and often the sole breadwinner of their families, with a significant impact on the family's financial situation.

children consistently report being subjected to ill-treatment during arrest and interrogation and being pressured to sign confessions in Hebrew, a language that most do not understand. These concerns continued despite Israel's establishment in 2009 of a juvenile military court. In approximately 90 percent of cases, children are denied bail.¹³

In October, Israeli soldier Gilad Shalit was released as part of a prisoner exchange for Palestinian prisoners, having spent over 5 years in captivity in Gaza, during which time he was held incommunicado and denied visits from the International Committee of the Red Cross.

The civilian population in the oPt and in Israel is entitled to protection and respect at all times. Every effort must be made, by both parties, to ensure that civilians are protected from the effects of hostilities and other threats to their life, liberty or security. This includes direct and indiscriminate attacks during hostilities, as well as any form of violence, abuse or harassment. In addition, Israel, as the occupying power, has an obligation to ensure public order and safety, and to administer the territory for the benefit of the civilian population, while respecting basic rights and existing laws. This includes taking immediate steps to end impunity and ensure investigations of all acts of violence against Palestinian civilians and their property.

The following measures would contribute significantly to protecting the life, liberty and security of the civilian population, in line international law and standards:

- Ensure public order and safety and protect civilians from any form of violence, abuse or harassment at the hands of state, non-state or private actors. In particular, attacks by Israeli settlers against Palestinian civilians and their property must be brought to an end.
- Take immediate steps to end impunity and ensure access to justice for victims or survivors of violence. This includes ensuring that civilians have access to complaint procedures and that all acts of violence are investigated in a thorough, timely, impartial and independent manner.
- Refrain from excessive and disproportionate use of force during police or law enforcement operations and take all necessary steps to minimize personal injury or damage to property.¹⁴ Any allegation of arbitrary or abusive use of force by military or law enforcement officials must be investigated.
- Take steps to end all instances of arbitrary arrest and detention, including the excessive use of administrative detention of Palestinians. All detainees should be informed of the reason for their arrest in a language they understand; be provided with immediate access to legal counsel; and have their detention reviewed by a competent judicial body. Due process and fair trial guarantees should be respected at all times.
- Ensure that any person deprived of their liberty is treated in a humane manner and with respect for their rights, in line with international standards.¹⁵ This includes ensuring that detainees are not subjected to any form of torture, cruel or inhuman treatment, including prolonged isolation, while in detention. All detainees should be provided with adequate food, water, clothing, shelter and medical attention, and be allowed to receive family visits.
- Ensure that children are afforded special protection and take steps to facilitate, to the maximum extent possible, their survival and development at all times. Detention or imprisonment of children should be used only as a last resort, for the shortest appropriate period of time, while respecting due process and fair trial guarantees. Any child deprived of its liberty must be treated humanely, in a manner which takes into account the needs of his or her age. In particular, no child should be held in solitary confinement or under administrative detention, and parents should be allowed to accompany the child and be present, along with legal counsel, during questioning.
- During hostilities, ensure that civilians or civilian objectives are never subject to direct or indiscriminate attack and are, to the extent possible, protected from the effects of hostilities. All parties to a conflict, including Israel and Hamas, must at all times comply with international law and the principles of distinction, proportionality and precaution in attack.
- Provide adequate training and instruction to the armed forces and other public officials and put in place effective disciplinary, investigative and judicial procedures for alleged violations.
- In Gaza, ensure that civilians or civilian areas are not used to launch attacks or to shield military forces or installations.

FORCED DISPLACEMENT



I. Overview

The Palestinian-Israeli conflict has been characterized by dispossession and forced displacement remains a threat to many Palestinians in the occupied Palestinian territory (oPt). Every year, several hundred Palestinian men, women and children are forcibly displaced as a result of policies and practices enforced by the Israeli authorities. Many have suffered multiple displacement, having lost their homes and livelihoods numerous times.¹⁶ Those affected include families displaced within their communities, for example, by house demolitions, as well as people displaced from their communities, due to the combined impact of restrictive policies.

Displacement has a serious physical, socio-economic and

emotional impact on Palestinian families and communities. In addition to the loss of homes, displacement results in disruption to livelihoods, reduced standard of living and increased dependency on humanitarian aid. It also disrupts access to basic services such as education and water/sanitation, in particular when families are forced to move due to the destruction of their homes. Women often feel a loss of control over domestic matters and a heightened sense of insecurity while men experience increased stress and anxiety. The impact of displacement on children can be particularly devastating, including post-traumatic stress disorder, depression and anxiety.

'For the purposes of these Principles, internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.'

UN Guiding Principles on Internal Displacement

AFTER THE DEMOLITION

'After the demolition, we put up a tent in the yard and spent a month and a half there, but as winter was approaching it got very cold. One night we decided we couldn't go on like this any longer and took the children to my brother. Since then, we've been going from relative to relative, and sometimes we split the family up as we can't all fit into one house. The hardest thing is to protect our children. Our children have become very aggressive and suffer from bed-wetting.'¹⁷



2. Causes of displacement

Forced displacement in the oPt is the result of a combination of factors, related to the ongoing occupation and recurring outbreak of hostilities. Israeli military operations have been the main cause in the Gaza Strip, most recently in early 2009, when between 150,000-200,000 people were displaced at the height of the 'Cast Lead' military operation, of whom 15,700 still remain displaced.¹⁸

In the West Bank, a combination of direct and indirect factors lead to displacement. Much of the West Bank's land and water resources are off-limits for Palestinian natural growth and development due to Israeli policies which prioritize unlawful settlement construction and expansion. These policies especially undermine the presence of already vulnerable farming and

AREA C

Following the 1993 Oslo Accords and the 1995 Interim Agreements between Israel and the PLO, the West Bank was divided into three zones, A, B and C. While some control was given to the Palestinian Authority (PA) in areas A and B, Israel maintained full security control, and control over building and planning, in Area C. Area C constitutes over 60 percent of the West Bank, is the only contiguous territory, and contains the most significant land reserves available for Palestinian development, as well as the bulk of Palestinian agricultural and grazing land.

herding communities in Area C, who find it increasingly difficult to meet their daily needs.¹⁹

In Area C and in East Jerusalem, home demolitions due to lack of building permits are the direct trigger for displacement, as a consequence of the restrictive zoning and planning regime in these areas which prioritize settlement expansion at the expense of Palestinian construction. In many cases, displacement in

Area C is due to a combination of factors, including settler violence, movement restrictions (including the Barrier), reduced income, and restricted access to services and resources. East Jerusalem Palestinians are also vulnerable to displacement as a result of forced eviction from their homes due to settler activity, similar to Gazans living in the West Bank, they are also at-risk of displacement due to residency-related issues.

3. Restrictive zoning and planning for Palestinians in Area C and in East Jerusalem

In Areas A and B of the West Bank, Palestinians exercise control over planning and building. By contrast, in Area C and in East Jerusalem the Government of Israel implements discriminatory policies which render it effectively impossible for the Palestinian residents of these areas to meet their basic housing, livelihood and development needs.

3.1 Area C

The total Palestinian population of Area C is estimated at approximately 150,000, of whom two-thirds live in localities which are partly located in Area A and B, and nearly one third

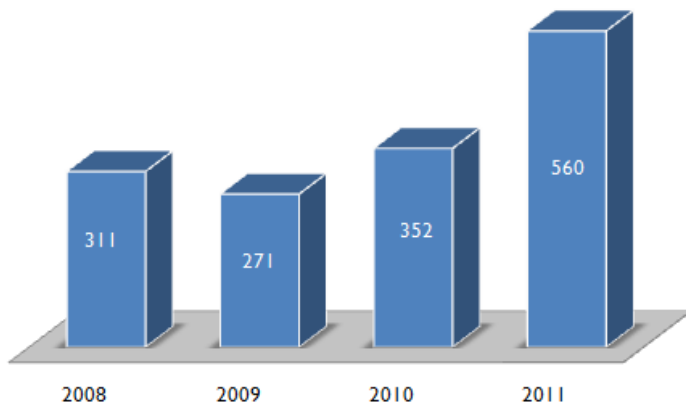
BUILDING PERMITS IN AREA C

The Israeli organization Bimkom-Planners for Planning Rights reports that the percentage of approvals for Palestinian permit applications has decreased sharply since the early 1970's, when over 95 percent of building permit applications were approved. According to figures obtained from the Civil Administration, between January 2000 and September 2007, a total of 1,624 applications were submitted by Palestinians to the Civil Administration, of which just 91 were approved – 5.6 percent.²⁰ As the percentage of rejections increased, fewer and fewer Palestinians applied for permits. At present, permit applications are generally submitted only following receipt of a stop-work order, as an attempt to save structures from demolition.

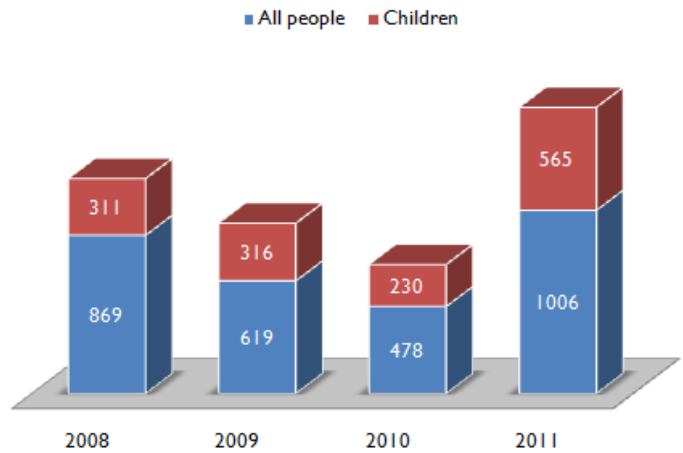
in communities located entirely in Area C. As a consequence of territory allocated for Israeli settlements or for the Israeli

military, Palestinian construction is effectively prohibited in some 70 percent of Area C. In the remaining 30 percent, other restrictions

Structures demolished in Area C



Palestinians displaced in Area C



greatly reduce the possibility of obtaining building permits. In practice, Palestinian construction is normally permitted only within the boundaries of plans approved by the Israeli Civil Administration (ICA), which covers less than one percent of Area C, much of which is already built-up.

These restrictive and discriminatory planning policies cause displacement in Palestinian communities located in Area C. The most evident is when, out of necessity, Palestinians build, repair or rehabilitate homes, animal shelters, water systems and other livelihood structures without

the required permits, and so risk demolition. In 2011, the number of demolitions and persons displaced in Area C was the highest since OCHA started collecting statistics systematically in 2008.

Over 90 percent of displacement in 2011 occurred in already vulnerable farming and herding communities, who live in very basic structures (tents, tin shelters), and have little or no service infrastructure. Over 60 percent of the structures demolished were located in areas allocated to settlements. Thousands more remain at risk of displacement due

to outstanding demolition orders. The inability to obtain construction permits is disproportionately affecting young couples, who are moving to Areas A and B in order to meet their housing needs.²¹

According to the Coordination of Government Activities in the Territories (COGAT), 79 projects by international projects were submitted by international organizations in Area C in 2011, of which 58 were approved, 15 are under examination and five were rejected. Of the 58 approved, 38 were roads funded by USAID.²²

BEDOUIN DISPLACEMENT

Palestinian Bedouin communities are at particular risk of forced displacement. In July 2011, the Israeli Civil Administration informed OCHA of its intention to 'relocate' Bedouin communities from strategic areas throughout Area C, with priority given to those located in the Jerusalem periphery. The threatened communities, most of whom are refugees, pursue a traditional life-style of herding and have suffered a serious decline in living conditions in recent years. The Bedouins' current homes are located in areas of strategic significance including the expansion of Ma'ale Adummim settlement and its linkage to Jerusalem.

LIVING UNDER THE THREAT OF DISPLACEMENT

The residents of the village of Susiya in the south Hebron hills in the West Bank in Area C live under the threat of forced displacement. Home to 350 residents, 120 of them children, the community has lived in the region since 1948. Today, Susiya is situated close to a military base and to an Israeli settlement and an illegal outpost, which together control ten times more land than the privately-owned Palestinian land. Susiya villagers also live under the threat of settler violence and intimidation, with frequent physical assaults and verbal harassment by settlers, who also systematically prevent them from accessing their lands.



Susiya residents rely on herding and agriculture for their livelihoods, and unlike the nearby settlement are not connected to the water network, relying on rainwater cisterns for their water supply. They now live in temporary tents and tin shelters as their homes and animal structures have been destroyed by the Israeli authorities on multiple occasions. While the nearby settlement of Suseya has an approved construction plan and structures in the nearby outpost lack building permits yet remain in place, Susiya villagers cannot obtain a permit for construction on their lands.

Najah, 52, is a mother of ten, and was initially displaced from Susiya in 1983, when the settlement of Suseya was founded. She and her family returned to live in Susiya eighteen months ago in an effort to protect their land and to maintain their herding livelihood. The family's makeshift living structures were demolished in January 2012, and since then they have been living in tents provided by donors. A few months later these shelters were also issued with demolition orders.

'I got married and delivered my children in the village of Susiya. I can still see the ruins of our houses from my tent here. My husband and I fled to Yatta when they started building the settlement. We were afraid of the continuous harassment and attacks from settlers. Now we have come back, and I want to stay here on my land, but I am afraid the settlers will take over. The demolition of my house in January was terrible for my family.'

3.2 East Jerusalem

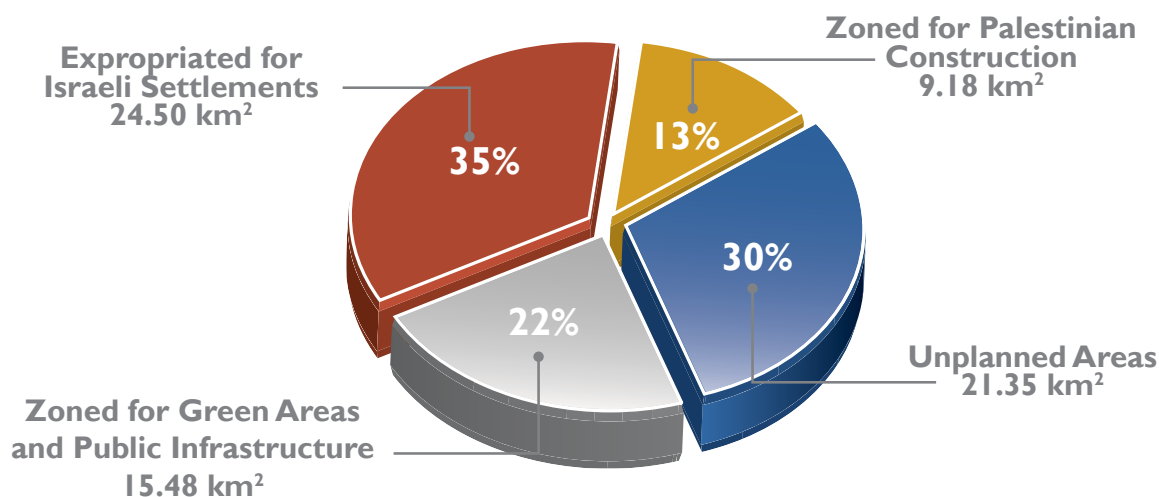
Demolition due to lack of Israeli building permits is also one of the primary causes for the displacement of Palestinians in East Jerusalem. In 2011, East Jerusalem witnessed a significant decrease in demolitions compared to 2010 (42 vs. 82). However at least 93,100 residents who live in structures built without permits remain at risk of displacement.²³ Such 'illegal' construction has been widespread in East Jerusalem, largely because opportunities for

authorized construction have been extremely limited as a consequence of the restrictive planning regime enforced by the Israeli authorities in the city. Only 13 percent of the total East Jerusalem area is available for Palestinian construction, and much of this is built-up.

Even within the permitted areas, technical requirements, related expenses and lengthy timeframes discourage Palestinians from applying for building permits, as do the penalties, including costly fines, confiscation of building

equipment and possible prison sentences, applied to those who build without permits.²⁴ According to the Israeli organization Ir Amim, natural growth among Palestinians in East Jerusalem requires the construction of 1,500 housing units per year. However, only an average of 400 new housing units per year are authorized, resulting in a disparity of over 1,000 units per year between housing needs and legally permitted construction.²⁵

Zoning in East Jerusalem



4. Settler violence and settlement encroachment

In addition to hindering the natural growth of Palestinian communities, the presence of settlements in the West Bank, including in East Jerusalem, constitutes a threat to the life and security of the Palestinian communities in their vicinity. Of particular concern are acts of violence carried out by Israeli settlers against Palestinians and their property, including destruction of, and denial of access to, agricultural land and water resources.²⁶ (See *Life, Liberty and Security* section of this report.) Some of these incidents are part of the so-called 'price tag' strategy, whereby settlers exact a 'price' against Palestinians and their property in response to Israeli authorities' attempts to dismantle settlement outposts. In a number

of cases, attacks carried out by settlers have contributed to the displacement, either temporarily or permanent, of entire Palestinian communities.²⁷ In total, OCHA has identified over 80 communities with a combined population of nearly 250,000 Palestinians vulnerable to settler violence, including 76,000 at high-risk.²⁸

In addition, displacement has been caused by the establishment of settlements in the midst of Palestinian residential areas. In the H2 area of Hebron,²⁹ a combination of movement restrictions, intimidation and harassment at the hands of settlers, and military orders, has resulted in over 1,000 homes being vacated by their former Palestinian residents

and more than 1,800 commercial businesses closing down.³⁰

In East Jerusalem, the establishment of settlements in the Old City and Silwan and most recently Sheikh Jarrah,³¹ has resulted in restrictions on public space, residential growth and freedom of movement, and ultimately, the takeover of Palestinian private properties and the eviction of their long term residents. In the context of the 'Open spaces' project, which envisages a series of contiguous parks around the 'Holy Basin' and the eastern slopes of Mount Scopus, almost 1,000 Palestinians risk having their homes demolished in Silwan as part of the Municipality's plans to create a 'biblical park.'³²

5. Lack of secure civil status

Since 1967, Israel has retained control over the residency status of the Palestinian population of the oPt.³³ Discriminatory policies have resulted in the denial or revocation of civil status and documentation,

restricting Palestinians' right to reside in, and move, between different parts of the oPt, and their right to return to the oPt following visits abroad. To cite one instance, by means of a covert

procedure, between 1967 and 1994, the Israeli authorities cancelled the residency status of some 140,000 West Bank Palestinians who had travelled abroad, registering them as 'NLRs' - no longer residents.³⁴

The categories currently at most risk of denial or revocation of their residency status, are East Jerusalem ID holders who live outside of the Israeli-defined municipal boundary, their non-Jerusalemite spouses, and Gaza residents who live in the West Bank.³⁵

Approximately 14,000 East Jerusalem Palestinians had their residency revoked between 1967 and 2010, with 191 revoked in 2010. 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, a process which is currently frozen for those from the West Bank and Gaza, although temporary 'military' permits may be obtained.³⁶ 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, to enable them to

EAST JERUSALEM 'PERMANENT RESIDENTS'

Following the war of 1967, the Government of Israel unilaterally annexed East Jerusalem and the surrounding West Bank hinterland. 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 of 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.

receive their own IDs cards at the required age of 16. Because of the arduous and lengthy 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.'³⁷

Gaza residents living in the West Bank, estimated to be around 35,000, also constitute a vulnerable group with respect to their residency status. Under the Oslo Accords, the West Bank and Gaza are considered a 'single territorial unit', and every change of address

between the two parts should be updated by the Palestinian Authority (PA) in its version of the population registry, provided that it informs the Israeli authorities. However, Israel has frozen the updating of its version of the registry since 2000, with negative implications for those Gazans who had moved to the West Bank through temporary permits and have decided to stay permanently.

Although the Israeli Authorities' role should have been limited to updating information provided by their Palestinian counterparts,

according to HaMoked, between early 2008 and mid-2010, 85 Palestinians registered as Gaza residents were transferred by the Israeli authorities from the West Bank to the Gaza Strip, including people who married in the West Bank and some who had been

living in the West Bank prior to the start of the second intifada.³⁸ New requests for permanent relocation and change of residency from Gaza to the West Bank have been routinely refused, unless they meet the narrow criteria under the 'humanitarian case'

designation.³⁹ However, in a positive development, since February 2011, some 2,700 Gazans living in the West Bank have had their addresses changed.⁴⁰

6. Restrictions on freedom of movement

As detailed in the section on *Movement and Access*, an extensive system of physical obstacles and bureaucratic requirements severely restricts Palestinians' freedom of movement within the West Bank, including to and from East Jerusalem. In addition to disrupting normal social and economic activity, as well as freedom to visit holy sites and medical centres, these restrictions place further strain on the coping strategies of already vulnerable communities in Area C and East Jerusalem.

Several herding communities report that their sources of livelihood have been eroded due to reduced access to grazing land and water resources.⁴¹ Difficulties in accessing schools in Area C – which are usually located at long distances from most communities and separated from them by a series of physical obstacles – have already led some communities

to move to different locations, permanently or temporarily.⁴²

The Barrier, in conjunction with its gate and permit regime, continues to be the single largest obstacle to Palestinian movement within the West Bank, including to and from East Jerusalem. To access farming land and water resources in the 'Seam Zone', Palestinians are obliged to use a 'prior coordination' mechanism or to obtain 'visitor' permits from the Israeli authorities, with access restricted to a designated gate. The limited allocation of these permits, together with the restricted number and opening times of the Barrier gates, have severely curtailed agricultural practice and undermined rural livelihoods throughout the West Bank. While evidence is not yet systematic, displacement appears to be taking place in certain Barrier-affected communities, a concern recognized by the

'... movement restrictions and the constant threat of displacement have rendered seasonal migration impossible for us, and we are now watching the collapse of our traditional livelihood.'

Mohammed al Korshan, West Bank Bedouin Representative, Statement to the UN Forum on Minority Issues, 2010.

International Court of Justice in its 2004 advisory opinion.

In an OCHA-UNRWA survey of 67 communities with an estimated population of 222,000 in the northern West Bank, some 29 communities reported that households have left because of the Barrier, representing about 1,200 households, or three percent of the population surveyed. As reported by respondents in 36 communities, heads of households have also left to seek employment elsewhere in the West Bank, representing about 1,100 additional individuals.⁴³

'There is also a risk of further alterations to the demographic composition of the Occupied Palestinian Territory resulting from the construction of the wall inasmuch as it is contributing, as will be further explained ... below, to the departure of Palestinian populations from certain areas. That construction, along with measures taken previously, thus severely impedes the exercise by the Palestinian people of its right to self-determination, and is therefore a breach of Israel's obligation to respect that right.'

Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion of 9 July 2004, para. 122

In the greater Jerusalem area, the Barrier is effectively re-drawing the geographical boundaries, and transforming the geography, economy and social life not only of Palestinians who reside within the Israeli-defined municipal area, but also residents of the wider metropolitan area. Certain Palestinian communities located within the municipal jurisdiction – Kafr 'Aqab, Shu'fat Refugee Camp and 'Anata, with a combined

estimated population of 55,000 – now find themselves on the 'West Bank' side of the Barrier.⁴⁴ While the full impact of such exclusion is not yet clear,⁴⁵ anecdotal evidence suggests that displacement is also taking place in the greater Jerusalem area. A survey of 1,115 Palestinian households in the Jerusalem Governorate conducted by the International Peace and Cooperation Center in 2009, reported that 9.3 per

cent of respondents had changed their place of residency as a result of Barrier construction. In addition, 18.8 per cent indicated that the number of family members residing in the household had increased as family members started sharing houses located in East Jerusalem to avoid the loss of their Jerusalem residence permits.⁴⁶



Tunnels checkpoint, Bethlehem, M El Halabi/OCHA, 2011.

7. Military operations

Military operations, in particular in Gaza, remain a threat to the life, liberty and security of the civilian population. During the first four years of the second intifada, demolitions led to the displacement of more than 24,500 people in Gaza, with the IDF demolishing on average 120 residential building per month in 2004, the majority in Rafah.⁴⁷ According to UNRWA, at least 5,344 refugee families have had their shelters destroyed by Israeli incursions and attacks since 2001.⁴⁸

Operation 'Cast Lead' in 2008-2009 resulted in the highest rate of internal displacement due to home destruction from military operations in recent years. According to a joint UNDP-UNRWA survey, 3,540 homes were destroyed in the course of

the hostilities, 2,870 homes were severely damaged and 52,900 homes sustained minor damage.⁴⁹ Some 2,618 homes destroyed or damaged beyond repair during 'Cast Lead' await rebuilding, primarily due to the blockade and restrictions ban on the entry of construction materials through the Kerem Shalom crossing. An additional 1,624 shelters have been destroyed or damaged by Israeli military activity since 2009. Approximately 71,000 housing units are required to meet all housing needs due to population growth, and destruction and damage to housing.⁵⁰

Palestinians living, or with land located, within the ARAs – the 1,000-1,500-meter wide area along Gaza border on which the Israeli army enforces access

restrictions by opening fire, and land levelling– have also been subject to the destruction of their homes and their sources of livelihood: 1,367 houses have been demolished in the Buffer Zone since 2005.⁵¹ According to a *Save the Children* survey of 240 households in the ARAs, up to 70 percent of surveyed households have been either temporarily or permanently displaced at least once since 2000, primarily as a result of house demolitions (48 percent of surveyed households) and heightened concerns for personal safety and security (28 percent of surveyed households). Fifty percent of surveyed families in the ARAs have lost their source of income or livelihood and 42 percent of those changed residence as a result.⁵²

8. The Way Forward

International law requires that civilians are protected and respected at all times. As the occupying power, the State of Israel has an obligation to protect the Palestinian population and to administer its occupation in a manner that respects their rights and well-being. This includes maintaining, as far as possible, local laws and institutions as well as ensuring public order and safety. In addition, international law specifically prohibits the destruction and/or confiscation of civilian property, unless such destruction is necessary for military reasons, as well as the forcible transfer or displacement of individuals or communities. The term forcible, in this context, should not be considered to be limited to physical force, but to also include the threat of force and other forms of coercion, as well as the imposition of harsh and difficult living conditions.

Israel is also prohibited from transferring its own population into the territory under occupation. Likewise, under international human rights law, Israel must ensure that persons under its jurisdiction enjoy fulfilment of their human rights, including the right to be free from discrimination, to effective legal remedies, to a fair trial, to family life, as well as to an adequate standard of living, housing, health, education, and water, among others.

There are a range of measures that would benefit the local Palestinian population and facilitate Israel's progress towards meeting its obligations under international law, including:

- Revise the zoning and planning regime in the West Bank, including in East Jerusalem, to ensure that a legal and institutional framework exists to address the needs of the local Palestinian population in a timely, fair and non-discriminatory manner;
- End the displacement and dispossession of Palestinians in the oPt, including immediately ceasing demolitions of Palestinian-owned structures, particularly housing, schools, livelihood structures and rainwater collection cisterns;
- Allow families that have been forcibly displaced to return to their homes in safety and dignity, and be given access to an effective remedy for any harm they have suffered, including the destruction of land, homes and property;
- Stop facilitating the transfer of Israeli civilians into the oPt, including East Jerusalem, by freezing all settlement activity, including the seizure of Palestinian land and property by Israeli forces or by settler groups;
- Investigate and prosecute all forms of violence and intimidation by Israeli settlers in an independent, impartial, effective, thorough and prompt manner;
- Improve Palestinian access and movement in the West Bank, particularly to land and resources in the Jordan Valley, to areas behind the Barrier, to land in the vicinity of Israeli settlements, and to land designated closed for military training or as nature reserves;
- End the restrictive and discriminatory policies that result in the denial or revocation of the residency status of Palestinians and restrict their right to reside in, and move between, the different parts of the oPt, including from the Gaza Strip to the West Bank, including East Jerusalem. Restore the status of Palestinians whose residency has been revoked and ensure that requests for change of residency and family unification are processed in a fair and effective manner;
- In Gaza, Israeli military forces should avoid destroying civilian homes and infrastructure and enable reconstruction by facilitating the import of necessary construction materials.
- Palestinian armed groups should also refrain from operating in populated areas, so as not to expose the civilian population in Gaza to Israeli attacks targeting those sites;
- While Israel bears primary responsibility to rectify the current situation, third states share responsibility for ensuring respect for international law in the oPt. Efforts by third-state countries are crucial to ensure that international humanitarian law (IHL) is respected and humanitarian vulnerability reduced.

RESTRICTIONS ON MOVEMENT AND ACCESS

Gate blocking main entrance to Beit Ilksa, Ramallah. ©CHA, 2011.



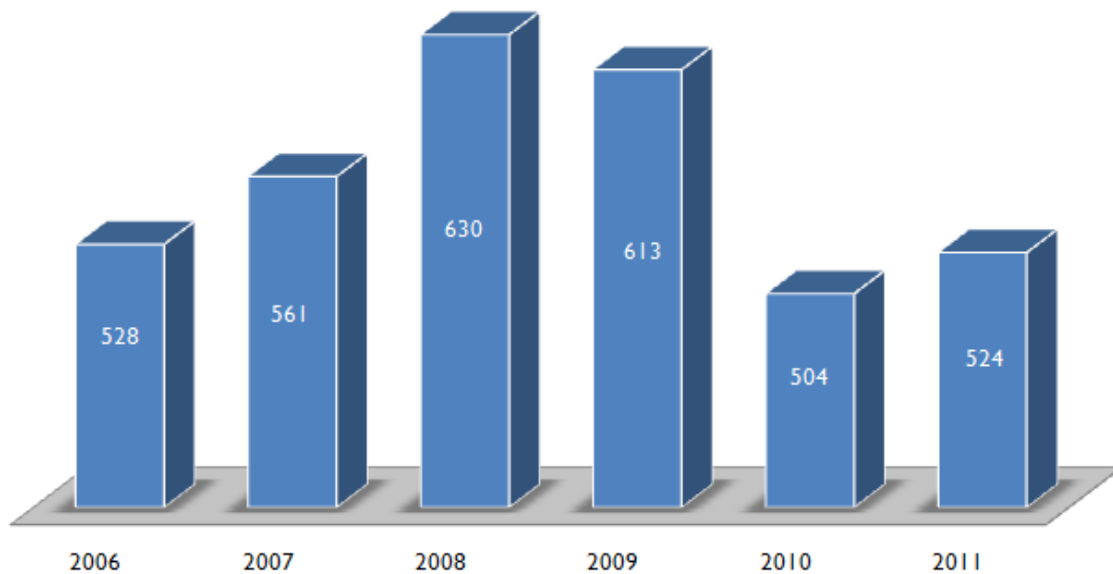
I. Overview

Movement and access within the oPt is restricted by a combination of physical obstacles – for example, checkpoints, roadblocks and gates – and by bureaucratic constraints, such as permits and access restricted areas. This multi-layered system impacts the flow of both persons and goods into the Gaza Strip; between Gaza and the West Bank; within the West Bank itself and into East

Jerusalem from the remainder of the oPt. These restrictions also impact access to services – health, education, housing and food – on the part of the beneficiary population, in addition to limiting the capacity of those local and international organizations who deliver assistance to the most vulnerable populations (see chapter *Humanitarian Space*). In the West Bank, the application of

movement and access restrictions is discriminatory, targeting mostly Palestinian residents, for the benefit of the Israeli settler population. Ultimately, restrictions on access to land and water resources undermines the presence of Palestinians, particularly in Area C of the West Bank (see chapter *Forced Displacement*).

Total number of movement obstacles in the West Bank



2. West Bank

2.1 Overview

During the second *Intifada*, the government of Israel set up an extensive system of physical and bureaucratic obstacles to restrict Palestinian movement within the West Bank, including construction of the Barrier, which began in 2002. Although in the period 2008-2010, the Israeli authorities implemented a number of relaxation measures within the West Bank, by the end of 2011, there were 529 physical obstacles obstructing Palestinian movement.⁵³ This system continues to hinder the access of the Palestinian population to livelihoods and basic services, including health, employment, education and water supply. As a result of all types of movement restrictions, there were some 70 villages and communities in the West Bank at the end of 2011, with a combined population of nearly 200,000, forced to use detours that are between two to five times longer than the direct route to the closest city.⁵⁴

The Barrier, in conjunction with its gate and permit regime, continues to be the main obstacle

to Palestinian movement within the West Bank. In contravention of the International Court of Justice Advisory Opinion of 2004, which stated that the sections of the Barrier route which run inside the West Bank, including East Jerusalem, violate Israel's obligations under international law, the Government of Israel continued construction of the Barrier in 2011, albeit on a reduced scale.⁵⁵

As a result of the Barrier's deviation from the Green Line, large areas of agricultural land and water resources, and some Palestinian communities, are located in the so-called 'Seam Zone' between the Barrier and the Green Line. The approximately 6,500 Palestinians residents of the 'Seam Zone' require permanent resident permits from the Israeli authorities to continue to live in their homes. Few health and education services are available in the 'Seam Zone', obliging residents to pass through Barrier checkpoints to reach workplaces and essential services, and to maintain family and social relations on the 'Palestinian' side of the Barrier.

Palestinian non-residents are obliged to apply for 'prior coordination' or to obtain 'visitor' permits from the Israeli authorities to access their farm land in the 'Seam Zone'. While data is not available for the number of such permits granted generally, a larger number of permits are approved each year on the eve of the olive season. For the 2011 season, approximately 42 percent of all permit applications were rejected primarily due to 'security reasons' or lack of 'connection to the land', as required by the Israeli authorities. This is slightly above the rate of denial during 2010, which stood at about 39 percent.⁵⁶

For those with 'visitor' permits, entry is restricted to a designated gate. Currently there are 66 Barrier gates in the West Bank, which open on a daily, seasonal or seasonal-weekly basis. The majority of these are gates only open during the olive harvest season and usually only for a limited amount of time during the day. The limited allocation of these permits together with the restricted number and opening times of the Barrier gates have

THE BARRIER KEY FACTS

- The Barrier's total length (constructed and projected) is approximately 708 km, more than twice the length of the 1949 Armistice Line (Green Line) between the West Bank and Israel.
- Approximately 61.8 percent of the Barrier is complete, a further 8.2 percent is under construction and 30 percent is planned but not yet constructed.
- When completed, approximately 85 percent, of the route will run inside the West Bank rather than along the Green Line, isolating some 9.4 percent of the West Bank, including East Jerusalem and No Man's land.
- The inclusion of Israeli settlements, together with areas planned for their future expansion, constitutes the major factor for the deviation of the Barrier's route from the Green Line. The Barrier includes on its 'Israeli' side 71 of the 150 settlements and over 85 percent of the approximately 500,000 settler population in the West Bank.

severely curtailed agricultural practice and undermined rural livelihoods throughout the West Bank.⁵⁷

2.2 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 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, with permit holders limited to four of the 16 checkpoints functioning along the Barrier,⁵⁸ which they can only cross on foot. Access to essential services in East Jerusalem, especially medical services in the six Palestinian non-profit specialized hospitals in East Jerusalem, including during emergency, is a source of particular concern (see chapter *Health*).

Additional access problems are caused by the Barrier dividing East Jerusalem neighbourhoods and suburbs from each other and walling them out from the urban centre. Approximately 55,000 residents of Kufr Aqab and Shu'fat refugee camp now need to cross checkpoints to access health, education and other services in the heart of the city to which they are entitled as residents of Jerusalem. (See chapter *Forced Displacement*). Conversely, in other areas, West Bank communities are separated to the 'Jerusalem' side of the

Barrier, which impacts their daily access to health and education services, as they are separated by the Barrier from their centre of life but prohibited from accessing Jerusalem municipal services.

2.3 Access to the Jordan Valley and Dead Sea area.⁵⁹

The Jordan Valley covers nearly 30 percent of the West Bank. Approximately 87 percent of the land is designated as Area C, virtually all of which is prohibited for Palestinian use, allocated instead for the use of the Israeli military or under the jurisdiction of Israeli settlements. An additional 7 percent is formally part of Area B, but is unavailable for development, as it was designated a nature reserve under the 1998 Wye River Memorandum. Dozens of physical obstacles hinder and delay access for the residents of the Jordan Valley. Access to the area is limited to six routes, four of which are controlled by Israeli checkpoints, severely restricting the movement of Palestinian-plated vehicles. The nearly exclusive control of the land by Israeli settlements, together with the dozens of physical obstacles hindering Palestinian movement, have a devastating impact on access to basic services such as health and education. Sources of livelihood, which traditionally consist of livestock production and agriculture, are also gravely impacted.⁶⁰

2.4 Access to Palestinian private land within settlements

Access to Palestinian private agricultural land in the vicinity of Israeli settlements remains significantly constrained due to the fencing off of those areas, or due to settler harassment and violence.⁶¹ During the olive harvest, the Israeli army implements a 'prior coordination' procedure allowing limited access of farmers to land within or in the vicinity of at least 55 Israeli settlements and settlement outposts for farmers residing in some 90 Palestinian communities and villages. This procedure was again implemented throughout the West Bank during the 2011 olive harvest, with the IDF implementing extra measures, including the deployment of additional forces, which reduced settler violence in those areas addressed.

However, Palestinian access to these areas is effectively off-limits for the remainder of the year, undermining maintenance and productivity. In addition, despite the increased security presence, during the olive harvest between 15 September and 15 December, OCHA recorded 38 incidents resulting in Palestinian injuries or damage to olive trees, compared with 47 incidents in the same period in 2010. These attacks resulted in 15 injuries and the damaging or destruction of close to 1,500 trees. Dozens of other incidents included intimidation, access prevention and pillage of olive produce. (See chapter *Life, Liberty and Security*.)

3. Gaza Strip

3.1 Overview

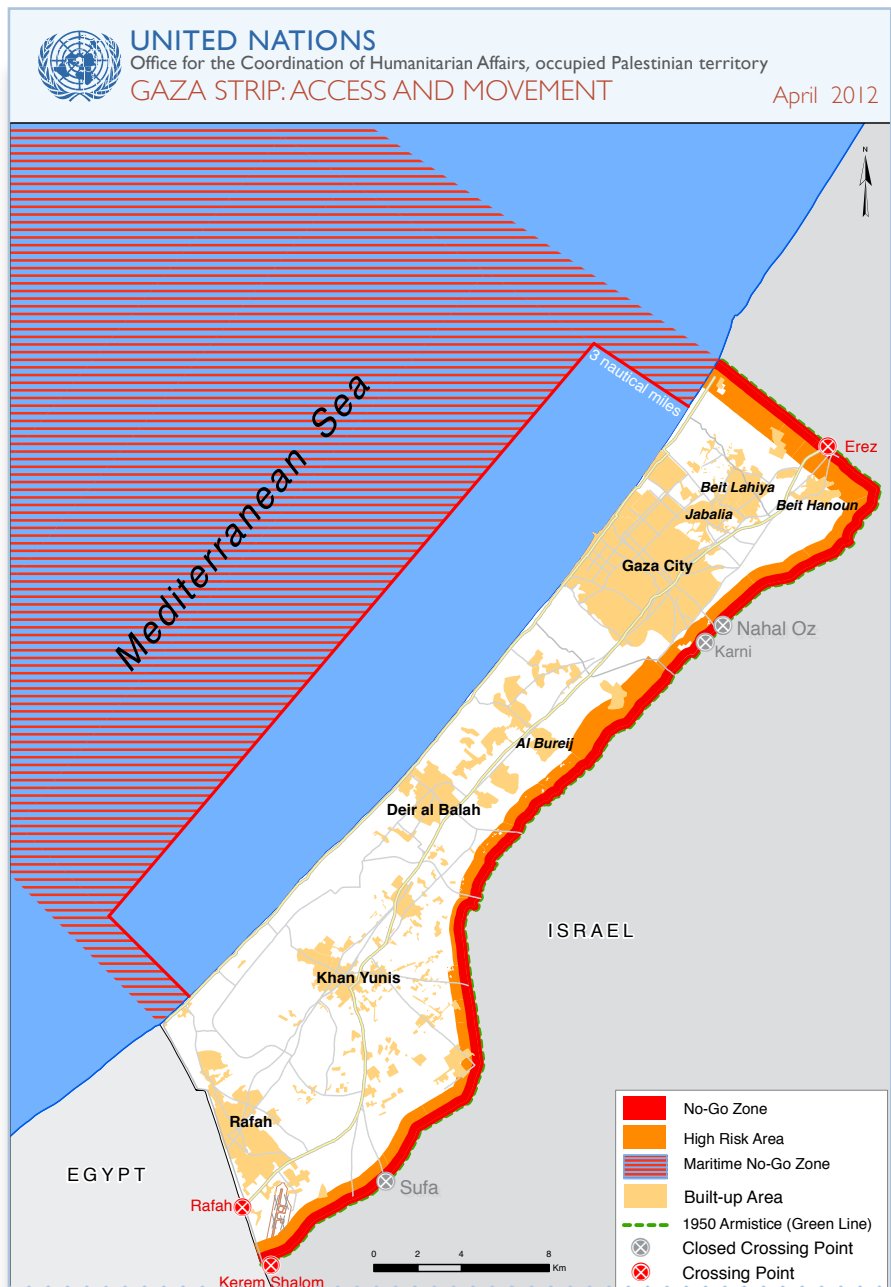
In recent years, Palestinian access between the Gaza Strip, Israel and the West Bank, including East Jerusalem, has been gradually reduced to the point of allowing the movement of people only for humanitarian cases and businessmen, and the movement of goods to meet little more than basic humanitarian needs. This goes counter to the obligation undertaken in the framework of the Oslo Accords, whereby Israel committed to recognize the Gaza Strip and the West Bank as a 'single territorial unit' where freedom of movement was allowed between the two parts.

Following the Hamas takeover in June 2007, Israel severely tightened the existing restrictions on the movement of goods and people to and from Gaza.⁶² This regime has 'locked in' over 1.6 million people in what is one of the most densely populated areas on earth, has led to the 'de-development' of Gaza with degrading living conditions, the depletion of livelihoods, and serious decline in services and infrastructure for education, healthcare and water/sanitation. 'and constitutes a collective punishment imposed in clear violation of obligations under international humanitarian law.'⁶³

In June 2010, following the killing by Israeli forces of nine Turkish activists on a Gaza-bound flotilla, Israel announced a package of measures to ease the blockade. This included a relaxation of import

restrictions (with the exception of 'dual-use items,'⁶⁴ including basic building materials); the gradual approval of building projects funded by certain international organizations; and the expansion of the capacity of the Kerem Shalom crossing, currently the only commercial crossing that remains in operation.⁶⁵ Although a relaxation on the restrictions of exports was announced on December 2010, it remained unimplemented in 2011. Except

for some humanitarian cases and Gaza businessmen, the movement of Gaza residents to and from the Gaza Strip via the Erez crossing remains prohibited. The formal reopening of the Rafah border crossing between Gaza and Egypt in June 2010 – after a period of sporadic opening – has allowed for some increase in the number of people exiting Gaza, although it has not succeeded in facilitating movement between Gaza and the West Bank.



3.2 Restrictions on the movement of people

The movement of people from Gaza through the Erez Crossing is prohibited, except for exceptional situations under the 'humanitarian case' designation, patients in serious medical conditions, their escorts and a number of businessmen and traders.⁶⁶ The permit application process is time consuming, arduous and uncertain. Applications by persons meeting the established criteria can be denied on security grounds, without further detail on the reasons for denial. The burden of proof falls always on the individual, and often requires lengthy and costly follow up, when the initial request is denied.

In June 2010, Israel announced a 'streamlining' of the permit policy regarding the movement of people for humanitarian purposes

and 'additional ways to facilitate' such movement. In practice, very little has changed for the general population. There was a 31percent increase in the number of people travelling into and from Gaza via Erez in 2011 compared to 2010 (52,515 vs. 40,047).⁶⁷ However, the figure for 2011 is 66 percent less than the volume of travellers in 2006, and only about 0.6 percent of the amount of people allowed to exit prior to the start of the second intifada in 2000, when some 26,000 Palestinians crossed Erez on a daily basis (*see chapter on Health for medical referrals from Gaza*).

The formal reopening of the Rafah Crossing between Gaza and Egypt in June 2010, operating partially (09.00 - 17.00) for six days a week, improved access for Gaza residents to the outside world, although mainly for patients and students, as well as foreign passport holders.⁶⁸

Everyone shall be free to leave any country, including his own.

International Covenant on Civil and Political Rights, Article 12 (2)

On average in 2011, 362 people a day crossed into Egypt and 347 crossed from Egypt into Gaza, an overall increase compared to 2010, but below the daily average of 650 people who crossed each way in the first five months of 2006, before the partial closure of the crossing. In addition, due to the backlog generated as a result of restricted access, travellers have had to go through a prior registration process at the Ministry of Interior in Gaza and to wait up to six weeks until they are actually able to cross. In 2011, on average, 25 travellers a day were denied access by the Egyptian authorities for unknown reasons.

TESTIMONY

AMBULANCE ACCESS DENIED

Um Mohammed, a fifty-year old mother of eight and resident of Gaza was referred to a hospital in Egypt to treat a painful cervical disc disorder, as treatment is not available in Gaza. Interviewed on her third attempt to exit the Gaza Strip in June 2012 via the Rafah crossing with Egypt, she said:

'I have an illness that practically paralyses my hands and legs, making me unable to live a normal life. I am incapable of taking care of my children. My doctor referred me to an Egyptian hospital to undergo neck surgery and I was advised to go as soon as possible as the pressure on my nerves was rapidly increasing and could lead to a spinal cord lesion that would leave me paralysed for the rest of my life.

I managed to obtain all the papers including the referral document from the Ministry of Health on time and I was given a hospital appointment for 22 June. I thought I had been lucky and I had passed the most difficult step.

On 20 June in the early morning, I was taken by a Ministry of Health ambulance to the Rafah Border Crossing which I hoped would allow me to cross easily. However, I was delayed for more than seven hours before my ambulance driver was told by a Palestinian border authority officer that we could not pass due to various restrictions at the crossing. I returned back home very tired, feeling hopeless, helpless and very emotional towards my children.

I had to reapply for new documents, set up a new appointment with the hospital and again organise an ambulance. Again I went to the crossing and waited for more than five hours before my pain became unbearable and I had to go home and rest.

I am trying again today, I arrived by ambulance at 10:00 am and I have already been waiting three hours under the burning sun. I am not sure whether I will be able to cross today. I will keep trying because I do not have any other option and do not want to lose my ability to move. I want to start taking care of my children again.'

3.3 Restrictions on the movement of goods

Since June 2007, Israel has imposed restrictions on the transfer of goods into the Gaza Strip, allowing only goods defined as vital for the survival of the civilian population. The package of relaxation measures announced in June 2010 has led to an increase in the volume of imports: according to UN data, there was a 24 percent increase in imports in 2011 compared to the previous year (49,283 truckloads in 2011 compared to 39,630 in 2010).⁶⁹ However, this followed a low baseline in 2010, the result of restrictions due to the blockade. The monthly average of truckloads into Gaza through Kerem Shalom in 2011 was still only approximately 36 percent of the quantity entering in the first five months of 2007, before the intensification of the blockade.

The combination of access restrictions and the widespread destruction of homes and infrastructure during the 'Cast Lead' offensive in January 2009, together with population growth,

have generated enormous housing and infrastructure needs. However, Israeli restrictions on building materials through Kerem Shalom allow only basic building materials for specific projects to be carried out by international organizations and supported by the PA, considered on an individual basis. In addition, many other items defined as 'dual use' by the Israeli authorities are banned completely.

As a result, only a fraction of identified needs have so far been addressed. COGAT cites a total of 176 approved internationally-financed projects since 2010, 99 of which were approved in 2011.⁷⁰ OCHA can only provide conclusive data on UN recovery-construction projects in Gaza. Out of 126 pending approvals at the beginning of 2011 (US\$ 326 million), 74 were approved (US\$ 161 million). However, the UN programme of work began in 2010 and so needs to be analyzed from that date until the end of 2011. Accordingly, out of a total 175 projects / project components

submitted for COGAT approval (USD 484 million), by the end of 2011, 113 had been approved (USD 359 million), 39 were still pending (USD 84 million) and 9 had been rejected (USD 40 million). Approvals took on average six months to be processed while pending approvals have been waiting on average more than a year.

The implementation of UN projects has been slowed down and expenses increased due to a multi-layered system of approvals regulating the entry of each individual consignment of materials and the limited capacity of the crossings: In 2011, UNRWA and UNDP alone spent US\$ 2.3 million in addressing these regulations, the equivalent of building 50 housing units or construction a school for 2,000 children. By the end of 2011, projects worth a total USD 216 million, or 25 percent of the UN programme of work, were either pending Israeli approval and had been for an average 13 months, or had been rejected.⁷¹

THE TUNNEL ECONOMY

The imposition of import restrictions due to the blockade led to the proliferation of tunnels along Gaza's border with Egypt, used for the entry 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 the crossings with Israel, the number has decreased to approximately 200-300.⁷²

Most of the tunnels that remain operational have shifted to the transfer of construction materials, which are still restricted, or fuel, which is significantly cheaper in Egypt than in Israel, partially due to subsidies. The Palestinian Federation of Industries in Gaza estimates that some approximately 2.25 million tonnes of aggregate, cement and steel bars reached Gaza via the tunnels in 2011, compared to approximately 600,000 tonnes of the same materials which entered through the Kerem Shalom crossing for authorized projects. Prices in Gaza for these materials are now equal or less than what they would cost coming from Israel.

Since 2007, Israel has exceptionally allowed the export of a minimal amount of strawberries, flowers, peppers and tomatoes from Gaza to markets in Europe. While this is welcome, economic recovery can only occur if there is a significant rise in the volume and type of exports from Gaza to all available markets, including Israel and transfers to the West Bank and, which historically accounted for over 80 percent of Gaza's exports. The high shipping costs associated with the double back-to-back transfer system utilized at Kerem Shalom also impedes further exports.

Since June 2007, fewer than two truckloads of agricultural goods have left via Kerem Shalom per day during the harvest seasons, only a fraction of the average 19 daily export trucks over the course of 2006, prior to the blockade. As part of its December 2010 decision, an announcement was made to facilitate increased agricultural,

furniture and textile exports from Gaza, beginning with international markets. Authorized exports in 2011 were only 269 truckloads of agricultural crops, a 25 percent increase compared to 215 in 2010, but only 2.7 percent of the average monthly volume in the first half of 2007 (23 in 2011 vs 847 in 2007) permitted to leave Gaza for the West Bank, Israel and the outside world in 2007. No furniture or textile exports occurred in 2011 despite the policy change.

3.4 The Access Restricted Areas (ARAs)

Over the past ten years, the Israeli military has gradually expanded restrictions on access to farmland on the Gaza side of the 1949 'Green Line', and to fishing areas along the Gaza Strip coast. Since early 2009, Palestinians have been totally or partially prevented from accessing land, in some places located up to 1,000-1,500 metres from the border fence with Israel,⁷³ and sea areas beyond 3 nautical miles from

shore. Overall, the land restricted area is estimated to encompass 17 percent of the total land mass of the Gaza Strip and 35 percent of its agricultural land. At sea, fishermen are now prevented from accessing some 85 percent of the maritime areas they are entitled to access according to the Oslo Agreements. Access restrictions are primarily enforced by opening fire on people entering the restricted areas.

An estimated 178,000 people – 12 percent of the population of the Gaza Strip – are directly affected by these access restrictions. A complementary method used by the Israeli military to discourage access is the systematic levelling of farm land and the destruction of other private property located in the restricted areas. This has resulted in the erosion of livelihoods, with a yearly loss of approximately 75,000 metric tons of produce, potentially generating USD 50.2 million a year.⁷⁴



In the fishing sector, the three nautical miles limit enforced by the blockade inhibits fishermen from catching sardines, which are usually found five to eight miles offshore. The sardine market used to represent the main element of the Gaza fishery.⁷⁵ The potential catch

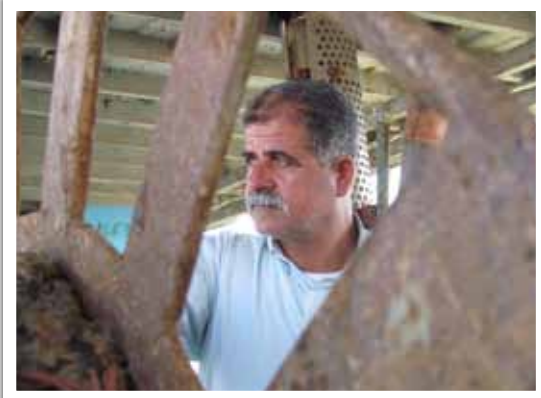
lost as a result of access restrictions is estimated at approximately 7,000 metric tons, with a related income loss of some USD 26.5 million over a period of five years.⁷⁶ The current regime also affects access to services, in particular to schools, seven of which are located within

the restricted areas.⁷⁷ Restrictions have also significantly impeded the maintenance and upgrade of existing wastewater and electricity infrastructure, negatively impacting the environment and the provision of services to the entire population of the Gaza Strip.

TESTIMONY

A FISHERMAN UNABLE TO FISH

Zaki Khalil, 51, a resident of Gaza City is a father of ten children aged between four and 30 years of age. A skilled fisherman, he has worked the Gaza waters since his childhood. In the past, this was a good living and he would earn up to US\$ 3,000 per month, enough money to build a two-story house for his family, educate his children and buy a car. He was even hoping to buy a new fishing boat.



Today, the three-nautical mile limit has destroyed Zaki's livelihood. He can no longer fish the sardines that formed the bulk of his catch, as these are further offshore. He no longer has a reliable income and is now forced to rely on food-aid to provide for his family.

'Before the Second Intifada, I thought twenty nautical miles were not enough for a good fishing industry. I worked with colleagues to lobby the authorities to increase the fishing zone,' he said. 'But now that we are limited to three nautical miles, what can you do except be constantly humiliated and come home with empty hands? Israel's restrictions have ruined my life. My wife has been forced to sell her jewelry and I have sold my new car. My children now eat lower quality food and smaller meals.'



Beached fishing boats on the Khan Yunis shore, WFP/Shareef Sarhan, 2010.

4. The Way Forward

As the occupying power, Israel is responsible under international law for ensuring that the humanitarian needs of the local population in the oPt are met, and that Palestinians are able to exercise their human rights. The right to freedom of movement can be limited under international law if legitimate security needs so require. However, the limitation must only be 'to the extent strictly required by the exigencies of the situation,' it should not involve discrimination on prohibited grounds, and must be consistent with other legal obligations applicable to the state.⁷⁸ In the case of Israel's restrictions on the West Bank, given the illegality of settlements under international law, and the close relationship between the settlements and the system of movement restrictions, the legality of the latter is called into question.

To reduce the vulnerability of those affected by poor access to services and livelihoods and to comply with its legal obligations under international law:

- Israel should ensure that the civilian population of the oPt is allowed to enjoy basic rights guaranteed in international law, including the right to freedom of movement and choice of residence, as well as the right to an adequate standard of living, adequate housing, and access to education and healthcare;
- In the West Bank, the Israeli authorities should facilitate the movement of civilians, including by removing physical obstacles and administrative restrictions not necessary for legitimate security purposes. This includes the facilitation of movement within, as well as in and out of East Jerusalem; the 'Seam Zone'; the opening up of 'closed military zones' for Palestinian movement and use of the land; the lifting of restrictions on vehicular access to the Jordan Valley and within the Old City of Hebron; and unrestricted access to Palestinian private land within settlements;
- The Israeli authorities should comply with the ICJ advisory opinion on the Barrier, and subsequent General Assembly resolution, and stop all Barrier construction, dismantle or re-route the constructed sections to the Green Line, and repeal the gate and permit regime;
- In Gaza, the Blockade must be lifted, enabling movement of people in and out of the Gaza Strip, including to the West Bank and East Jerusalem. Additionally, Israel must remove to the fullest extent possible the current restrictions on the access of people to areas in the vicinity of the perimeter fence and to sea waters along Gaza's coast;
- Subject to legitimate security considerations, Israel should also remove restrictions on the import of construction materials and the exports of goods, to enable the reconstruction of homes and infrastructure, revive the economy, ensure access to health and education services, and restore human dignity to the people in Gaza;
- While Israel bears primary responsibility to rectify the current situation, third states share responsibility for ensuring respect for international law in the oPt. Efforts by third-state countries are crucial to ensure that international humanitarian law (IHL) is respected and humanitarian vulnerability reduced.

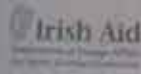
HUMANITARIAN SPACE



UNITED  NATIONS

Project funded through the United Nations Humanitarian Response Fund (UN/HRF), with the generous support of Ireland, the Netherlands, Norway, Spain, Sweden, Switzerland, and the United Kingdom

هذا المشروع يتمول من صندوق الأمم المتحدة للاستجابة الإنسانية وذلك بدعم سخّي من أيرلندا، النرويج، اسبانيا، السويد، سويسرا، والمملكة المتحدة



I. Overview

In 2011, while the capacity of humanitarian staff to provide assistance benefited from the absence of large-scale violence, humanitarian organizations still faced obstacles in staff movement and day-to-day operations, hampering the provision of humanitarian aid and undermining the effectiveness of assistance. The situation is exacerbated by the fragmentation of the oPt into disconnected areas – the Gaza Strip, East Jerusalem, the ‘Seam Zone’, and the rest of the West Bank, with further fragmentation of the latter. Restricted

humanitarian space in the oPt is primarily caused by obstacles to movement of (I)NGO and UN staff – especially in the case of national employees – restrictions on the delivery of materials needed for planned humanitarian projects and limitations to the implementation of projects that involve building, expanding or rehabilitating infrastructure. Humanitarian operations are also hampered by the ‘no contact’ policy of some countries and donors, prohibiting contact with the Hamas authorities in Gaza, even on an operational level.

Calls upon all Governments and parties in complex humanitarian emergencies, in particular in armed conflicts and in post conflict situations, in countries in which humanitarian personnel are operating, in conformity with relevant provisions of international law and national law to: cooperate fully with the United Nations and other humanitarian agencies and organizations and to ensure the safe and unhindered access of humanitarian personnel as well as supplies and equipment in order to allow them to perform efficiently their task of assisting the affected civilian population, including refugees and internally displaced persons.

UN General Assembly Resolution A/
RES/58/114

2. Gaza

Although the relaxation of access measures in the Gaza Strip in June 2010 (see chapter *Movement and Access*) allowed some international reconstruction projects to be approved and needed construction material to be delivered, the approval, coordination and verification mechanisms remain burdensome and result in prolonged delays and increased costs. Once a project is approved, the schedule for the entry of material needs to be negotiated, which includes, among other requirements, providing vehicle and driver details to the Israeli authorities. In addition, an extensive ‘dual-use’ list of essential goods is restricted from entering Gaza, unless for previously approved international projects, which includes basic construction materials, medical equipment such as X-ray machines, all communication equipment such

as network printers, and some vehicles such as four-wheel-drive vehicles and garbage trucks.

The movement of (I)NGO and UN staff in and out of Gaza via the Erez crossing continues to be limited and unpredictable. Although in June 2010, the Israeli authorities committed to ‘streamline the policy of permitting the entry and exit of people for humanitarian and medical reasons and that of employees of (approved) international aid organizations,’⁷⁹ staff members of humanitarian agencies still face difficulty moving between the two parts of the oPt. Currently, the access of UN staff members must be arranged prior to entry into Gaza, and international NGO staff need to apply for 3-6 month permits. National UN staff typically only receive time-bound permits (usually for several days) rather than long-

term permits (3 or 6 months), and many national UN and NGO staff members’ applications are rejected on ‘security grounds’, with no possibility of appeal.

In 2011, UN agencies submitted 812 permit requests for national staff members to enter or exit the Gaza Strip via Erez, of which 585 (72 percent) were approved, 51 were denied and the 155 are still ‘pending’. This represents a 26 percent increase in the number of Gaza access permits for national UN staff from 2010 to 2011 (585 versus 436 in 2010). However, this was due to an increase in the number of permit requests by the UN and not an improved rate of approvals by the Israeli authorities. In addition, all INGO staff, and UN national staff must walk rather than drive through the Erez crossing, posing an increased security risk.

COGAT APPROVAL PROCESS FOR RESTRICTED MATERIALS ENTRY TO GAZA

Following a petition filed under the Freedom of Information Act by the Israeli Human Rights NGO Gisha, the Israeli authorities released a series of documents clarifying their policy guidelines for regulating the entry and exit of goods to and from the Gaza Strip. One of the documents addresses procedures that apply to international organizations when implementing projects requiring the import of materials designated as 'dual use' items. According to the document, the project implementer should receive a response to their project request within two months. However, once a project is approved, it is not immediately released to the implementing entity but is held in a 'bank' of projects to be released, 'periodically and purposely with the objective of preserving continuity of and legitimization for Israeli policy towards the Gaza Strip.'⁸⁰

According to current data on pending project approval requests from UN agencies, there could be as many as 45 projects held in the 'bank', including the construction of badly needed schools as well as water and sanitation projects worth hundreds of millions of dollars. This procedure runs counter to Israel's obligations under International Humanitarian Law (IHL), which specifies that States can only restrict access for aid and assistance due to 'imperative military requirements'.

3. East Jerusalem

Similarly, humanitarian personnel face on-going limitations to their capacity to enter East Jerusalem. National staff with West Bank identity cards need to apply for permits to access and work in East Jerusalem, which usually grant access for a limited period of time (7 am-7 pm). Permits may be turned down based on 'security grounds', delayed or not renewed in a timely manner. Furthermore, the Israeli authorities have imposed a quota of 1,700 permits to East Jerusalem for international organizations, and permits have been denied once the quota is reached. In these cases, work is interrupted for staff whose duty station is in East Jerusalem or whose duties require visits there, for example, for coordination or other work-related meetings, trainings, workshops,

etc. The planned handover of the Jerusalem periphery checkpoints to the Israeli Crossing Points Administration (CPA), which implements a stricter inspection regime at the checkpoints where it already operates, raises serious concerns on humanitarian access. Because of frequent demands to inspect UN vehicles, contrary to UN immunities and privileges, UN agencies already avoid use of existing CPA run checkpoints, severely limiting movement.

A decision in early 2010 to alter the visa status of non-governmental organizations from 'B1' working visas to 'B2' tourist visas, and thus restrict their ability to operate in East Jerusalem in particular, was later rescinded. However, new visa-related challenges have

If the whole or part of the population of an occupied territory is inadequately supplied, the Occupying Power shall agree to relief schemes on behalf of the said population, and shall facilitate them by all the means at its disposal.

Fourth Geneva Convention, Article 59

emerged, including increased application delays for Gaza-based staff and denial of visas for family of international staff and for specific staff engaged in legal and media related activities.

In the West Bank, while access and movement between the main cities has improved due to the removal of a number of internal West Bank checkpoints, closure obstacles continue to impede access to some of the most vulnerable Palestinian communities reside, especially in the 'Seam Zone' and other parts of Area C.

The implementation of humanitarian assistance projects has also been severely hampered by the permit regime applied by the Israeli authorities for construction in Area C and in East Jerusalem. The construction, expansion and rehabilitation of schools, medical clinics, shelters and water infrastructure require building permits, which are only granted, if at all, after a lengthy, complex and costly application process that often takes several years to complete. As a result, humanitarian agencies are confronted with the dilemma whether to proceed with planned projects, which may mean building without permits, thus risking demolitions and waste of resources, or to respect the military

71% of AIDA members indicate that access restrictions have had an impact on the quality of their programming

67% report that access issues have affected their programming priorities

40% tried to implement programs that were either severely delayed or abandoned due to access restrictions, of which more than 50 percent were located in Gaza

42% of AIDA members have opted not to work in the Gaza 'buffer zone' due to access restrictions and security issues⁸⁴

Source: Association for International Development Agencies (AIDA)

legislation of the occupying power.⁸¹

The increased financial and practical costs of maintaining day-to-day operations and delivering assistance in this context are significant. To cope with physical and administrative restrictions to the entry of equipment, materials and staff into the Gaza Strip, many organizations have been forced to hire additional personnel. Often finance, administration, security or technical posts are created in both Gaza and West Bank offices, where previously one post could cover both locations.

Some 31 percent of the organizations in the Association for International Development Agencies (AIDA),⁸² which conducted a survey on the topic, have hired extra staff to cope with the additional workload of applying for permits and visas. In addition, 32 percent report having had to hire additional international staff, as they can travel more easily than their Palestinian counterparts. Additional costs also result from hours spent in extended waits at checkpoints and crossings, unnecessary travel costs, extra equipment (such as teleconferencing equipment) and

School under threat of demolition visited by Ms. Catherine Bragg Deputy Emergency Relief Coordinator, Susiya, Hebron Governorate, ©CHA 2012



TALK WITH DR. ABDEL RAHIM AL ASSI, UNRWA MOBILE HEALTH TEAM, NABLUS

'IT'S LIKE LIVING IN A CAGE'

Dr Abdel Rahim Al Asri works for the UNRWA Mobile Health Team, and has been visiting the village of Arab al-Ramadin al Janubi, south of Qalqiliya, for more than ten years. Arab al-Ramadin al Janubi is within the West Bank, but its position behind the Barrier means it is now in the 'Seam Zone'. Residents need to cross a checkpoint to access their homes.



'The community has been closed due to the closures, the Barrier and the proximity of the Alfe Menashe settlement and residents can no longer access most of their agricultural lands. It's like living in a cage. This has led to widespread unemployment,' said Dr Abdel.

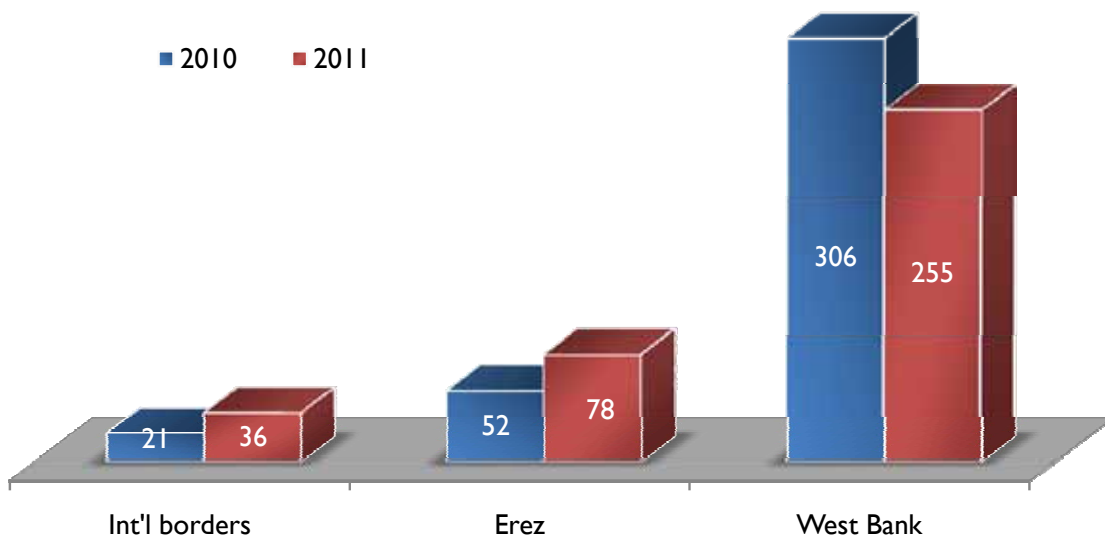
'There are many chronically ill patients in Arab al-Ramadin al Janubi, and they face difficulties accessing healthcare. The UNRWA Mobile Health Team used to visit the community monthly to provide medical services.

The people of 'Arab al-Ramadin al Janubi know exactly which days we are supposed to come and often wait long hours for us. When we manage to enter the community, the atmosphere is almost like that of a wedding. There are signs of happiness and relief on people's faces. This gives me the energy to keep trying to cross the checkpoint.

Unfortunately increasing access difficulties and the requirement that we obtain permits has made it impossible for us to continue our regular visits. This is despite the medical team travelling in an official UN vehicle and showing UN identity cards. In order to guarantee regular medical care and the supply of medicines for the community, we have had to make alternative arrangements.

When we are refused entry, it is deeply frustrating. My task is to come here and to help people by providing medical care. But often my team and I are treated by the soldiers as if we were doing something bad. From my experience, a checkpoint is a place where anything can happen.'

Number of access incidents in oPt (Jan-Jul)



accommodation costs. As a coping mechanism, some organizations report hiring additional drivers, as a result of the prohibition on Palestinians with West Bank ID cards driving in East Jerusalem. In addition, some have changed hiring practices, favouring East Jerusalem residents or international passport holders, who can move freely between the different parts of the oPt, reducing employment opportunities for West Bank professionals. The total costs related to impediments to the delivery of humanitarian assistance for AIDA members are estimated at 4.5 million USD per year.⁸³

In addition to the financial consequences, access restrictions also result in reduced extent and quality of programmes, in particular in remote locations, such as in Gaza's Access Restricted Areas, the 'Seam Zone' and other parts of Area C. In particular, organizations report significant delays, the use of substandard or used materials for construction, and the inability to monitor activities or to carry out adequate financial

In February 2011, the Office of the Quartet Representative (OQR) negotiated an agreement with the Government of Israel on fast-tracking permits for 19 priority projects in Area C. The OQR helped secure the permits for these 19 priority projects identified by the PA, with some permits being issued within the four month period initially envisaged by the fast-tracking process. This process included permits for six schools and five clinics, of which four have already been built and six are being completed. Permits for the expansion of seven schools were secured during the completion of this report. These social-infrastructure projects range from basic rehabilitation of a primary school in Al-Minya to the reconstruction of a major UNRWA school outside the Jalazun Refugee Camp serving a student population of over 1,200.⁸⁵

monitoring. Organizations have also been forced to implement less sustainable humanitarian projects rather than focusing on long-term development. Examples include delivering food assistance in Gaza instead of carrying out agricultural development programmes, due to the difficulty of bringing in agricultural raw materials, and of accessing some of the agricultural land in the ARAs.

In addition to the restrictions imposed by the Israeli government, in Gaza humanitarian operations are also hampered by other factors,

such as the 'no contact' policy of some donors, prohibiting contact with the Hamas authorities, often even on an operational level, and requests by Hamas for compliance with its administrative procedures, such as the payment of registration and administrative fees. In recent years, some organizations have come under pressure from the Hamas authorities to suspend their activities in Gaza. For example, in late 2010 the *Sharek Youth Forum* was closed down based on allegations of 'immoral behaviour', and has not been able to resume its activities.

5. The Way Forward

- Israel, as the occupying power, must take all possible measures to bring about an improvement in the humanitarian situation, which is generating the need for assistance. A complete lifting of the blockade on the Gaza Strip and improved Palestinian access to land and resources in the West Bank and to external markets are measures that would significantly improve Palestinian livelihoods, reducing the need for assistance.
- In addition, and in parallel to the above measures, all parties to the conflict must abide by their international legal obligations to ensure the impartial, rapid and unimpeded access of humanitarian relief and personnel, so that the humanitarian community is able to carry out its work effectively and efficiently throughout the Gaza Strip and West Bank, including East Jerusalem.
- The Israeli authorities should provide clarity on the permit and visa system, including criteria for issuing or denying permits and visas. This includes more information on rationale in case of denial, periodic review of denied applications, and clear timelines. The permit system should become more impartial, rapid, and predictable and thus more conducive to the unimpeded movement of humanitarian workers in and between all areas of the oPt for work purposes, regardless of their nationality.
- Additionally, there is a need for donor countries to strongly advocate for an improvement in the humanitarian situation and respect for humanitarian operations in their bi-lateral relations with the concerned authorities. There must be a clear, unified message that measures that impede the smooth delivery of humanitarian aid are unacceptable. Another necessary step is that relevant donor countries re-evaluate aspects of their policies vis-à-vis Hamas so that humanitarian agencies are able to respond based solely on needs, rather than on political considerations.

HEALTH



Child receiving vaccine in Nablus, Patrick Zöll, 2010.

Overview

Throughout the oPt, access and movement restrictions, both physical and administrative, severely hamper access to healthcare. Especially affected are patients from the Gaza Strip and West Bank ID holders, who are in need of treatment in Palestinian medical facilities in East Jerusalem, which provide specialized health services unavailable elsewhere in the oPt.

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

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

Gaza

The health system in Gaza deteriorated with the intensification of restrictions on the Gaza Strip following the Hamas takeover in June 2007. Restrictions on the entry of machinery and spare parts limit the repair and maintenance of existing equipment. In addition, with some exceptions, health professionals face increasing difficulty in leaving the Gaza Strip for professional training since 2000, and especially since 2008,⁸⁶ severely undermining the quality of healthcare. Due to a combination of factors, Gaza suffers from a scarcity of drugs and consumables and a lack of functioning medical equipment. Thirty-one percent of essential drugs and 17.5 percent of medical disposables were out of stock in Gaza by the end of 2011, resulting in interruptions to cancer care and elective surgery.⁸⁷ Shortages of fuel have also affected transport services for urgent and chronic patients. Heavy use of back-up generators during frequent power

cuts has been a drain on limited fuel reserves for hospitals and has damaged batteries and reduced functionality of some hospital equipment.

This deterioration in the health services is a contributing factor to the need for Ministry of Health (MoH) referrals of patients to medical facilities outside the Gaza Strip, including to East Jerusalem, other areas of the West Bank, Israel, Jordan and Egypt. The political developments in Egypt in 2011 affected the number of patient referrals exiting Gaza through the Rafah border crossing, dropping from 4,329 in 2010 (24 percent of all Gaza referrals) to 3,865 in 2011 (22 percent).⁸⁸ In general, referrals are for life-threatening and serious conditions, requiring oncology, neurosurgery, orthopedics and ophthalmology. More than one third of patient referrals through Erez checkpoint are children.⁸⁹

Insured patients requiring treatment outside Gaza need

to submit a physician's referral request to the Referral Abroad Department (RAD) of the Palestinian Ministry of Health for a decision regarding financial support. Except for referrals to Egypt, where Israeli travel permits are not required (although an Israeli-issued ID number is required), an application needs to be submitted to the Israeli authorities for permission to exit the Gaza Strip via Erez 10 days in advance of the appointment. In 2011, 89.7 percent of requests (9,478) for Gaza patients to leave the Strip for medical treatment through Erez checkpoint were approved, compared to 81.5 percent in 2010; 7.6 percent (808) were delayed (12.7 percent in 2010) and 2.2 percent (237) had their permit applications denied (5.8 percent in 2010), and 197 were summoned for interrogation.⁹⁰ Interrogations may result in the granting of a permit (albeit sometimes late for the appointment), in denial of a permit or, on occasion, in the detention of

A SICK CHILD FROM GAZA

Muhammad Dhahir, a five-year old boy from Tal As Sultan in Gaza, was sent for treatment to Augusta Victoria Hospital in East Jerusalem following his diagnosis of leukaemia. His treatment is expected to last for over three years, consisting of periods of up to three months spent at Augusta Victoria Hospital, followed by two week resting periods at home in Gaza.



Muhammad Dhahir, photo by JCTordai, 2010

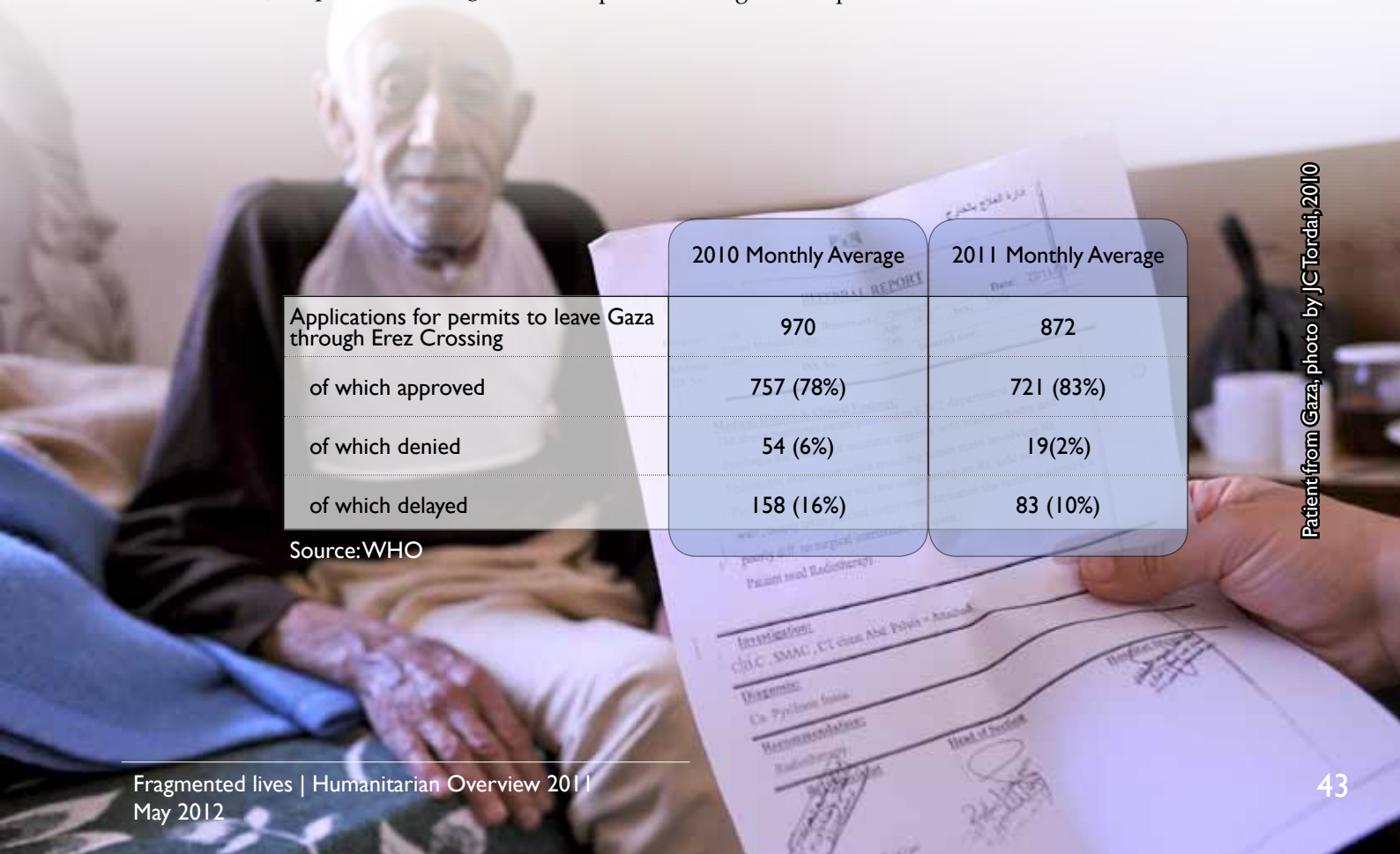
Neither his mother nor father can accompany Muhammad for his treatments in Jerusalem. His father's request was refused on security grounds, and only his grandmother received a permit to accompany him. She and Muhammad have to undergo many hours of gruelling security procedures each time they go through the Erez Checkpoint. Recounting the ordeal his grandmother relates, "The first time we went through Erez Checkpoint, Muhammad's condition was very serious and he couldn't walk. He was put on a wheelchair and we went through the different stages of security checks together. I had to take off my clothes and was body-searched in front of my little grandson, which was very humiliating for me."

Permits to exit Gaza are only issued for the day the patient exits Gaza. This means that Muhammad and his grandmother are forced to stay in Jerusalem 'illegally' for the period of his treatment, meaning that neither can leave the hospital grounds during his months of treatment.

the applicant. Delays and denials can result in a deterioration in the patient's health: there were three deaths reported in 2011 (compared to six in 2010) of patients during

the period in which they were waiting for their permits.⁹¹ In addition, applications for permits for escorts are difficult to obtain, with a particular negative impact

on child patients.⁹² Patients have been advised to choose an escort older than 39 years, to avoid extra delays in processing; exceptions are sometimes made for mothers.⁹³



| | 2010 Monthly Average | 2011 Monthly Average |
|--|----------------------|----------------------|
| Applications for permits to leave Gaza through Erez Crossing | 970 | 872 |
| of which approved | 757 (78%) | 721 (83%) |
| of which denied | 54 (6%) | 19(2%) |
| of which delayed | 158 (16%) | 83 (10%) |

Source:WHO

Patient from Gaza, photo by JCTordai, 2010

In the West Bank, non-Jerusalem ID patients, including emergency cases, require permits for accessing health services in the six Palestinian non-profit specialized hospitals in East Jerusalem. In addition to the stress and increased health risks incurred in applying and waiting for requests to be granted (or denied), permits can be issued for shorter periods than the treatment requires, particularly if multiple consultations or operations are necessary.⁹⁴ For certain categories of chronic disease, such as dialysis patients who must travel two or three times weekly to East Jerusalem hospitals, Israel has begun to issue longer-term permits. However, as with Gaza, it can be difficult for parents or family members of sick children to receive permits to accompany patients to East Jerusalem. Patients 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 (vehicles with Palestinian license plates are forbidden from entering East Jerusalem), which often implies waiting in crowded lines for long periods, adding significant hardship for the very ill, the elderly, and those with disabilities. While approval purportedly was granted for chronic patients with longer term permits to access Jerusalem through all checkpoints, in practice this has not always

been honoured by checkpoint personnel.

Ambulance transfer in cases of medical emergency to East Jerusalem hospital facilities can also be difficult for Palestinians who hold West Bank ID cards. During 2011, 1,040 ambulances of the main Emergency Medical Services provider, the Palestinian Red Crescent Society (PRCS), were denied direct access and had to transfer patients using 'back-to-back' procedures (moving the patient from a Palestinian-plated ambulance to an Israeli-plated ambulance). In very urgent cases, the Israeli Civil Administration can authorize the direct entry of Palestinian ambulances after coordinating with the security personnel at the checkpoints; PRCS reported that in 54 cases (5 percent), ambulances were allowed direct access during 2011.⁹⁵

Physical and bureaucratic obstacles also hamper the ability of the estimated 1,000 hospital employees who hold West Bank IDs to access their workplaces in East Jerusalem, to the detriment of patients. With the imposition of tightened restrictions in July 2008, West Bank hospital employees who have Israeli-issued permits had been permitted to access East Jerusalem only through the most crowded checkpoints of Qalandiya, Zaytoun and Bethlehem. In late

2011, the category of employees permitted to use all checkpoints was reportedly expanded from physicians only to include all employees, although employees still report encountering difficulties at checkpoints. The long delays for staff at checkpoints disrupt patient care including the scheduling of consultations, operations and other services in East Jerusalem hospitals. Since 2004 the *East Jerusalem Hospitals Network* has been facilitating access for their essential medical staff and, to a limited extent, for patients with chronic illnesses from the West Bank by operating daily busses to the hospital, at considerable extra cost.

The Israeli authorities also continue to implement a decision adopted in February 2009 prohibiting East Jerusalem hospitals from importing medical equipment from West Bank suppliers. This has created logistical problems for the hospitals and has also led to higher costs for equipment purchased through Israeli dealers.⁹⁶ Following the completion of the Barrier around Jerusalem in 2006, Israel began to implement a law forbidding East Jerusalem hospitals and pharmacies from receiving Palestinian-produced pharmaceuticals from the West Bank.

EDUCATION



I. Overview

The education sector in the oPt suffers from a variety of challenges: sub-standard school infrastructure and a chronic shortage of classrooms; restrictions on building, expanding and rehabilitating schools; and impeded access to educational facilities on the part of teachers and pupils due to physical, bureaucratic and other obstacles. These factors often result in a high drop-out rate, low learning achievements and, in some cases, displacement. Armed conflict also continues to have a negative impact

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

on the right to education in the oPt, with armed hostilities or other conflict-related violence resulting in disruption to schooling.⁹⁷ In 2011, schooling in southern Israel was also interrupted on three

occasions, with over 300,000 students kept at home for up to three days at a time to ensure their safety due to rockets fired from Gaza by Palestinian armed groups.

2. Gaza Strip

In the Gaza Strip, demographic growth, military operations (including the 'Cast Lead' military offensive in 2008-2009, when 18 schools and kindergartens were destroyed and over 250 damaged), combined with the blockade, which severely restricts the import of construction materials, have generated enormous infrastructural needs, which also affect the education sector. It is estimated that 230 new schools need to be built to meet these needs, including 100 for UNRWA, which operates 243 schools with 219,000 pupils. The package of 'relaxation' measures introduced by the Government of Israel in June 2010, which include approval for entry of construction materials for international projects, has allowed only some of these needs to be addressed: at time of writing,

UNRWA has received approval for 40 percent of the projects in its programme of work. To make up for the lack of educational facilities, 80 percent of Government and 95 percent of UNRWA schools are running on double shifts, some have increased the number of students per classroom up to 50, and some classrooms have been accommodated in temporary structures, such as containers.⁹⁸

Pupils and school staff attending educational facilities located in the access restricted areas (ARAs) are exposed to safety hazards and impeded access. There are seven educational institutions in the Gaza Strip with facilities located within 1,500 meters from the Border fence. These schools accommodate approximately 4,400 pupils, in addition to 250

staff.⁹⁹ Children and staff can be exposed to fire while attending, or travelling to and from school, often face difficulty in accessing school as a result, with lessons disrupted by clashes between the Israeli army and armed Palestinian militants in the vicinity. In Gaza, in 2011, there were 14 incidents affecting schools, including 11 schools damaged during the course of hostilities.¹⁰⁰

Palestinian armed groups were responsible for five attacks on schools in southern Israel in 2011, as a result of guided anti-tank missiles and home-made rockets, launched from Gaza, with one attack by an anti-tank missile on a school bus and resulting in the fatal injury of a 16-year-old boy and the injury of the driver.

3. West Bank/Area C

In the West Bank, there are approximately 50,000 students enrolled in 183 schools in Area C,¹⁰¹ where the restrictive planning regime results in a significant shortage of, or inadequate school infrastructure and exposes schools to the threat of demolitions. Sixteen schools in Area C currently have pending demolition orders and 15 schools have active stop

work orders: in 2011, part of a school was demolished in Dkeika (Hebron).¹⁰² Nearly 10,000 students in Area C began the 2011/12 school year accommodated in tents, caravans or tin shacks, with minimal protection from the heat and cold.¹⁰³ In addition, schools in Area C are often far from the community they serve, which imposes high transport costs on

families and forces children to walk long distances to reach school.¹⁰⁴ Access to school can be hindered by physical obstacles, threats and harassment by the Israeli army and settlers.¹⁰⁵ Impeded access often results in a high drop-out rate, especially after the ninth grade and among girls.

TESTIMONY

ACCESSING SCHOOL

Abu Saqer is the community representative of Al Hadidiya, rural community in the northern Jordan Valley. Children from the village face significant difficulties accessing their school in Tammum, a 17 kilometres away. The dirt road that children used to walk to travel to school each day on private tractors is now blocked by a barrier, and the children are forced to do a 45 kilometres detour to get to their school, meaning that they can no longer return home each day.

Describing the difficulties his children face, Abu Saqer said, 'To complete school, children go to Tammun and stay there during the week, while their parents remain in the community. One of the older children looks after the others in town. As a result, there is often little supervision of the children or support available to help with homework. I have eleven children between the ages of 7 and 17 years living in the same apartment alone.

This situation has had a bad affect on the children's performance in school. Most children either do not succeed at school or get homesick and want to return home. I would say that around 80 percent of children drop out. The level of education of this generation is actually less than that of their parents. If the roads were open and access to school not limited by checkpoints and other obstacles placed by the Israeli army, accessing education could be easier.'



Shu'fat UNRWA School, Jordan 2009

4. East Jerusalem

In East Jerusalem, the education sector is composed of multiple providers, with little coordination and wide discrepancies in the quality of education offered. Although Israel's own domestic law obligates free and public education to all children until the age of 18, less than half of the student population - 42,000 out of 88,000 - attend municipal schools.¹⁰⁶ Despite the variety of providers, approximately 4,300 children are not enrolled in any educational institution.¹⁰⁷ Among those enrolled, many fail to complete secondary school, with an especially high drop-out rate of boys aged 12-14.

The educational system in East Jerusalem is also characterized by a chronic shortage of classrooms, estimated at around 1,000.¹⁰⁸ 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 do not meet basic educational and health standards. Consequently, parents have to resort to fee-paying alternatives, with a significant impact on the household economy. As is the case in Area C, zoning and other planning restrictions in East Jerusalem inhibit both new construction and the expansion of existing buildings. As a result, six *Waqf* schools are threatened by demolition and sealing orders.

With the increasing isolation of East Jerusalem from the remainder of the oPt, teachers and pupils who hold West Bank ID cards face difficulties in accessing schools in East Jerusalem because of permit restrictions, checkpoints and the Barrier. Figures for *Waqf* schools

UNRWA provided free school education to close to 274,000 students in 341 (including seven PA schools) elementary and preparatory schools in Gaza and the West Bank. Two thirds of these schools still operate on a double-shift system, including 94 per cent of UNRWA schools in Gaza.

indicate that 20 percent of pupils and teachers and 40 percent of school staff cross a checkpoint on a daily basis to access their schools. Children with East Jerusalem ID cards living in locations separated from the rest of the city by the Barrier, such as Kufr Aqab, also need to cross a checkpoint to access their school.¹⁰⁹ The main campus of Al Quds University is also separated from the city by the Barrier and the institution's certificates are not recognized by the Israeli authorities.¹¹⁰



Bedouin girl in Khan Al-Ahmar School, ©Turcule/OGCHA, 2012

WASH



Sewerage pond in Jabalia, M El Halabi/OCHA, 2011.

1. Overview

The on-going blockade on Gaza and the cumulative effect of planning restrictions in the West Bank, have resulted in the most vulnerable populations in the oPt lacking urgently needed access to water and sanitation. In Gaza the majority of the population has no

alternative to purchasing water for drinking and cooking from private vendors because of the unsafe quality of the tap water: in the West Bank water shortages are common, especially during the summer months.¹¹¹

The human right to water entitles everyone to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses.

General Comment 15, International Covenant on Economic, Social and Cultural Rights

2. Gaza Strip

The Gaza Strip suffers from chronic problems related to poor water quality. Between 90 and 95 percent of water from the Gaza aquifer does not meet internationally accepted standards, due to the infiltration of sewage and sea salt. Gaza residents use an average of 91 litres of water per day (l/c/d), compared to the 280 liters used by Israeli residents for domestic consumption. Households are spending up to one-third of their income on drinking water, of which 75-90 percent is procured from private sources, which are subject to little or no regulation and quality control.¹¹² Delays in the entry of materials through Kerem Shalom have stalled a number of major water and sanitation infrastructure projects, further adding to sewage infiltration into the aquifers and contamination of drinking water. Restrictions on power supply have impeded the operations of treatment plants, while restrictions on the entry of the spare parts and essential

In 2011, 2,279 truckloads of materials entered Gaza for the rehabilitation or construction of WASH facilities. This averaged 44 trucks per week, a significant increase from the 19 trucks per week in the second half of 2010, and the five trucks per week that entered before COGAT announced the easing of the blockade in June 2010. However, when disaggregating the materials entry figures by implementing agencies, 89 percent of the WASH materials that entered into Gaza were destined for a handful of larger scale projects that have been subject to intensive negotiations. When these high level projects are excluded, no major improvements have been recorded for the entry of WASH materials since June 2010, with humanitarian water and sanitation actors continuing to face great difficulties in entering the necessary materials for urgent humanitarian projects in Gaza.¹¹³

chemicals necessary to operate these plants and disinfect drinking water are further placing people's health at risk. More long-term, over-extraction has resulted in a further deterioration of the aquifer leading to salt-water intrusion.

Most of the wastewater treatment plants in Gaza city are overloaded and working beyond their designed capacity. As a result, about 89 million litres of untreated or partially treated sewage are discharged directly into the

sea every day.¹¹⁴ The resulting contamination of seawater poses a potentially serious health and sanitation hazard to beaches and seafood. The sanitation crisis is further compounded by lack of sewage facilities: there are approximately 40,000 cesspits in use in Gaza, of which (84 percent) are manually emptied by household members due to the lack of connections to the sewerage network.¹¹⁵

3. West Bank

Limited water availability also affects the West Bank, where Israel retains control of all underground and surface water resources, the construction of new wells and cisterns as well as upgrading existing wells and other water infrastructure.¹¹⁶ Approximately one million people in 492 communities in the West Bank are accessing or consuming 60 litres of water per capita per day (l/c/d) or less, significantly below the World Health Organization recommendation of 100 l/c/d.¹¹⁷ In addition, an estimated 313,000 people from 113 communities are not connected to a water network, which translates into enormous costs related to water purchase.¹¹⁸

This situation is in marked contrast to the water resources that are made available to Israeli settlers

in the West Bank, who consume approximately six times the water consumed by Palestinians. In some cases, the discrepancies are even wider: the Dead Sea settlements of Mitzpe Shalen and Qalya consume approximately 700 l/c/d, while the neighbouring Palestinian village of al-Jiftlik has access to only 66 l/c/d and the villages of al-Nuwei'ma and al-Hadidiya are at humanitarian crisis levels with 24 and 22 l/c/d respectively.¹¹⁹ This is the result of a discriminatory allocation of water resources between Israeli settlements and Palestinian communities. Moreover, those wells and springs that are available to Palestinians are generally degraded as the Israeli authorities deny Palestinians permits for installing, upgrading or protecting their water sources to provide sufficient quantities,

whilst simultaneously continuing to drill deeper and more efficient wells for their own use. In addition, when Palestinians have piped water, it is usually siphoned off from water points for Israeli settlements, albeit with lesser volume. The diversion points are usually placed within settlements, making them vulnerable to settlers disconnecting or shutting down the water flowing to the Palestinian villages.¹²⁰

In addition, physical obstacles to Palestinian movement inside the West Bank – such as roadblocks, checkpoints and the Barrier – obstruct Palestinian access to springs, wells and other water points, force Palestinians to travel long distances and hinder water tankers and sewage disposal trucks from accessing certain areas, with

TESTIMONY

An Nassariya is a rural agricultural community in Area B of the Nablus governorate. On 8 September 2011, Israeli forces destroyed three of the village's wells with a bulldozer. The army confiscated pumps, engines, filters and 4 000 litres of gasoline (at 7 NIS per litre), and threw the owners' tools into the wells. They did not show a demolition order to anybody present. The demolition affected the livelihoods of 350 families.

Nagahe Zaad, a local farmer said, "I plant tomatoes, onions, cucumbers, melon, aubergine, peppers and many other things. Our sheep eat the foliage after we have harvested. Now we have no water and we cannot plant and our sheep drink the sewage water from the open canal. When [the demolition] happened, I just stood there. I felt so angry, but there was nothing I could do. It took about three to four hours and it all happened right before my eyes. No one was allowed to enter the area.

I was thinking of all the other farmers who depend on the water. I fell to the ground and was taken to a doctor. We are willing to live with Israelis and we will share our water. I, along with the two other owners of wells, have decided that we shall now rebuild only one well, so we can share the costs. But this means that we will produce less, and we know the Israelis will destroy our wells again, but I have been a farmer all my life. My father and grandfather also farmed on this land. We now live with this, we will not move." Testimony given to the Ecumenical Accompaniment Programme in Palestine and Israel (EAPPI).



WASH WATER SCARCITY VULNERABILITY MAPPING

AS OF JULY 2011

HIGH RISK

13,723 people in 99 communities are considered at high risk of chronic water scarcity; accessing less than 30 LPCPD (Litres per Capita per Day), often paying more than 20NIS/cum, having no network nor adequate water storage and relying on low quality water; these communities are mostly found in Area C.

MEDIUM RISK

296,066 people in 234 communities are considered at medium risk of acute water scarcity; accessing less than 60 LPCPD often having no network connection or a non functioning water supply network, therefore relying on water storage with low to medium quality water. These communities are often found in Area B or C and see a rapid increase of vulnerability over the summer season.



WASH emergency water scarcity distribution response in Massafer Yatta, Autumn 2011. Credit GVC.

Triggers of Water Scarcity:

- I. As a range of restrictions virtually eliminate the possibility of obtaining a building permit in Area "C" for Palestinians, it is nearly impossible to implement mitigation measures which could help increase the resilience of water scarce communities, most of whom are located in Area C. Moreover, the continued demolition of resilience infrastructure, such as water cisterns, further increases the dependency of the most vulnerable communities on water tankering.
- II. Over the last decade, rainwater catchment has been below average in the West Bank. In 2010-2011, the rainfall registered only 72 % of the historical average at the end of the raining season, with figures below 50% for the Eastern shores of the West Bank. The 2010-2011 shortage in rainfall had immediate impact on water access for vulnerable communities: households have been reported to fill cisterns at only a third of their capacity.
- III. Communities which are not connected to the water network traditionally depend on water tankering. While in 2010, people started purchasing water only in May, in 2011, a quarter of the households in the southern West Bank had already started purchasing water in February, and over half of households had started by mid-April. As the number of months during which households are dependent on water tankering increases rapidly, and as the number of these households keeps rising, the prices for tankered water rises exponentially.
- IV. The limited or non-existent replenishment of the aquifer leaves the springs and wells dry, meaning connected communities will have limited or no access to running water over summer. As a result, they will also have to rely on water tankering, leading to an increase in lines in front of water filling points.

➔ For more information please refer to index on page 32.

Palestinian Communities Average WASH Score Risk of Water Scarcity*

- Community at High Risk
- Community at Medium Risk

Small Pockets

Average WASH Score Risk of Water Scarcity

- ★ Small Pockets at High Risk
- ★ Small Pockets at Medium Risk

■ Governorate Capital

⊗ Checkpoint

--- 1949 Armistice (Green Line)

BARRIER

— Constructed / Under Construction

--- Planned

■ Israeli Closed Military Area

■ Israeli settlement outer limit, municipal boundary, outposts and land cultivated by settlers

■ Area Behind the Barrier

OSLO AGREEMENT

■ Area A

■ Area B

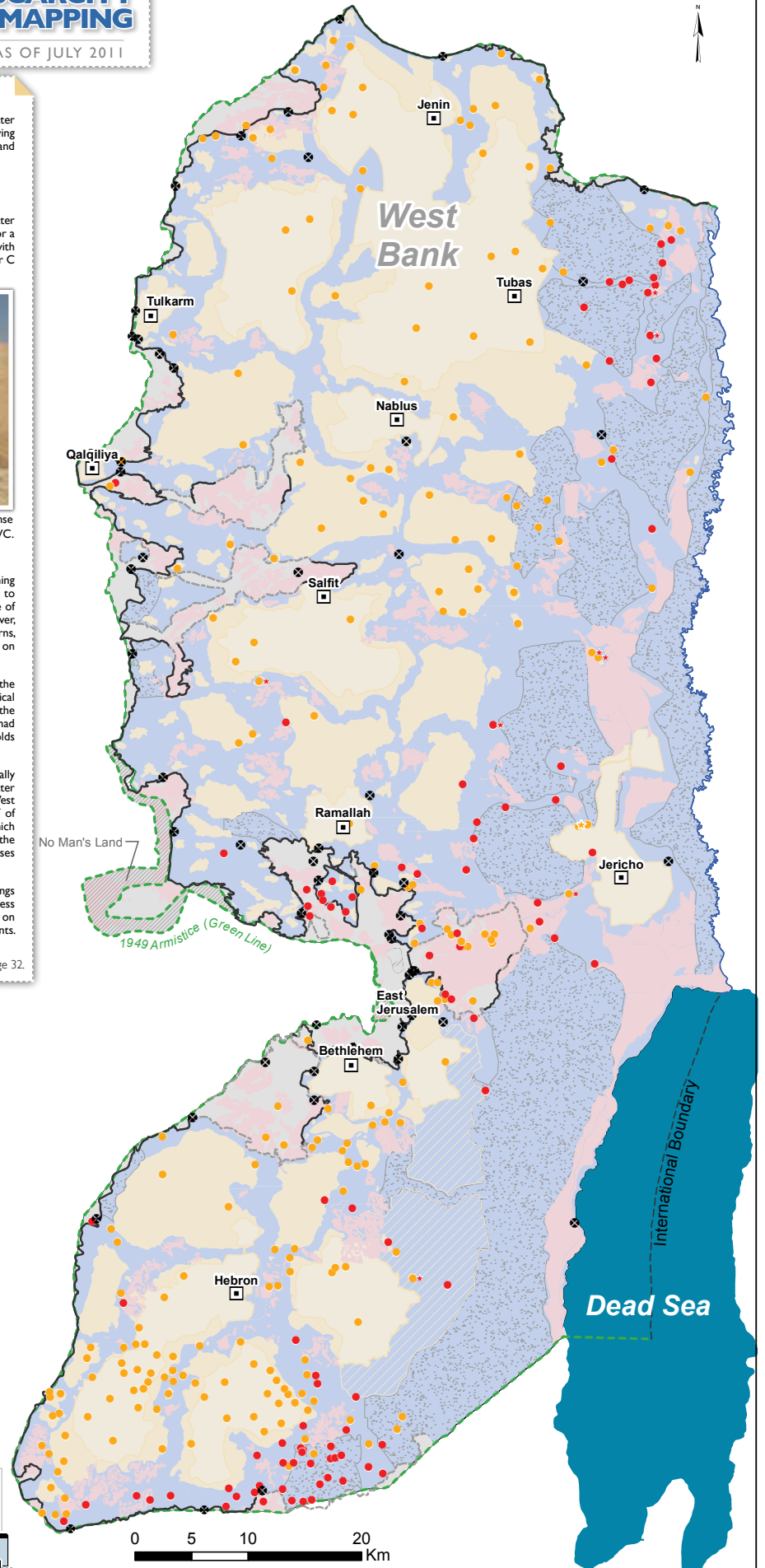
■ Area C

■ "Wye River" Nature Reserves

* Information based on joint assessment collation by WASH Cluster and partner agencies under the framework of the Water Scarcity Task Force in July 2011



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increased travel distance and costs. Limited availability of, and access to, water has a particularly severe impact on Bedouin communities in Area C, given their dependence on farming and herding as a source of livelihood. The WASH Cluster *Rapid Assessment 2011* indicates that there are 107 Palestinian communities (45,659 people) that pay more than 20 NIS per cubic metre of water – further restricting their access to appropriate quantities of water – in contrast to Israeli settlements which pay less than 5 NIS for water from the network.

Problems accessing water have been compounded by increased

demolitions in the West Bank. Over the last three years, WASH-related demolitions have escalated, particularly for wells and cisterns, with more than 82 water-related demolitions noted in 2011, compared to 57 in 2010 and 10 in 2009. When figures on sanitation-related demolitions and the number of confiscations are added, in 2011 a total number of 134 WASH facilities were targeted by the Israeli Civil Administration actions, amounting to a total of 218 since 2009.¹²¹

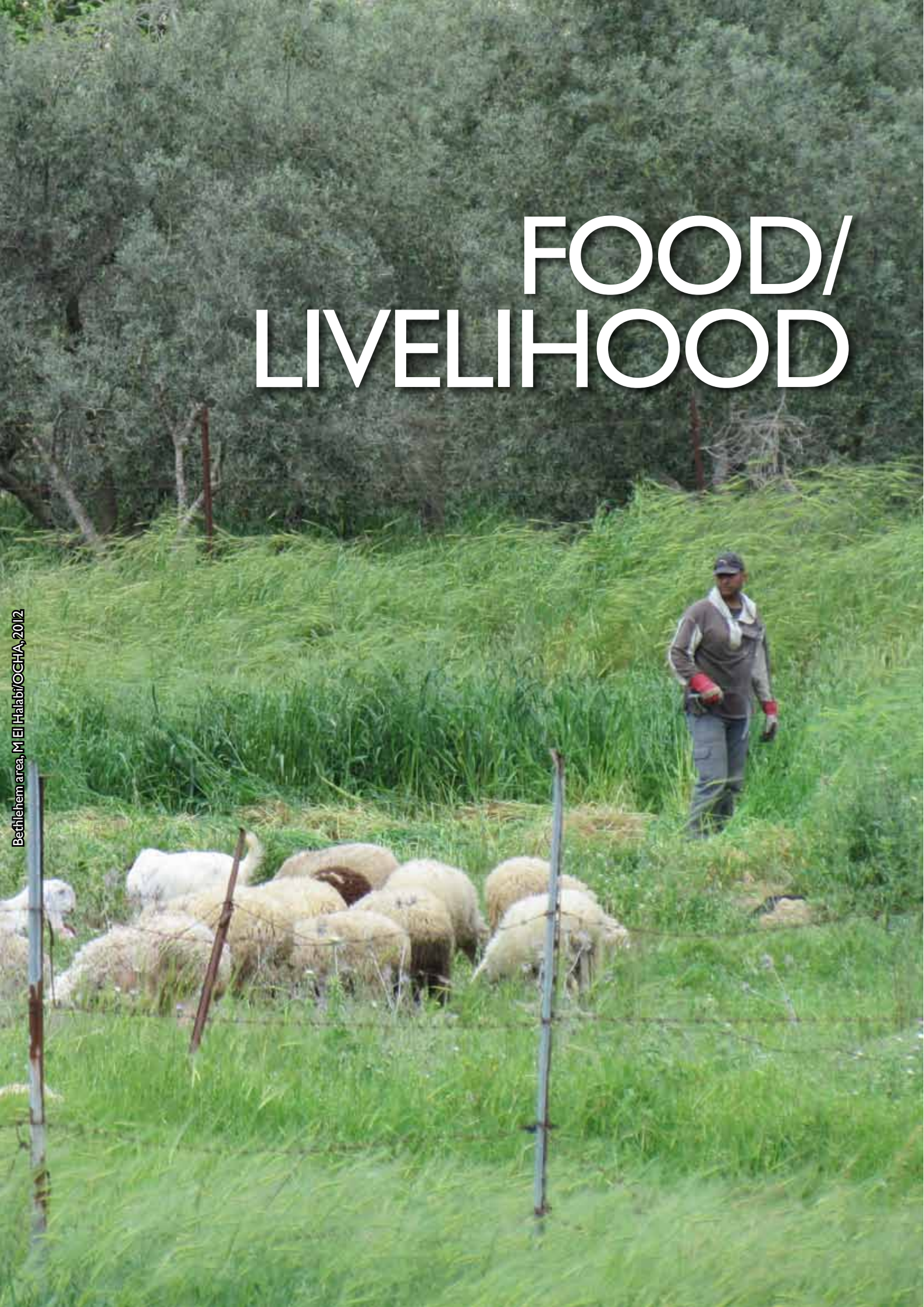
Regarding wastewater, only 31 percent of Palestinians in the West Bank (excluding East Jerusalem) are connected to the sewage

network, and only one wastewater treatment plant is operational due to the Israeli authorities' refusal to grant the necessary permits or security clearance for the construction and operation of sanitation and wastewater treatment infrastructure.¹²² As a result, almost all of the 40-50 million cubic metres of sewage that is generated in the West Bank each year reaches natural drainages as untreated sewage. Sections of open flow channels have been a constant source of pollution to water well sources and agricultural land and have become a serious public health and environmental concern.¹²³



FOOD/ LIVELIHOOD

Bethlehem area, M El Halabi/OCHA, 2012



I. Overview

Large population groups in the oPt suffer from food insecurity. For the most part, this is caused by loss of sources of livelihoods, unemployment and restricted movement and access. In 2011, 27 percent of the population of the oPt was food-insecure, in addition to 14 percent vulnerable to food insecurity, compared to 33 percent and 13 percent respectively in 2010.

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

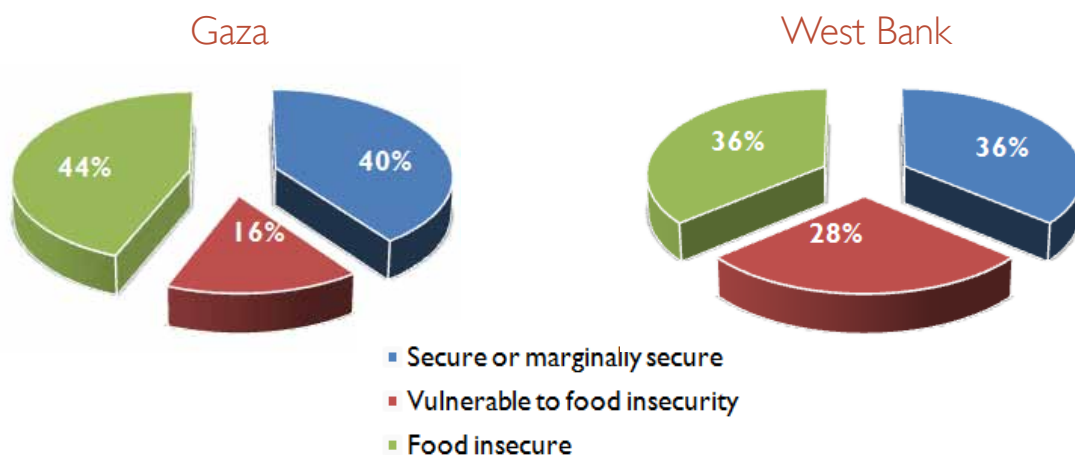
| Food Insecure | Vulnerable to Food Insecurity | Marginally Secure | Food Secure |
|--|--|---|--|
| Households with income and consumption below USD 5.39/adult equivalent/day AND Households showing a decrease in total, food and non-food expenditures including households unable to further decrease their expenditure patterns | Households showing both income and consumption below USD 6.76 /adult equivalent/day EXCEPT Households showing no decrease in expenditure patterns (categorized as marginally secure) | Households showing either income OR consumption above USD 6.76/adult equivalent/day (not both). OR Households with both income and consumption between USD 5.39 and USD 6.76 but show no decrease in expenditure patterns | Households with income and consumption above USD 6.76/adult equivalent/day OR Households with income or consumption between USD 5.39 and USD 6.76 but show no decrease in total food and non food expenditures |

The highest food insecurity levels were found in Gaza, where 44 percent of the population (approximately 784,000 people) were food insecure (52 percent in 2010) and an additional 16 percent were vulnerable to food insecurity (13 percent in 2010). In the West

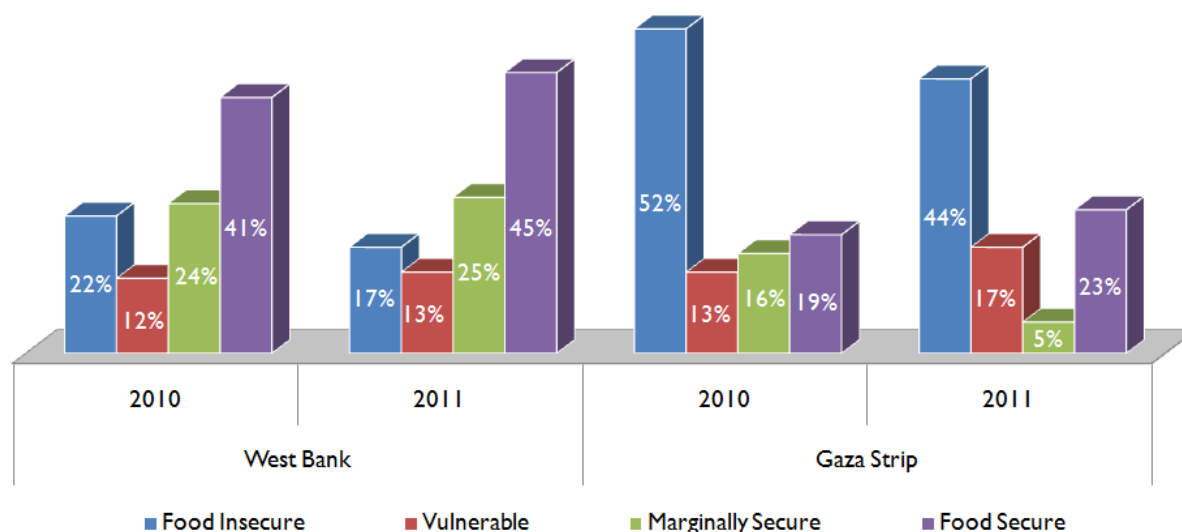
Bank, food insecurity declined from 22 percent in 2010 to 17 percent in 2011 (approximately 475,000 people), with an additional 13 percent of vulnerable households (12 percent in 2010).¹²⁴ These figures are particularly significant considering the amount

of Palestinians who receive food assistance from the UN annually, in the form of staple food parcels, cash vouchers for food, or school feeding programmes.¹²⁵

The main food security challenge faced by Palestinian households –



Comparison of Food Security Levels 2010-2011



including in Gaza during the most strict enforcement of the blockade – remains economic access to, rather than availability of, food in local markets, with a majority of food-insecure households spending over half of their income on food. Food insecurity is mainly attributable to high prices and lack of opportunities to secure employment and higher household incomes, compounded by poor food utilization as a result of poor water, sanitation, hygiene, limited access to health care, and declining quality in diet.

In particular, food insecurity, both in the West Bank and in Gaza, is generally prevalent among households whose livelihoods depend on agricultural production. Ongoing limitations on access to land in Area C – and to the Seam Zone created by the Barrier in particular – and in Gaza’s Access Restricted Areas (ARAs) severely constrain farming, herding and fishing. High operating costs, including water for irrigation and fodder, are placing additional pressure on agricultural livelihoods. In the West Bank, vast tracts of land

and many agricultural roads require rehabilitation. In addition, livelihoods are also eroded by the damage caused by Israeli military operations to agricultural property, both as a result of demolitions of structures built without permits in the Area C and East Jerusalem, and the levelling of land in the Gaza ARAs.

Food security is ultimately dependent on broader economic and employment indicators. According to the World Bank, economic growth in the oPt ‘remained robust in 2011’,

REFUGEE STATISTICS

- Approximately 70 percent of the population in Gaza are refugees (1.13 million registered refugees).
- One-third of the Gazan refugee workforce is unemployed.
- 54 percent of Gazans are food insecure and 70 percent of refugees rely on UNRWA for their daily food needs.
- In the West Bank in 2011, 20 percent of refugees were food insecure versus 17 percent of non refugees. Among refugees, 29 percent of the population inside camps versus 17 percent outside camps are food insecure.
- In 2011, 29 percent of the refugee households receive aid from official sources (this does not take into account the assistance provided by friends or relatives).
- 60 percent of camp-based refugee households rely on part-time or temporary day wage labour as the main source of employment income.

particularly in Gaza, where real GDP is estimated to have expanded by 25.8 percent in the first three quarters of 2011, compared to 16.8 percent in 2010.¹²⁶ By contrast, economic growth in the West Bank was 5.8 percent, down from 7.5 percent for the corresponding period in 2010.¹²⁷

Despite the overall economic improvements, unemployment rates remain high in the oPt,

declining from 23.4 percent in the fourth quarter of 2010 to 21 percent in the same period in 2011. In the West Bank, unemployment remained constant at 16.6 percent, while in Gaza – although 7 percent lower than in the fourth quarter of 2010, the rate is 30.3 percent.¹²⁸ Although unemployment has fallen, labour force participation remains very low in Gaza: only 39.5 percent in the fourth quarter

of 2011. Youth unemployment and low youth labour force participation remain a major concern. In Gaza, only 33 percent of Palestinians aged 15-29 were active participants in the labour force in the fourth quarter of 2011, and 46.5 percent of those were unemployed. In the West Bank, youth unemployment amounted to 25.8 percent with a participation rate of 40.8 percent.¹²⁹

TESTIMONY

FORMER BUSINESSMAN NOW DEPEND ON FOOD HANDOUTS

Iyad Farahat, 48, was once a well-known and wealthy man, who ran a sewing factory in the Karni Industrial Zone in Gaza and employed 50 labourers. He exported products to companies in Israel and the USA. Today, the blockade means that he depends on food assistance to feed his family.

“I never thought even in my worst nightmares that I would have to depend on assistance received from UNRWA’s relief and social services programme,” said Iyad.

Iyad’s business worries began as Gaza’s security situation became more unstable. In 2005, he was forced to rent a house in the Karni area, after the Gaza Strip was divided with checkpoints to control the movement of people. Things became more complicated in 2006 with the intensification of the Israeli blockade on Gaza. As the Karni crossing was constantly closed, Iyad was unable to fulfil contracts with international clients.

Finally, an Israeli company terminated its contract with him due to the constant delay in deliveries.

Since then, Iyad has lost his money and his business. He liquidated his company to pay off debts and the wages of his laborers. Now Iyad is registered on UNRWA’s Social Safety Net Programme, which provides food and cash assistance to the most vulnerable families in the Gaza Strip.



1. From 236 rockets in all of 2010 to 316 rockets by 8 November 2011. Human Rights Watch, *World Report 2012*, p. 571.
2. A number of attacks were carried out by Israeli settlers living in about 100 settlement outposts, small satellite settlements built without official authorization, many on privately-owned Palestinian land. Some of these attacks were aimed at discouraging the Israeli authorities from dismantling these outposts, the so-called 'price tag' strategy.
3. In addition to this incident, another three Israeli settlers were killed and 37 injured in 2011.
4. Seventy-five Grad rockets, 292 missiles and 439 mortar bombs were fired from Gaza in 2011. Coordination of Government Activities in the Territories (COGAT), *Implementation of Civil Policy in the West Bank and Towards the Gaza Strip, 2011 Summary*. p.24. <http://www.mfa.gov.il/NR/rdonlyres/72A0201C-EB02-4291-BA00-81935D8C15D9/0/COGAT-2011Summary.pdf>
5. Protection Cluster, *The Access Restricted Areas in the Gaza Strip*, January-December 2011.
6. B'Tselem Press Release, *Sharp increase in detention without trial in past year*, 21 February 2012. http://www.btselem.org/administrative_detention/20120201_sharp_rise_in_administrative_detention
7. *Addameer Monthly Detention Report*, 1 February 2012. <http://www.addameer.org/etemplate.php?id=441>
8. 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>
9. Announcement by the spokesperson of the IDF, 6 April 2011, available at: <http://dover.idf.il/IDF/English/News/today/2011/04/0604.htm>
10. See Yesh Din Monitoring Update, *Law Enforcement upon Israeli Civilians in the OPT*, March 2012. http://www.yesh-din.org/userfiles/file/datasheets/LawEnforcement_datsheet_Eng_March_2012_Final.pdf
11. OCHA oPt, *Humanitarian Monitor*, April 2011. http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2011_05_19_english.pdf
12. See monthly tables included in the OCHA oPt *Humanitarian Monitor*.
13. OCHA oPt, 'Israeli Military Amendment Re-categorizes Definition of Palestinian Minors', *Humanitarian Monitor*, October 2011. http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2011_11_15_english.pdf
14. For further information see e.g. the *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*, adopted by the Eight United Nations Congress on the Prevention of Crime and Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990.
15. See e.g. the *Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment*, adopted by General Assembly Resolution 43/173 of 9 December 1988, and the *Standard Minimum Rules for the Treatment of Prisoners*, approved by UN Economic and Social Council Resolutions 663C(XXIV) of 31 July 1957 and 2076(LXII) of 13 May 1977.
16. Khirbet Tana, an Area C community of approximately 250 people has experienced four wide-scale demolitions since 2005, OCHA, *Khirbet Tana: Large-scale demolitions for the third time in just over a year*, February 2011. Other Area C communities which experienced multiple displacement in 2011 include Al Farisiya, Arab ar Rashayida and Susiya. Many of the communities affected are registered refugees.
17. The family home of Amjad and Asma' Taryaki and their three children in Beith Hanina, East Jerusalem, was demolished in 2009. For the full testimony, see OCHA, *East Jerusalem: Key Humanitarian Concerns*, March 2011, pp. 40-41. http://www.ochaopt.org/documents/ocha_opt_jerusalem_report_2011_03_23_web_english.pdf
18. Shelter Sector Gaza, *Shelter Advocacy Fact Sheet 4*, January 2012. <http://www.sheltergaza.org:8081/ussd/fr/Gaza%20Shelter%20Fact%20Sheet%204.pdf>
19. In an OCHA survey, ten out of 13 communities surveyed reported that families are being displaced because of policies implemented by the Israeli authorities in Area C. OCHA, *Displacement and Insecurity in Area C of the West Bank*, August 2011. http://www.ochaopt.org/documents/ocha_opt_area_c_report_august_2011_english.pdf
20. Bimkom, *The Prohibited Zone, Israeli Planning Policy in the Palestinian Villages in Area C*, June 2008, pp. 10-11. http://eng.bimkom.org/_Uploads/23ProhibitedZone.pdf
21. In Jubbet adh Dhib village in the Bethlehem governorate, in the past three years, some 15 young men have married and all are now living outside the village. In KHALLET Sakariya, also in the Bethlehem governorate, an estimated 50 people have left in the past 10 years, while in An Nabi Samwil in the Jerusalem governorate, at least 10 young couples have moved to villages in Areas A or B. OCHA, *Displacement and Insecurity in Area C of the West Bank*, p. 11. http://www.ochaopt.org/documents/ocha_opt_area_c_report_august_2011_english.pdf
22. COGAT, *Implementation of Civil Policy in the West Bank and Towards the Gaza Strip, 2011 Summary*. p.20. <http://www.mfa.gov.il/NR/rdonlyres/72A0201C-EB02-4291-BA00-81935D8C15D9/0/COGAT2011Summary.pdf>
23. See OCHA Fact Sheet, *East Jerusalem Key Humanitarian Concerns*, December 2011. http://www.ochaopt.org/documents/ocha_opt_jerusalem_FactSheet_December_2011_english.pdf
24. According to municipal figures, between 2006 and November 2010, only 55 percent of applications for new construction in East Jerusalem's Palestinian neighbourhoods were approved. Municipal figures, provided to OCHA by Jerusalem Municipal Council member, Meir Margalit.
25. Ir Amim, *A Layman's Guide to Home Demolitions in East Jerusalem*, March 2009, p. 4. [http://www.ir-amim.org.il/Eng/_Uploads/dbsAttachedFiles/HomeDemolitionGuideEng\(1\).doc](http://www.ir-amim.org.il/Eng/_Uploads/dbsAttachedFiles/HomeDemolitionGuideEng(1).doc). Average of authorized units based on municipal figures for the years 2006 - November 2010, provided by Meir Margalit.
26. See OCHA, *How Dispossession Happens: The Humanitarian Impact of the Takeover of Palestinian Water Springs by Israeli Settlers*, March 2002. http://www.ochaopt.org/documents/ocha_opt_springs_report_march_2012_english.pdf. Full stop
27. These include Yanoun village in the Nablus area (see OCHA, *Displacement and Insecurity in Area C*, p. 16); the Massafer Yatta hamlets in the southeastern Hebron governorate; and al-Baq'a'a in Ramallah, where 127 people, including 81 children, were displaced due to settler violence in July 2011. Also in 2011, a settler violence incident in Susiya village, in the Hebron governorate, resulted in the displacement of nine people.
28. OCHA, *Israeli Settler Violence and the Evacuation of Outposts*, November 2009. http://www.ochaopt.org/documents/ocha_opt_settler_violence_fact_sheet_2009_11_15_english.pdf. Full stop Vulnerability was assessed on the frequency and gravity of violence which the community had experienced over the previous three years and the geo-

- graphical isolation of the community.
29. Following a Protocol signed in 1997 between Israel and the PLO, the Israeli authorities handed over the direct administration and control over some 80 percent of Hebron City, known as 'H1', to the Palestinian Authority, while retaining control over the remaining 20 percent of the city, 'H2'.
 30. See B'Tselem, Association for Civil Rights in Israel, *Ghost Town: Israel's Separation Policy and Forced Eviction of Palestinians from the Center of Hebron*, May 2007. http://www.btselem.org/publications/summaries/200705_hebron
 31. See OCHA, *The Case of Sheikh Jarrah: Updated Version*, October 2010, http://www.ochaopt.org/documents/ocha_opt_sheikh_jarrah_factsheet_2010_10_11_english.pdf
 32. See OCHA, *East Jerusalem: Key Humanitarian Concerns*, March 2011, pp.58-59 & 34-35.
 33. In September 1967, Israel conducted a census in the West Bank and Gaza Strip, which became the basis for an Israeli registry of the Palestinian population there, and recorded 954,898 Palestinians. The population registry did not include at least 270,000 Palestinians who had been displaced three months previously in the Six-Day War, or who were abroad for work study or other reasons. Many of these, including all men aged between 16 and 60, were prevented from returning to the oPt and applying for residency. Human Rights Watch, *Forget About Him, He's Not Here: Israel's Control of Palestinian Residency in the West Bank and Gaza*, February 2012, pp.17-19. <http://www.hrw.org/sites/default/files/reports/iopt0212webwcover.pdf>
 34. Those affected included students who graduated from foreign universities, businessmen and labourers who left for work in the Gulf. Over the years, less than 8 percent of those whose status was revoked were allowed to return, especially those with close links to the Palestinian Authority (PA). OCHA, *Humanitarian Monitor*, May 2011. http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2011_06_16_english.pdf
 35. This categorization is not meant to be exhaustive and omits other vulnerable categories. For example, West Bank residents who move to the Gaza Strip to reunite with their family are often asked to sign a document by which they forfeit their right to return to the West Bank.
 36. 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.
 37. OCHA, *East Jerusalem: Key Humanitarian Concerns*, March 2011, p.p. 11-26. http://www.ochaopt.org/documents/ocha_opt_jerusalem_report_2011_03_23_web_english.pdf
 38. This number does not include those Palestinians that were expelled to Gaza immediately after their release from prison, nor those who travelled to Gaza on their own initiative and have since then been prevented by the Israeli Authorities from returning to their homes.
 39. Categories falling under this designation are orphans under the age of 16 seeking to reunite with a surviving parent in the West Bank, elderly invalids needing assistance from a first degree relative in the West Bank and chronically ill persons needing assistance from a first degree relative in the West Bank. Gisha, *Separation of Families due to the Separation between the Gaza Strip and the West Bank*, May 2010. <http://www.gisha.org/UserFiles/File/safepassage/InfoSheets/English/family.pdf>
 40. Since February 2011, some 2,700 Gazans living in the West Bank have had their addresses changed. Office of the Quartet Representative, *Report for the Meeting of the Ad Hoc Liaison Committee*, 22 March 2012, p. 11. <http://www.tonyblairoffice.org/page/-/quartet/documents/OQR%20AHL%20Report%20March%202012.pdf>
 41. As a whole, Bedouin communities are finding it increasingly difficult to sustain their traditional livelihoods. In many cases, these communities are forced into a cycle of ever-increasing debt, their herd sizes reduced, the overall value of their herd diminished, and the off-spring of remaining livestock earmarked to pay outstanding debts. See OCHA, *Displacement and Insecurity in Area C of the West Bank*, August 2011, pp.14-15. http://www.ochaopt.org/documents/ocha_opt_area_c_report_august_2011_english.pdf
 42. As is the case in Hadidiya, in the northern Jordan Valley, where students move to Tammun and spend weekdays there to be closer to their school, and avoid going through access restrictions on a daily basis. However, a high drop-out rate – estimated at 80 percent – is recorded among them. *Ibid.*, p.18.
 43. OCHA, *The Barrier Gate and Permit Regime Four Years On: Humanitarian Impact in the Northern West Bank*, November 2007. http://www.ochaopt.org/documents/OCHA_SpecialFocus_BarrierGates_2007_11.pdf
 44. See OCHA, *East Jerusalem: Key Humanitarian Concerns*, chapter 4, 'The Barrier in the Jerusalem Area.' http://www.ochaopt.org/documents/ocha_opt_jerusalem_report_2011_03_23_web_english.pdf
 45. In December 2011, the Mayor of Jerusalem, Nir Barkat, stated his intention to promote the transferring of control over East Jerusalem neighbourhoods that lie on the 'West Bank' side of the Barrier, from the Jerusalem Municipality to the Palestinian Authority. The likelihood that such transfer will occur in the immediate future is deemed low due to the special status of the Jerusalem boundaries (including the occupied areas annexed to Israel) in Israeli legislation, which requires a large parliamentary majority to amend them.
 46. International Peace and Cooperation Center, *Jerusalem Wall: A Survey on the Impact of the Separation Wall on Jerusalem*, 2009, p.17.
 47. OCHA, *Gaza on the Edge: A report on the Deteriorating Humanitarian Situation in the Gaza Strip*, October 2004. http://www.ochaopt.org/documents/GazaonEdge_Eng.pdf
 48. Approximately 3,040 shelters were destroyed between 2001 and end 2008. An additional 2,306 shelters were destroyed during Operation 'Cast Lead'. UNRWA, *Quick Facts on UNRWA Shelter Reconstruction for Palestine Refugees in Gaza*, 30 January 2012.
 49. OCHA oPt, *Locked In: The Humanitarian Impact of Two Years of Blockade of the Gaza Strip*, August 2009. http://www.ochaopt.org/documents/Ocha_opt_Gaza_impact_of_two_years_of_blockade_August_2009_english.pdf
 50. Shelter Sector Gaza, *Shelter Advocacy Fact Sheet 4*, January 2012. <http://www.sheltergaza.org:8081/ussd/fr/Gaza%20Shelter%20Fact%20Sheet%204.pdf>
 51. OCHA, *World Food Programme, Between the Fence and a Hard Place: the Humanitarian Impact of Israeli-imposed Restrictions on Access to land and Sea in the Gaza Strip*, August 2010. http://www.ochaopt.org/documents/ocha_opt_special_focus_2010_08_19_english.pdf
 52. Save the Children UK, *Fact Sheet: Gaza Buffer Zone*, October 2009. http://reddot.savethechildren.org.uk/en/docs/English_Gaza_Fact

Sheet and Citations.pdf

53. These include 60 permanently staffed checkpoints (excluding checkpoints on the Green Line), 26 partial checkpoints (staffed on an ad-hoc basis) and 443 unstaffed physical obstacles, including road-blocks, earth mounds, earth walls, road gates, road barriers, and trenches. The Old City of Hebron is also segregated from the rest of the city by 122 obstacles, most of them not included in the above count. See OCHA, *West Bank Movement and Access Update*, August 2011. http://www.ochaopt.org/documents/ocha_opt_movement_and_access_report_august_2011_english.pdf. This system is augmented by flying checkpoints, which witnessed an increase in monthly frequency of 19 percent, from 416 in 2010 to 493 in 2011.
54. *Ibid.*
55. In 2011, most construction was northwest of Bethlehem governorate, or involved re-routings ordered by the Israeli High Court of Justice. See OCHA, *Barrier Update*, July 2011. http://www.ochaopt.org/documents/ocha_opt_barrier_update_july_2011_english.pdf
56. Many are rejected due to 'security reasons' or on the grounds of insufficient proof of 'connection to the land' and these figures do not capture those who have stopped applying for permits, discouraged because of repeated rejection, or others who refuse to apply as a matter of principle.
57. For more information, see OCHA, *Barrier Update*, July 2011. http://www.ochaopt.org/documents/ocha_opt_barrier_update_july_2011_english.pdf
58. The remaining 12 checkpoints are used by Israelis, internationals and Palestinians holding Jerusalem ID cards.
59. See: http://www.ochaopt.org/documents/ocha_opt_jordan_valley_factSheet_february_2012_english.pdf
60. The World Bank has estimated that if the Israeli authorities would allow Palestinians to access 50,000 dunums of land currently uncultivated, along with the easing of other restrictions (including on movement through the checkpoints and access to water), this could potentially generate a billion dollars of revenue per year. World Bank, *The Underpinnings of the Future Palestinian State: Sustainable Growth and Institutions*, Economic Monitoring Report to the Ad Hoc Liaison Committee (21 September 2010), p. 15. <http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/WorldBankSep2010AHLReport.pdf>
61. A 'prior coordination' system is currently in place regarding access to land within, or in the vicinity of 55 Israeli settlements and settlement outposts, for farmers residing in some 90 Palestinian communities and villages. OCHA, *West Bank Access and Movement Update*, August 2011, p. 31. http://www.ochaopt.org/documents/ocha_opt_movement_and_access_report_august_2011_english.pdf
62. The Government of Israel justified the new access regime, normally referred to as the blockade, as part of a campaign of 'economic warfare' against Hamas, in a letter to OCHA of 17 March 2011.
63. International Committee of the Red Cross, 'Gaza Closure: Not Another Year,' 14 June 2010. <http://www.icrc.org/eng/resources/documents/update/palestine-update-140610.htm>
64. Items that have both a civilian and military function.
65. 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.
66. An official document released following a petition under the Freedom of Information Act specifies 16 categories of people who are eligible for permits to leave Gaza and enter Israel or the West Bank. These include, among others, patients in need of life-saving treatment, merchants, first-degree relatives of the very ill, journalists, and staff of international organizations.
67. This figure includes 15,337 exits and entrances of Palestinian merchants from the Gaza Strip into Israel during 2011. Letter from COGAT to OCHA, 23 May 2012.
68. In order to be allowed to enter to Egypt, men aged between 18-40 are required to obtain security approval from the Egyptian authorities, which is difficult to obtain mainly due to the absence of an Egyptian representative office in Gaza.
69. According to COGAT, there was an increase in truckloads of 35 percent in 2011 compared to 2010, 54,083 compared to 39,868. Letter from COGAT to OCHA, 23 May 2012.
70. Coordination of Government Activities in the Territories (COGAT), *Implementation of Civil Policy in the West Bank and Towards the Gaza Strip, 2011 Summary*, p.28. <http://www.mfa.gov.il/NR/rdonlyres/72A0201C-EB02-4291-BA00-81935D8C15D9/0/COGAT-2011Summary.pdf>
71. Several UN projects concluded in the program of work for Gaza, worth USD 356 million, have not yet been submitted for approval to Israeli authorities.
72. OCHA, *Easing the Blockade*, March 2011. http://www.ochaopt.org/documents/ocha_opt_special_easing_the_blockade_2011_03_english.pdf
73. This includes a 'no-go' zone up to 300 meters from the fence and a 'high-risk' zone up to 1,000-1,500 meters.
74. OCHA, WFP, *Between the Fence and a Hard Place*, August 2010, p. 5. http://www.ochaopt.org/documents/ocha_opt_special_focus_2010_08_19_english.pdf
75. FAO, *Proposal from FAO to extend Gaza fishing zone from three to a minimum of eight nautical miles*, July 2011.
76. OCHA, WFP, *Between the Fence and a Hard Place*, August 2010, p. 6. http://www.ochaopt.org/documents/ocha_opt_special_focus_2010_08_19_english.pdf
77. *Ibid.*
78. See for example articles 4 and 12(3) of the International Covenant on Civil and Political Rights.
79. http://www.mfa.gov.il/MFA/Government/Communiques/2010/Prime_Minister_Office_statement_20-Jun-2010.htm
80. See Gisha, http://www.gisha.org/item.asp?lang_id=en&p_id=1505
81. OCHA, *Impeding Assistance: Challenges to Meeting Humanitarian Needs of Palestinians*, May 2010. http://www.ochaopt.org/documents/ocha_opt_special_focus_2010_05_27_english.pdf
82. AIDA is a membership body and coordination forum for international non-governmental and non-profit organizations that share a common interest in promoting appropriate development and humanitarian programs in the oPt.
83. AIDA, *Restricting Aid*, June 2011. <http://www.aidajerusalem.org/userfiles/2011060832123.pdf>
84. *Ibid.*
85. Office of the Quartet Representative, Report for the Meeting of the Ad Hoc Liaison Committee, 22 March 2012, p. 9. <http://www.tonyblairoffice.org/page/-/quartet/documents/OQR%20AHL%20Report%20March%2021%202012.pdf>
86. WHO, *Barriers to Palestinians' Right to Access Health Services in the oPt*, (forthcoming May 2012).
87. WHO Update, *Access to Essential Drugs and Disposables in Gaza Strip 2011*, January 2012. http://www.emro.who.int/palestine/reports/WHO_Zero_stock_drugs_dispos

- ables_Jan_012.pdf. The lack of essential drugs and disposables in Gaza is a chronic problem, resulting from a combination of budgetary problems faced by the MoH in Ramallah, the lack of coordination between the West Bank and Gaza authorities as a result of internal political issues, personnel changes of Central Drug store staff in Gaza, and bureaucratic and transportation lags in the procurement and supply chain.
88. While some differences are noted between monthly and annual totals, and between Ministry of Health Referral Abroad offices in the West Bank and Gaza, all sources reflect a drop in referrals through Rafah. Totals here are according to the annual figure from MoH Gaza, received in January 2012, which differs somewhat from monthly totals for 2011, published in WHO Monthly Report: *Referral Abroad of Patients from the Gaza Strip*, December 2011. http://emro-prod.who.int/images/stories/palestine/documents/WHO_update_on_referral_of_Gaza_patients_December_2011.pdf
 89. WHO, *Barriers to Palestinians' Right to Access Health Services in the oPt*.
 90. WHO Monthly Report: *Referral Abroad of Patients from the Gaza Strip*, December 2011. http://emro-prod.who.int/images/stories/palestine/documents/WHO_update_on_referral_of_Gaza_patients_December_2011.pdf
 91. *Ibid.*
 92. See 'A sick child from Gaza', in OCHA, *East Jerusalem: Key Humanitarian Concerns*, March 2011, p. 107. http://www.ochaopt.org/documents/ocha_opt_jerusalem_report_2011_03_23_web_english.pdf
 93. WHO, *Barriers to Palestinians' Right to Access Health Services in the oPt*.
 94. Chronic patients can receive permits to cover the period of specific treatment, based on hospital request.
 95. PRCS data as cited by WHO, *Barriers to Palestinians' Right to Access Health Services in the oPt*.
 96. See interview with Dr. Tawfiq Nasser in OCHA, *East Jerusalem: Key Humanitarian Concerns*, p. 110. http://www.ochaopt.org/documents/ocha_opt_jerusalem_report_2011_03_23_web_english.pdf
 97. In 2011, there were 46 documented incidents which resulted in damage, threats of damage or other disruptions to schools in the oPt, compared to 20 incidents in the equivalent period in 2010.
 98. OCHA, *Easing the Blockade*, March 2011. http://www.ochaopt.org/documents/ocha_opt_special_easing_the_blockade_2011_03_english.pdf
 99. *Ibid.*
 100. Of these 11 incidents, 9 were as a result of airstrikes, the other 2 were from gunfire. Data supplied by the *Monitoring and Reporting Mechanism on Children Affected by Armed conflict in the oPt and Israel*.
 101. UNICEF Press Release, *Over one million go back to school in occupied Palestinian territory, Schools continue to fight for survival in Area C of the West Bank*, 4 September 2011. http://www.unicef.org/infobycountry/media_59706.html
 102. OCHA, *The Humanitarian Monitor*, July 2011. http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2011_08_19_english.pdf
 103. UNICEF Press Release, 'Over one million go back to school', 4 September 2011. Some 31% of schools in Area C had inadequate water and sanitation facilities in 2010. Save the Children, *Fact Sheet: Children's Right to Education in Armed Conflict*, October 2011.
 104. Some 15% of 113 West Bank communities surveyed in a mapping exercise by Save the Children UK, UNICEF and the Ministry of Education and Higher Education, many of them in Area C, reported that school children and youth must walk along busy or dangerous routes to get to school. *Ibid.*
 105. Some 31% of these same 113 communities reported that school children, youth and teachers had to cross one or more military checkpoints to reach their schools. In one-quarter of the communities (26 out of 101), school children, youth and teachers experienced harassment and/or violence by Israeli military or security forces while going to and from school. A slightly higher number (28 out of 101) reported settler violence. *Ibid.*
 106. Another 26,000 study in 'Recognized but unofficial schools' and 20,000 between private, Waqf and UNRWA schools. ACRI, Ir Amim, *The East Jerusalem School system – Annual Status Report*, September 2011.
 107. *Ibid.*
 108. State Comptroller, *Annual Report 59b*, May 2009, cited in ACRI, Ir Amim, *Annual Status Report*, September 2011.
 109. The problem is less pressing in Shu'fat Refugee Camp, also separated by the Barrier, where UNRWA provides most educational facilities.
 110. For more on the situation of education in East Jerusalem, see in 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
 111. EWash, *Thirsting for Justice: Palestinian Rights to Water and Sanitation*, 2011. <http://www.ewash.org/en/?view=79Y0cy0nNs3Du69tjVnyyuml1jfxPKNuunzXkRpKQN7jpiMTTTG>
 112. A pilot survey of randomly sampled households and vendors detected bacteriological contamination in drinking water supplied by private vendors in 22 of 27 sampled localities in Gaza, *Occupied Palestinian Territory Consolidated Appeal (CAP) 2012*, p. 39. http://www.ochaopt.org/documents/ochaopt_cap_2012_full_document_english.pdf
 113. WASH Cluster *Annual Update 2011*.
 114. July 2009, the World Health Organization reported that water samples taken from 7 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.
 115. UNWRA *Water & Health pilot campaign study*, July 2011.
 116. Under the Oslo Accords, Palestinians are only allowed to take 25 percent of the 'estimated potential' of Mountain Aquifer underneath the West Bank: Israel extracts the balance. EWash, *Thirsting for Justice*.
 117. Of these, 50,000 (in 151 communities) are in a critical vulnerable position access less than 30 l/pc/pd. OCHA oPt, *CAP 2012* and OCHA, *Humanitarian Factsheet on Area C of the West Bank*, July 2011. http://www.ochaopt.org/documents/ocha_opt_Area_C_Fact_Sheet_July_2011.pdf
 118. Communities depending on tankered water pay up to 400% more for every litre than those connected to the water network. *Ibid.*
 119. Al Haq, EWash, *Israel's violations of the International Covenant on Economic, Social and Cultural Rights with regard to the Human Right to Water and Sanitation in the occupied Palestinian territory*, September 2011. http://www2.ohchr.org/english/bodies/cescr/docs/ngos/EWASH-Al-Haq_Israel_CESCR47.pdf
 120. *Ibid.*
 121. WASH Cluster *Annual Update 2011*
 122. EWash, *Thirsting for Justice*, 2011.
 123. OCHA, *CAP 2012*.
 124. WFP, FAO, UNRWA, PCBS, *Socio-Economic and Food Security Survey*, 2011, preliminary findings.
 125. UNRWA delivered food aid up to 714,000 refugees in Gaza in 2011, amounting to almost 50 percent of the overall population and two-thirds of its refugee population. In the West Bank, UNRWA provided 10,070 families with food in 2011 (5,556 families under UNRWA's

own assistance program and 4,514 under the joint WFP/UNRWA food aid assistance for Bedouin and Herder communities in Area C). In 2011, WFP assisted 351,132 beneficiaries in the West Bank and 313,929 in the Gaza Strip, both with in-kind food assistance and vouchers.

126. The World Bank, *Stagnation or Revival? Palestinian Economic Prospects, Economic Monitoring Report to the Ad Hoc Liaison Committee*, 21 March 2012, p. 16. <http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/>

WorldBankAHLCreportMarch2012.pdf, 'The recovery in Gaza can be attributed to a combination of aid inflows and easing of restrictions on entry of goods from Israel – though it is important to keep in mind that the average Gazan today is worse off than s/he was back in the late nineties.' *Ibid.*, p. 5.

127. '...due to falling donor support combined with the uncertainty caused by the Palestinian Authority's fiscal crisis, as well as lack of significant new easing of Israeli restrictions.' *Ibid.* p. 17.
128. 'Much of this decline is due to the

increased hiring by donor supervised projects that picked up following the ease of Israeli restrictions in mid 2010.' *Ibid.*, p. 18.

129. *Ibid.*



Jordan Valley, M El Halabi/OCHA, 2011.



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