



Photo by Ahmed Abu Shammalleh

Home located within 300m from Gaza-Israel border damaged by an Israeli tank shell that injured two children, April 2011

April Overview

April 2011 witnessed the most severe escalation in hostilities in the Gaza Strip and southern Israel since the end of the “Cast Lead” offensive in January 2009, with a significant increase in civilian casualties. This, along with ongoing restrictions affecting the daily lives of Palestinians highlighted the vulnerability of large segments of the population throughout the occupied Palestinian territory.

Although the escalation lasted only three days (7 to 9 April), it resulted in the highest number of deaths and injuries among Palestinians in Gaza in a single month since January 2009. Moreover, nearly 90 percent of the injuries (57 out of 64), including 17 children, and 40 percent of the fatalities (9 out of 23), including two children not involved in the fighting; one Israeli boy was also killed and two other Israeli civilians injured.

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This month the Israeli military announced that from now on criminal investigations will be automatically opened for incidents resulting in the death of Palestinian civilians by Israeli soldiers in the West Bank only, except for incidents defined as “combat activity”. Although this is a positive step, because of the limited scope of the new policy’s application, the potential for impunity remains significant. Effective accountability remains a serious concern with respect to settler violence where perpetrators act with the knowledge that few, if any, will be successfully prosecuted.

The pervasive insecurity affecting the civilian population in the Gaza Strip entails not only threats to life as a result of hostilities, but threats to people’s livelihoods stemming from access restrictions in the context of the blockade. The sardine season began this month, but due to the Israeli ban on fishing activities on sea areas beyond three-nautical miles from the shore, prospects are grim. Since the imposition of the ban, the average sardine catch has declined by over 70 percent, and the fishing stock in the permitted areas has been gradually depleted.

In addition, despite the Israeli announcement in December 2010 on the easing of export restrictions, exports from Gaza continue to be limited to a few agricultural crops sold in European markets, with only six truckloads of cut flowers allowed to exit in April. Although the amount of exports this season significantly increased from the previous season (287 vs. 118 truckloads), it is still less than half of what was anticipated (over 600) and only a fraction of the volume of exports before the blockade. As a result, agricultural and manufacturing activities remain confined to the limited local market.

Also in the West Bank, access restrictions continue to affect the civilian population. The Barrier “Seam Zone” regime continues to impede access to agricultural livelihoods and to services. In 2004, the International Court of Justice established that this regime is illegal under international law, and

must be revoked. However, in a decision issued this month, the Israeli High Court of Justice rejected a petition to order such revocation after finding the permit regime to be lawful.

Restrictions on access to East Jerusalem from the rest of the oPt have also affected the ability of Palestinians to exercise their right to practice their religion.. This year’s Easter holiday, recorded a significant decline in the rate of approval of permit applications submitted to enter Jerusalem by Palestinian Christians from the rest of the West Bank compared to last year - from 35 to 12 percent.

The livelihoods of farmers and herders, particularly those living in the eastern areas of the West Bank, have been undermined in recent years also by chronic water shortages. The rainy season, registered less than 70 percent of the historical rainfall average, along with an unusual distribution of rains over the season, with extremely low levels recorded in the first three months, which are crucial for planting rain-fed crops. The situation of some herder communities in Area C has been further exacerbated since January 2010 by the demolition of 37 water collection structures due to the lack of building permits.

The commemoration of Palestinian Prisoners Day, also this month, highlighted a number of ongoing protection concerns related to some 6,000 prisoners currently held by Israel. These include abusive interrogations, poor conditions of imprisonment, and the denial of due process rights during their prosecution, among others.

The common element behind most of these access and protection concerns is the disregard for the applicable provisions in international humanitarian and human rights law. Respecting and ensuring respect for international law by all relevant stakeholders is therefore necessary to begin alleviating the humanitarian situation of the most vulnerable.

The escalation of armed conflict in Gaza

More Palestinians killed and injured in Gaza than at any time since the end of the "Cast Lead" offensive in January 2009

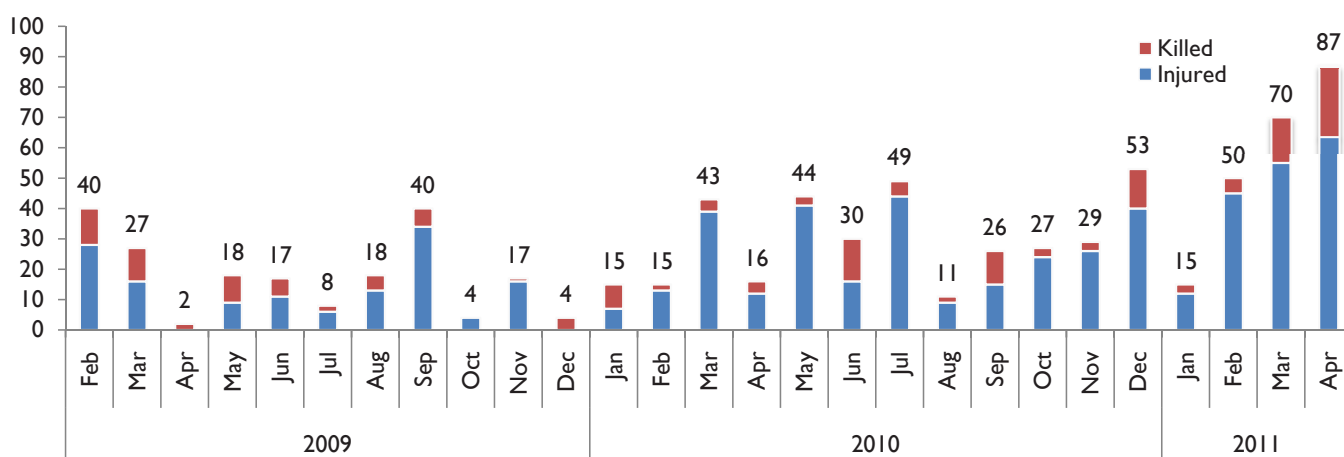
The escalation in hostilities between Israeli forces and armed Palestinian factions that began in March continued into April, resulting in the highest number of casualties among Palestinians in a single month (deaths and injuries combined) recorded since the end of the "Cast Lead" military offensive in January 2009. A total of 23 Palestinians, including nine civilians, were killed, and 64 others, including 57 civilians, were injured. Although there had already been elevated levels of conflict-related violence in March, hostilities sharply increased when on 7 April a school bus in southern Israel was hit by an anti-tank missile fired by an armed Palestinian faction, resulting in the death of a 16-year-old Israeli boy and the injury of the bus driver. What followed was a cycle of attacks and counter attacks, entailing extensive Israeli airstrikes and shelling of numerous targets within Gaza, and increased Palestinian rocket and mortar fire into southern Israel that lasted three days; approximately 78 percent of fatalities and 84 percent of the injuries in April occurred during these days (7-9 April).

In one incident on 8 April, Israeli troops positioned at the border east of Khan Younis fired several tank shells towards a built-up area in 'Abasan village, one of which hit a house, killing a 41 year-old-woman and her daughter, and causing shrapnel injuries to two other daughters (aged 15 and 18); according to the Israeli military the shooting targeted militants that were firing mortars from that area. At least 20 houses sustained damage as a result of Israeli air strikes and tank shelling during the three-day-long escalation.

Palestinian factions also intensified rocket and mortar fire towards communities and towns in southern Israel, as well as against Israeli troops inside Gaza and at military bases along the border. This included tens of Grad-type rockets fired at more distant Israeli cities such as Be'er Sheva and Ashkelon. Excluding the initial attack on the school bus, despite their high intensity, Palestinian fire resulted only in limited property damage.

Although the level of hostilities greatly decreased in the remainder of April, Israeli forces entered the Gaza Strip on a number of occasions to conduct search and land-leveling operations along the perimeter fence inside the areas in vicinity with the border with Israel. In one operation on 21 April,

Palestinian direct conflict-related casualties in Gaza since February 2009



Israeli tanks and bulldozers entered the Palestinian side of the Karni crossing, and demolished eight privately-owned commercial warehouses.

Also this month, on 28 April, armed Palestinians fired mortar shells towards Israeli troops patrolling the fence near Al Bureij camp, after which the troops responded by firing tank shells. At least one shell hit the house of the Abu Sa'id family in Johr Al-Dik village, injuring four Palestinian civilians, including a woman and two children (aged 6 and 10). The house also sustained damage. (See box below)

Policy change announced by the Israeli military

Incidents where Palestinian civilians are killed by Israeli military to be investigated

On 6 April, the Israeli military announced that from now on an investigation by the Military Police Investigation Unit (MPIU) will be automatically opened for incidents where Palestinian civilians are killed by Israeli forces in the West Bank. These are criminal investigations that could lead to prosecution. Since 2000, the principal mechanism of investigating such cases has been an operational inquiry, which, depending on its findings, could lead to the opening of a criminal investigation

by the MPIU.² This mechanism does not meet basic standards of promptness, thoroughness, independence and effectiveness, as required by international law.³

The policy change announced this month constitutes a positive step towards achieving greater accountability for the loss of civilian life. However, the potential for impunity in the oPt still remains significant.

First, as explained in the announcement, the scope and implementation of the new policy will be limited: it will 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.⁴ In all such cases, the current operational inquiry system will continue to be implemented.

The main shortcomings of the system are:

- The operational inquiry is a "lessons learned" exercise, which relies exclusively on the soldiers' account of events excluding testimonies by other eyewitnesses.

LIVING IN FEAR NEAR THE BORDER

The Abu Said family lives in Johr Al-Dik, about 300 meters from the fence surrounding Gaza. In July 2010, Nasr Abu Said's wife, Nema, was killed when three flechette rounds (an anti-personnel ammunition that explodes in the air releasing thousands of small lethal darts over a wide radius) fired by the Israeli military hit the family house. Nasr and Nema's five young children witnessed the attack, and saw their mother bleed to death.

During this month's attack, at least one tank shell fired by IDF troops stationed at the border fence hit the family's house. The eldest son, Ala'a, ten years old, was injured in his abdomen and neck, whilst Maysa, five years old, suffered from bruises. With coordination with the Israeli military, the Red Cross entered the area and transported the children to the hospital.

At least once every two weeks, the Israeli military conducts incursions into the village to level the land. The family lives in constant fear. «My children can't cope with the loss of their mother. During the day they are very aggressive towards one another, and at night they have nightmares. Every single night, my three youngest ones wake up screaming in a wet bed», says Nasr. Out of fear of being targeted, the family has moved into a tent about 200 meters from their family home.¹

- Those appointed to conduct the inquiry are often within the chain of command of soldiers directly involved in the incident, and may, therefore, be implicated by the findings.
- Even when the inquiry finds evidence of criminal behavior, it usually takes several months for a MPIU investigation to be opened, thus impairing the ability to collect evidence on the ground and obtain detailed accounts by eyewitness.
- Because evidence obtained in the operational inquiry cannot be used in the criminal investigation, soldiers, who have been already investigated in the operational inquiry, have the opportunity to alter their testimony in order to minimize the chances of incrimination during the criminal investigation.

Secondly, regarding attacks perpetrated by Israeli settlers, for example, although criminal investigations by the Israeli Police are opened in all cases upon the submission of complaints, most cases (over 90 per cent) are closed without indictment.⁵

Finally, the army's MPIU is poorly positioned to investigate cases where the killing of civilians is the result of high-level orders or policies, as opposed to the violation of the rules of engagement by individual soldiers. One of the main reasons stems from the dual role of the Military Advocate General (MAG) as both the commander of the MPIU and the legal adviser of the IDF Higher Command. In the latter capacity, the MAG advises on the legality of high-level orders, which the MPIU, under his command, might need to investigate. Additionally, the MPIU does not have authority to investigate government officials issuing potentially unlawful instructions to the IDF resulting in civilian casualties.

For these reasons, while the recent decision is welcome, additional steps are required to ensure accountability on cases resulting in civilian casualties. This is a fundamental right of victims of violations of international law, as well as a useful mechanism to deter future violations.

Concerns over conditions of detention and lack of due process for Palestinian prisoners held by Israeli authorities

On the occasion of Palestinian Prisoners Day, 17 April, multiple human rights organizations raised concerns over Israel's treatment of Palestinian prisoners held in prisons and detention centres in Israel and the occupied Palestinian territory.⁶ The UN Resident and Humanitarian Coordinator Maxwell Gaylard also called for the protection of prisoners' rights, particularly those of women and children.⁷

There are currently some 6,000 Palestinians held by the Israeli authorities for acts, or suspicions of acts committed against Israel's occupation. Included in this population are over 200 children, almost 40 women, some 650 prisoners from the Gaza Strip and around 215 others held under administrative detention (imprisonment without charge or trial). Human rights groups repeatedly raise concern regarding the treatment of prisoners during interrogation, but also those held in poor conditions of detention post-conviction.⁸

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. According to the UN Special Rapporteur on the Independence of Judges and Lawyers, "the exercise of jurisdiction by a military court over civilians not performing military tasks is normally inconsistent with the fair, impartial and independent administration of justice."⁹

In the case of Israel, the Special Rapporteur has identified a number of specific concerns, including concerns that military court judges, who are IDF officers themselves, lack independence;¹⁰ that detainees are not promptly informed of the charges against them; and that the accused and his/her attorney are not provided with the facilities,

sufficient time and information necessary for the preparation of an adequate defense, among others.

An additional concern is that 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, among others. During this period, many detainees are often held in small windowless cells with extremely poor hygienic conditions, provided poor quality food, 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.¹¹

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.¹²

Confessions extracted under such interrogations are then used as the basis for prosecution and also influence 'plea bargain' arrangements negotiated between the defendant's attorney and the military prosecutor. Almost all of the convictions in Israeli military courts are based on such arrangements, rather than on regular trials.¹³ According to the Special Rapporteur, "it appears that sentences are far harsher in cases where defense lawyers demanded for a full evidentiary hearing, including summoning witnesses and presenting testimony."¹⁴

Given this range of concerns, in June 2010, the Special Rapporteur expressed concern that the

Israeli military court system's "legal foundations and practices ... do not comply with international standards."¹⁵

Israel's High Court rejects appeal to revoke the Barrier's permit regime

The Court's ruling runs counter to international law

On 5 April 2011, the Israeli High Court of Justice (HCJ) rejected a petition submitted approximately eight years ago by two Israeli human rights organizations. The petition challenged the legality of the Barrier permit regime under international and domestic law.

In 2003, and later on in 2009, Israel declared the areas located between the Barrier and the Green Line as a closed military area known as the 'Seam Zone'. As a result, Palestinians have been obliged to obtain 'visitor' permits to access their land located in this area. To obtain a permit, applicants must satisfy the security considerations necessary for all Israeli-issued permits and submit documents to prove a 'connection to the land.' Each permit designates a specific access point or gate along the Barrier through which entry of an individual is permitted. Those living in communities located within the closed area must obtain a 'permanent resident' permit to continue living in their homes. The 'Seam Zone' regime, however, does not apply to Israeli citizens, who can access or reside in the area without restrictions.

Following the establishment of the 'Seam Zone', two Israeli organizations (HaMoked - Centre for the Defence of the Individual and the Association for Civil Rights in Israel) petitioned the HCJ demanding the revocation of this regime. The organizations claimed that the permit regime does not serve security purposes, but is aimed to expropriating Palestinian land and annexing it to Israel. According to the petitioners, data submitted by the State Attorney to the court indicates that over 90 percent of the applications for permits rejected between 2006 and 2009 were due to a failure to

prove 'connection to the land', rather than due to security concerns.

The organizations also argued that the permit regime as a whole constitutes unlawful discrimination on an ethnic and national basis, and it disproportionately infringes on the human rights of Palestinians residents, including the right to freedom of movement, to work and gain a living, to property, and to a dignified existence, among others. Moreover, due to the nature of the procedures used to implement the regime, these rights are regularly infringed without due process.

These arguments, however, were dismissed by the HCJ. The court accepted the State Attorney's position that the 'Seam Zone' regime fulfils legitimate security needs and that the restrictions

on Palestinians stemming from it are proportional. Yet, the HCJ ordered the state to introduce a number of amendments to the regime, aimed at minimizing its impact on Palestinians. These included allowing the passage of 'permanent residents' through any access point along the Barrier, rather than a specific one; expanding the grounds on which applications for visitor or resident permits can be approved; and setting a reasonable timeframe for the processing of permit applications.

The decision by the HCJ runs counter the Advisory Opinion issued by the International Court of Justice in July 2004, which found the permit regime unlawful under international law and concluded that Israel must revoke it.

THE CASE OF 'IZBAT SALMAN'¹⁶

The case of 'Izbat Salman, a rural community of approximately 850 people in the Qalqiliya governorate, illustrates the impact of the Barrier's gate and permit regime on agricultural practice and farmers' livelihoods. While the built-up area of the community is located on the eastern ("Palestinian") side of the Barrier, over 3,400 dunams of land belonging to residents are located behind the Barrier in the 'Seam Zone'. This land is cultivated with olive, citrus and almond trees, as well as wheat and vegetables.

According to the head of the village council, the rate of approval for applications for 'visitors' permits has been declining in the past couple of years and at present it stands at less than 30 percent (20 out of 70-80 applications). While additional permits are usually granted during the olive harvest season (approximately 60), these are valid for just a few weeks. Farmers who have their applications rejected are only verbally informed without further explanation on the grounds for the rejection. Entry of tractors and agricultural machinery to the closed area requires a separate permit; frequent delays and denials have obliged farmers to carry their crops and tools by hand.

Those who manage to obtain a permit must travel 14 km to reach the nearest "agricultural gate", after another gate next to the village was closed from 2008 without explanation. The current gate is open only from 6.30 am to 4 pm and does not operate during Israeli holidays. The limited opening times, along with its inconvenient location, has prevented the majority of farmers who have supplementary employment from accessing their land after work hours, as they did before completion of the Barrier. Due to these arbitrary restrictions, the productivity and quality of almost all crops has significantly declined. This, combined with a seasonal drop in productivity, has led most of the villagers who own olive trees in the Seam Zone not to harvest them during the last olive season. The yield of lemon and orange trees has also dropped from 60 tons a year, before the construction of the Barrier, to less than 20 tons at present. Overall, it is estimated that about 25 percent of the community's agricultural land located behind the Barrier is no longer cultivated.

Deterioration in access of Palestinian Christians to East Jerusalem during the “Holy Week”

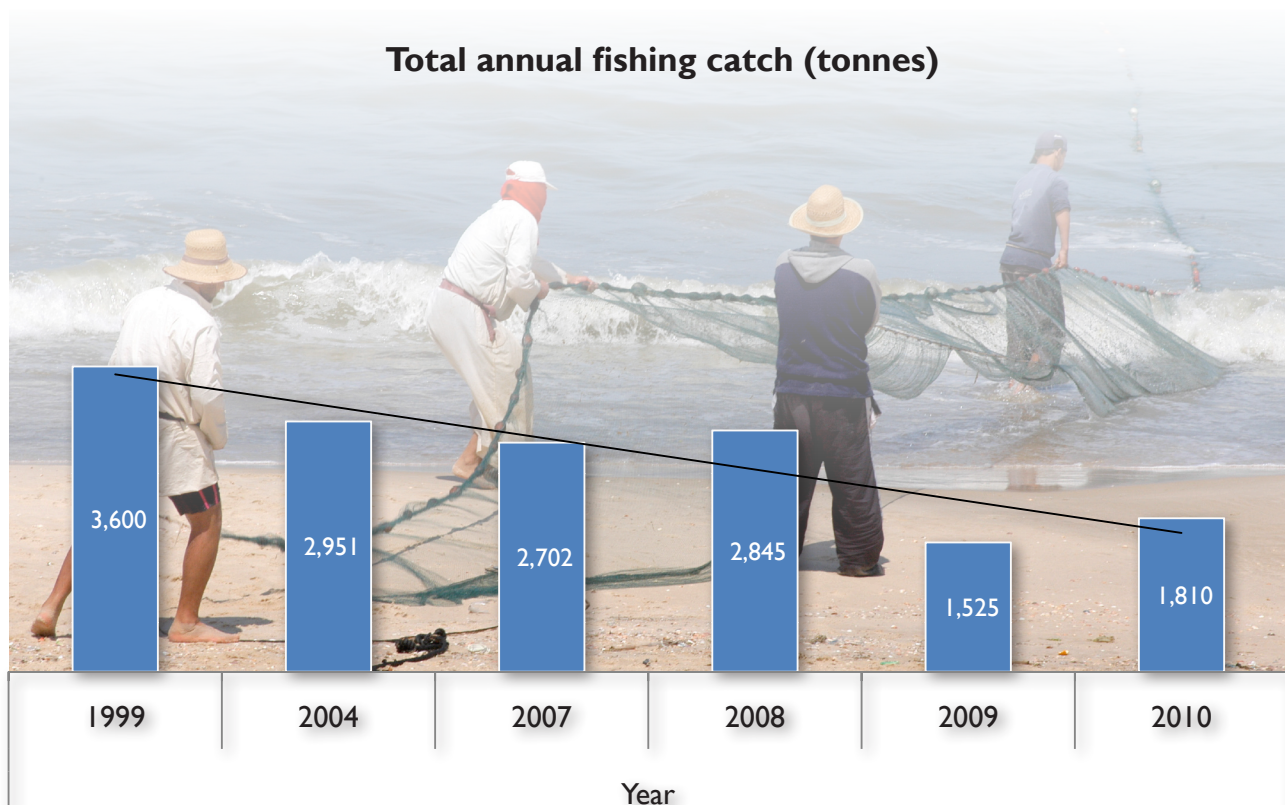
The celebration of the Christian “Holy Week” (from Palm Sunday through Easter Sunday), which took place this month, was characterized by deterioration in the access of Palestinian Christians to the holy sites in East Jerusalem. This is primarily due to the restrictive permit regime imposed by the Israeli authorities since 1993 and further tightened since 2007, following the completion of the Barrier around Jerusalem.

The Jerusalem Inter-Church Center estimates that this year’s rate of approval of West Bank applications for permits to enter East Jerusalem for religious purposes during the Holy Week stood at no more than 12 percent (1,200 out 10,000) compared with 35 percent in 2010. The Center also indicated that due to various discouraging factors, including the permit regime, only one out of 20 West Bank scout groups reached East Jerusalem to participate in Easter processions, the lowest rate of participation in the last three years. In regard to Christians living

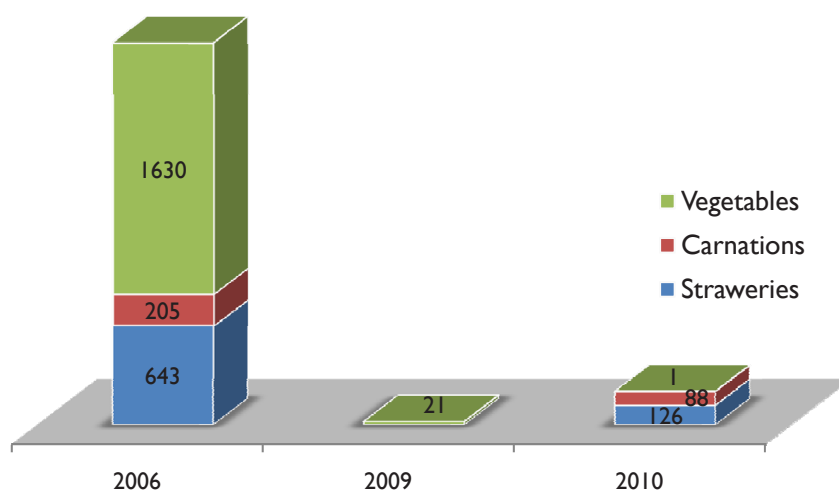
in the Gaza Strip, the situation remained largely the same as last year, with approximately 500 permits granted on both years, which accounts for some 17 percent of Gaza’s Christian population.

Access to the holy sites was further obstructed by multiple ad-hoc (‘flying’) checkpoints deployed by the Israeli Police in and around the Old City of Jerusalem, particularly on the Holy Fire Saturday. Delays and checking procedures at these checkpoints are highly disruptive of the spiritual atmosphere of the Easter, as perceived by the Christian believers. Israeli regulations also restrict the number of people allowed to access the roof of the Holy Sepulchre church, which became part of the Easter tradition. This year, however, following a legal intervention, 600 people were granted such access, up from 350 last year.

Despite the increase, there was reported harassment of Palestinians by Israeli forces near the church, including spraying pepper gas and physical assaults.



Agricultural exports (truckloads)



Israeli restrictions on Gaza's sea areas

Sardine fishing season expected to be affected for third consecutive year

As Gaza's first three-month sardine season for the year begins,¹⁷ there are concerns that this year's sardine catch may be below average for the third consecutive year. Over the last two years, sardine catches in Gaza have decreased by more than 70 percent in comparison to the catches of 2007 and 2008 (roughly 2000 tonnes). In addition, over the last two years, up to 80 percent of the sardines landed have been undersized, juvenile fish, caught using nets with smaller mesh.

The decrease in fishing yield and quality is primarily due to the access restrictions imposed by the Israeli navy on areas beyond three miles from Gaza's coast; the richest shoals are found approximately six miles offshore. These restrictions are enforced by 'warning' fire towards fishing boats that venture beyond the allowed areas. While the large majority of these incidents end without casualties, since the beginning of 2010, three fishermen have been killed and nine others have been injured by Israeli gunfire.

Although the terms of the Oslo accords allowed for a fishing zone of 20 nautical miles from Gaza's shore, since the beginning of the second Intifada

in 2000, there has been a progressive restriction of fishermen's access to the sea. In 2002, Israel committed to allow fishing activities in sea areas up to 12 miles from shore ('Bertini Commitment'); however this commitment was never implemented and more severe restrictions were imposed subsequently. On the eve of the "Cast Lead" offensive in 2008, Israel announced the prohibition on fishing activities beyond three miles, which has remained in place through the present.

Prior to the outbreak of the second Intifada, the total annual fishing catch was estimated at 3,700 tonnes, more than twice the 1,810 tonnes caught in 2010. According to the Palestinian Ministry of Agriculture, the shrinking fishing space has resulted in over-fishing in shallow coastal waters and consequently the depletion of fish breeding grounds.

Fishing has traditionally played an important role in the economy of the Gaza Strip. At present there are some 3,500 registered fishermen, down from approximately 10,000 on the eve of the second Intifada, and 2,000 other workers who indirectly depend upon the fishing industry for their livelihoods through the marketing, servicing and maintenance of the fishing vessels. Overall, it is estimated that 35,000 people currently depend on the fishing industry as their primary source of income, and are therefore directly affected by the Israeli restrictions on access to the sea.

Export restrictions continue to impede economic recovery in Gaza

Easings announced in December 2010 remain unimplemented

During April, only six truckloads of goods (all with cut flowers) left Gaza. Since the beginning of the export season (late November 2010) a total of 287 of truckloads of agricultural produce exited Gaza, of which 73 percent were strawberries, 25 percent cut flowers and two percent sweet peppers and cherry tomatoes. While this is more than double the equivalent figure during the previous season (118 truckloads), it constitutes less than 12 percent of the total amount of agricultural produce exported during 2006, before the imposition of the blockade (2,487 truckloads).¹⁸

Moreover, according to the Palestinian Agricultural Relief Committees (PARC) in Gaza, the actual volume of export during this season has been only 46 percent of the planned amount (620 truckloads). This gap is to a large extent the combined result of two main factors: the vulnerability of the principal two crops (flowers and strawberries), which become quickly unfit for export purposes (under European standards) if not transferred on time, and the recurrent delays in the processing of exports at the Kerem Shalom crossing. The latter resulted from a variety of reasons, including stricter requirements by the Israeli authorities regarding the packaging of the produce, as well as the closure of the crossing as a result of a Palestinian industrial dispute that led to a strike in March and security reasons in April.

On 8 December 2010, the Israeli authorities announced that in order to assist the economy of Gaza it would allow the export of agriculture, furniture and textile products, 'subject to security and logistical preparations'. However, after more than five months from this announcement, it remains largely unimplemented.

According to the Israeli authorities, the export of furniture and textile products will be allowed only after a new and more sophisticated scanner

is installed at the Kerem Shalom Crossing; this scanner, according to Israel, should be funded by the international community, a condition that has so far not been met.¹⁹ Regarding the expansion of agricultural exports, while the Israeli authorities have agreed in principle to allow exports to the West Bank, actual approval has been given only for exports to European markets, where only the abovementioned crops could be marketed. Agricultural exports to the Israeli market remain banned.

The ongoing export restrictions are one of the main factors impeding economic recovery in the Gaza Strip. Despite the relaxation of the blockade since June 2010, due to these restrictions, agricultural and manufacturing activities in Gaza remained confined by the small size of the local market and the low purchasing power of the Gazan population. Pre-blockade figures indicate that both Israel and the West Bank constitute large potential markets for Gazan manufactured products, with 90 percent of garments, 76 percent of furniture products, and 20 percent of food products marketed there.²⁰ According to Paltrade, 107 local companies have expressed their willingness to resume export activities, of which 30 are ready to begin delivering within one month.

Unusual rainfall pattern and demolition of cisterns add pressure to vulnerable communities²¹

By the end of this month, the cumulative amount of rainfall in the West Bank since the beginning of the rainy season (September 2010) stood at 68 percent of the historical average. The effect of this shortage has been compounded by the unusual distribution of rainfall over the season, with extremely low levels recorded in the first three months (September–November), a crucial season for planting for farmers of rain-fed crops such as wheat and barley.

An assessment of the impact of the rain shortage on the agriculture sector was conducted this month by

the Ministry of Agriculture (MoA) with the support of the UN Food and Agriculture Organization (FAO). One of the main findings was that the delay in the rainfall resulted in a nearly 60 percent drop in the volume of rain-fed crops planted during the September-November season, with the most affected areas being the eastern slopes of the West Bank and southern Hebron. The assessment also anticipates that herder communities will be disproportionately affected by the limited rainfalls. This is because of the reduced levels of cistern replenishment, as well as the only partial renewal of natural pastures, which will force already impoverished herders to spend a larger percentage of their limited economic resources on purchasing expensive tankered water and fodder.

The water shortage affecting some marginalized communities has been further exacerbated by the demolition of cisterns and water harvesting structures located in Area C by the Israeli authorities, most of them due to their location in areas defined

by the Israeli military as “closed military zones” for military training: since the beginning of 2010, a total of 37 such structures have been demolished, ten of them in 2011. Rainwater collection is not only vital for the survival of marginalized communities not served by a water network, but is also deeply rooted in the traditional lifestyle and socio-cultural practices of the herders.

After visiting a community that suffered the destruction of a cistern in March 2011, the UN Resident and Humanitarian Coordinator for the oPt, Maxwell Gaylard, stated that “the removal of such critical infrastructure places serious strains on the resilience and coping mechanisms of these communities, who will become increasingly dependent on economically unsustainable sources such as tankered water. Such deliberate demolitions in occupied territory are also in contravention of Israel’s obligations under international law.”

END NOTES

1. Based on interview conducted by the International Solidarity Movement (ISM) and information provided by Save the Children UK.
2. For detailed background on this policy see: B'Tselem, Void of Responsibility – Israeli Military Police Not to Investigate Killings of Palestinians by Soldiers, October 2010; Yesh Din, Exceptions – Prosecution of IDF Soldiers during and after the Second Intifada, 2000-2007, September 2008.
3. The duty to investigate allegations of violations of international law by state officials is enshrined, among other sources, in article 146 of the Fourth Geneva Convention of 1949, and in articles 2 and 6 of the International Covenant of Civil and Political Rights of 1966.
4. Announcement by the spokesperson of the IDF, 6 April 2011, available at: <http://dover.idf.il/IDF/English/News/today/2011/04/0604.htm>
5. See, Yesh Din, Law Enforcement upon Israeli Civilians in the OPT, Data Sheet, July 2008.
6. See, for example, "On Palestinian Prisoners' Day, Palestinian Human Rights Organizations Call for Renewed Efforts to Release All Prisoners," statement issued by 12 Palestinian human rights organizations on 17 April 2011.
7. Statement available at: http://www.ochaopt.org/documents/ocha_opt_18_04_2011_press_release_english.pdf. In his statement, Gaylard stressed that the rule of law must be applied to all Palestinian prisoners in Israeli detention, in line with international human rights and humanitarian law. In particular, Mr. Gaylard raised concern regarding the lack of clarity on the legal status of such prisoners, the location and conditions of their incarceration, the need for access to legal counsel and representation, the issue of administrative detention, and the prevention of family visits for detainees from Gaza. Mr. Gaylard also raised particular concern regarding the situation of women and children, stressing the importance of addressing the special needs of these particularly vulnerable detainees.
8. For example, B'Tselem and Hamoked, "Kept in the Dark: Treatment of Palestinian Detainees in the Petach-Tikva Interrogation Facility of the Israel Security Agency," October 2010; Defence for Children International / Palestine Section, "Palestinian Child Prisoners: The systematic and institutionalized ill-treatment and torture of Palestinian children by Israeli authorities," June 2009, among others.
9. "Report of the Special Rapporteur on the independence of judges and lawyers, Gabriela Carina Knaul de Albuquerque e Silva," (18 June 2010), A/HRC/14/26/Add.1 - paragraphs 543 to 635.
10. "Judges in the military courts are military officers in regular or reserve service, i.e. members of the Israeli Defence Forces. It appears unclear how the independence of these judges from the military hierarchy is guaranteed in relation to their selection and appointment, tenure and disciplinary measures, including dismissal." Ibid, paragraph 595.
11. For additional information, see reports cited above, as well as reports by Addameer Prisoners Support and Human Rights Association, one of the main organizations providing legal aid and representation to Palestinian prisoners, www.addameer.org.
12. "Kept in the Dark."
13. The Israeli human rights organization Yesh Din found that: "in 2006, for example, of the 9,123 cases concluded that year, only 130 cases - 1.42% of the cases concluded that year - were concluded after a full evidentiary stage consisting of the presentation of evidence and interrogation of witnesses." "Backyard Proceedings: The Implementation of Due Process Rights in the Military Courts in the Occupied Territories," December 2007.
14. Ibid, paragraph 594.
15. Ibid, paragraph 602.
16. Based on information submitted by UNRWA's Barrier Monitoring Unit.
17. Gaza has two Sardine fishing seasons, one beginning in April, the other in September.
18. OCHA, Easing the Blockade, March 2011.
19. Report of the Government of Israel to the Ad Hoc Liaison Committee (AHLC), April 2011, p. 36.
20. Palestine Trade Center, Gaza Strip Two Years through Siege, Special Report, 7 July 2009.
21. This section is based on information provided by the UN Food and Agriculture Organization (FAO) and the WASH Cluster.

CONTRIBUTING AGENCIES

United Nations Children's Fund (UNICEF), United Nations Development Programme (UNDP), United Nations Development Fund for Women (UNIFEM), United Nations Educational Scientific and Cultural Organization (UNESCO), United Nations Food and Agricultural Organization (FAO), United Nations Office for the Coordination of Humanitarian Affairs (OCHA), United Nations Office for the High Commissioner of Human Rights (OHCHR), United Nations

Population Fund (UNFPA), United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), United Nations Special Coordinator for the Middle East Peace Process (UNSCO), World Food Programme (WFP), World Health Organization (WHO), Al Haq, Badil, Save the Children (UK), Defence for Children International – Palestine Section (DCI-PS), Oxfam GB, Palestine Hydrology Group (PHG), Campaign for the Right to Enter, Action Against Hunger (ACF),

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Annex: Monthly Indicator Tables

Conflict-related casualties and violence¹

Direct Israeli-Palestinian conflict related casualties	2010											2011		
	Total 2010	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Palestinian deaths														
Gaza	72	4	3	14	5	2	11	3	3	13	3	5	15	23
West Bank	15	1	1	1	1	0	3	3	0	0	7	0	0	0
Total	87	5	4	15	6	2	14	6	3	13	10	5	15	23
Of whom are civilians ²	35	1	4	5	3	0	9	1	0	2	8	1	6	9
Of whom are female	1	0	0	0	1	0	0	0	0	0	1	0	0	2
Palestinian injuries														
Gaza	286	12	41	16	44	8	15	24	26	38	12	45	55	64
West Bank	1260	107	77	88	41	38	133	123	61	67	131	89	149	129
Total	1507	119	118	104	85	46	148	147	87	105	143	134	204	194
Of whom are civilians	1500	117	115	102	80	44	147	147	87	93	143	121	196	187
Of whom are female	126	6	20	6	4	4	2	23	13	12	16	3	11	9
Israeli deaths														
Israel, Gaza and West Bank	9	0	0	1	0	4	0	0	0	0	0	0	0	1
Of whom are civilians	4	0	0	0	0	4	0	0	0	0	0	0	0	1
Of whom are female	2	0	0	0	0	2	0	0	0	0	0	0	0	0
Israeli injuries														
Israel, Gaza and West Bank	195	10	17	21	0	11	12	5	7	5	5	3	13	10
Of whom are civilians	62	2	5	4	0	1	7	2	4	1	1	0	5	7
Of whom are female	15	0	0	0	0	0	2	0	0	1	0	0	0	0

Tunnel-related casualties ³	2010											2011		
	Total 2010	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Deaths	46	6	9	5	1	3	4	3	2	1	3	0	8	0
Injuries	89	13	14	5	9	0	20	3	2	2	8	6	10	1

Source: OCHA

Israeli-settler related incidents resulting in casualties or property damage	2010											2011		
	Total 2010	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Incidents leading to Palestinian casualties ⁴	79	7	11	6	5	6	4	13	2	3	8	4	22	13
Incidents leading to Palestinian property/land damages	219	26	18	14	17	15	19	47	11	16	21	17	55	17
Incidents leading to Israeli Casualties	32	2	2	3	1	1	4	1	2	0	1	0	1	3
Incidents leading to Israeli Property/land damages ⁵	83	21	7	6	1	1	8	7	15	4	0	1	3	2

Source: OCHA

Search and Arrest

	2010											2011		
	2010 Monthly Average	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Search Campaigns (West Bank)	397	370	511	343	366	376	330	453	281	385	393	387	381	454
Palestinians detained (West Bank)	275	244	332	224	150	215	308	245	183	175	274	305	320	258

Source: OCHA


Palestinians under Israeli custody (occupation related)⁶

	2010											2011		
	2010 Monthly Average	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Total as of the end of the month	6219	6484	6338	6252	6157	6011	5936	5847	5741	5672	5642	5550	NA	5352
of whom are women	31	30	30	29	32	32	30	30	33	33	30	31	NA	31
of whom are administrative detainees ⁷	218	222	213	203	199	189	212	213	205	204	219	214	NA	219
of whom are detained until the conclusion of legal proceedings	940	1120	1046	938	850	806	781	737	719	683	621	632	NA	657

Source: Israeli Prison Service (through B'Tselem)


Demolition of Structures

Structures demolished⁸



	2010											2011		
	Total 2010	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Total West Bank	439	10	0	18	143	49	8	25	34	84	28	69	78	16
of which in Area C	357	9	0	6	130	48	1	23	17	62	15	68	77	16
of which in East Jerusalem	82	1	0	12	13	1	7	2	17	22	13	1	1	0

People Displaced due to demolitions or evictions⁹



	2010											2011		
	Total 2010	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Total West Bank	606	13	0	0	166	55	0	39	53	139	70	104	153	0
of whom were displaced in Area C	478	13	0	0	141	40	0	39	38	85	55	104	149	0
of whom were displaced in East Jerusalem	128	0	0	0	25	15	0	0	15	54	15	0	4	0

Source: Displacement Working Group

Child Protection

Number of Palestinian children killed - direct conflict

	2010											2011		
	Total 2010	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
West Bank	4	0	1	0	0	0	1	0	0	0	0	0	0	0
Gaza Strip	5	0	2	0	0	0	2	0	0	0	0	0	4	2

Number of Palestinian children injured - direct conflict

West Bank	282	40	18	32	11	15	26	24	31	5	15	30	37	45
Gaza Strip	50	2	7	3	10	0	0	5	5	7	1	12	20	17

Number of Israeli children killed - direct conflict

oPt	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Israel	0	0	0	0	0	0	0	0	0	0	0	0	0	1

Number of Israeli children injured - direct conflict

oPt	2	0	0	0	0	0	0	0	0	1	0	0	0	0
Israel	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Number of Palestinian children held in detention by Israeli authorities

In Israel and oPt	289 (mon ave)	335	305	291	284	286	269	256	228	213	221	216	NA	217
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Number of Palestinian children displaced by demolitions

West Bank	294	9	0	0	89	28	0	24	33	59	40	104	63	0
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Number of incidents resulting in the disruption of schools¹⁹

oPt	24	1	3	3	1	0	3	2	1	3	7	5	7	9
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Source: OCHA, DWG, Defence for Children International, Israel Palestine Working Group on grave violations affecting children in armed conflict

Access

Internal West Bank movement obstacles

	2010											2011		
	2010 Monthly Average	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Permanently staffed checkpoints ¹¹	71	69	69	65	64	64	64	64	64	64	64	62	62	62
Partially staffed checkpoints ¹²	21	20	20	26	25	25	25	25	23	25	24	26	26	26
Unstaffed obstacles ¹³	519	461	461	418	416	411	419	420	424	425	428	428	428	428
Total	611	550	550	509	505	500	508	509	511	514	516	516	516	516
Flying Checkpoints ¹⁴	414	250	294	439	402	190	758	421	414	513	366	503	454	665

Source: OCHA

Access to healthcare - Gaza

	2010											2011		
	2010 Monthly Average	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Applications for permits to leave Gaza through Erez Crossing ¹⁵	970	1047	1225	1090	947	919	626	976	821	895	935	899	975	825
of which approved	757	760	894	864	789	770	532	744	650	690	744	784	744	746
of which denied	54	40	155	134	95	87	14	21	17	15	22	21	21	19
of which delayed ¹⁶	158	247	176	92	63	62	80	211	154	190	169	94	211	79

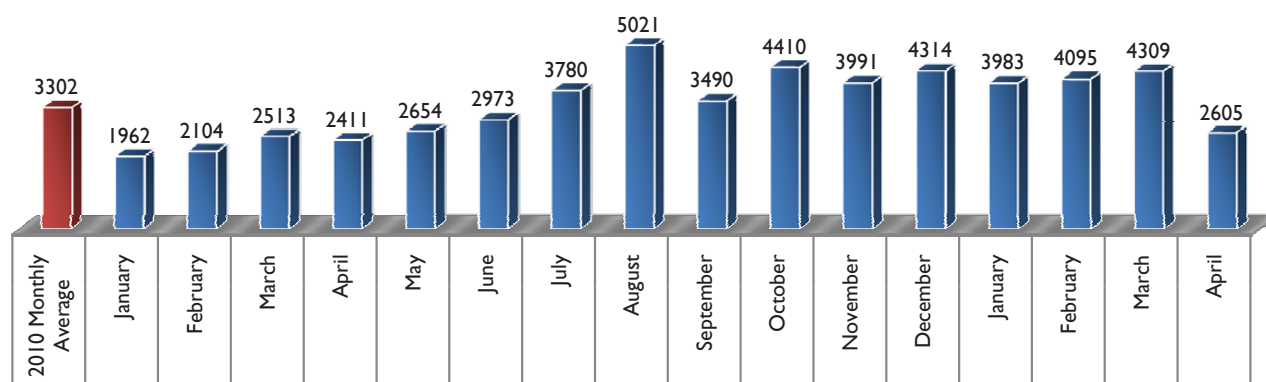
Source: WHO

Movement of humanitarian staff, West Bank

	2010											2011		
	2010 Monthly Average	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Incidents of delayed or denied access at WB checkpoint ¹⁷	44	35	45	38	44	38	41	38	25	60	44	31	31	40
Of which occurred at Jerusalem checkpoint	32	26	37	29	35	26	25	23	14	40	40	22	20	20
Number of staff days lost due to checkpoint incidents	29	10	57	24	18	14	18	31	26	54	60	29	18	14

Source: OCHA

Truckloads of goods entering Gaza from Israel



Source: Palestinian Ministry of National Economy, Gaza

Consolidated Appeals Process (CAP): CAP 2010 and 2011 funding status as of 20 May 2011

Cluster	CAP 2010		CAP 2011	
	Total request in million \$	% of funds received	Total request in million \$	% of funds received
Agriculture	46.6	24%	39.5	22%
Cash for Work and Cash Assistance	193	34%	183.8	8%
Coordination and Support Services	23.3	94%	21.1	3%
Education	24	17%	16.9	3%
Food Security	183.2	64%	204.1	17%
Health and Nutrition	22.2	87%	22.2	16%
Protection	55.4	54%	42.2	17%
Shelter and Non-food items	17	65%	21.9	3%
Water, Sanitation and Hygiene	38.6	39%	33.8	20%
Total	603.3	52%	585.6	25%

Source: OCHA

Monthly Indicator Notes and Clarifications

Casualties

1. **Conflict-related casualties:** includes all casualties that occurred in violent incidents immediately related to the Israeli occupation and the Israeli-Palestinian conflict, such as military operations, search and arrest campaigns, clashes during demonstrations, attacks involving Israeli settlers, etc. These figures exclude other related casualties such as those in the context of access delays, the explosion of unexploded ordnance, reckless handling of weapons, collapse of tunnels, and internal Palestinian violence.
2. **Civilians:** includes people who, according to the information available at the time of publication, did not fulfill a “continuous combatant function” as part of an organized armed group, regardless of the circumstances of their injury or killing. Figures in this category should not be considered comprehensive, as unconfirmed or disputed cases are excluded.
3. **Tunnel related casualties:** figures in this category may overlap with those under conflict-related casualties, as it includes casualties in the context of Israeli attacks targeting tunnels, as well as those resulting from tunnel collapses and other accidents.

Israeli settler-related violence

4. **Incidents resulting in casualties:** includes all violent incidents involving Israeli settlers and Palestinians, including those in which the injury was caused by a member of the Israeli security forces during an intervention in such an incident.
5. **Incidents resulting in property damage/losses:** *ibid.*

Search and Arrest

6. **Palestinians in Israeli custody:** includes all Palestinians from the oPt held by the Israeli authorities at the end of each month, whether in Israel or in the West Bank, in connection to an offense related to the Israeli occupation and classified by the Israeli authorities as a “security detainee/prisoner”. Therefore it excludes Palestinians held in connection to a “regular” criminal offense.
7. **Administrative detainees:** Palestinians held by the Israeli authorities without charge or trial, allegedly for preventive purposes.

Demolitions

8. **Structures demolished:** includes all Palestinian-owned structures in the oPt demolished by the Israeli authorities, regardless of their specific use (residential or non-residential) or the grounds on which the demolition was carried out (lack of building permit, military operation or punishment).
9. **People displaced due to demolitions:** includes all persons that were living in structures demolished by the Israeli authorities, regardless of the place in which they relocated following the demolition.
10. **People affected by demolitions:** includes all people that benefited from a demolished structure (as a source of income, to receive a service, etc), excluding those displaced.

Access West Bank

11. **Permanently staffed checkpoints:** staffed by Israeli security personnel, excluding checkpoints located on the Green Line and ‘agricultural gates’ along the Barrier.
12. **Partially staffed checkpoints:** checkpoint infrastructure staffed on an ad-hoc basis.
13. **Unstaffed obstacles:** includes roadblocks, earthmounds, earth walls, road gates, road barriers, and trenches. For historical reasons, this figure excludes obstacles located within the Israeli-controlled area of Hebron City (H2).
14. **‘Flying’ or random checkpoints:** checkpoints deployed on an ad hoc basis in places without pre-existing infrastructure.

Access to health

15. **Applications for permits to leave Gaza through Erez:** includes only the applications submitted for travel scheduled within the reporting period.
16. **Delayed applications:** includes applications regarding which no answer was received by the date of the medical appointment, thus forcing the patient to restart the application process.

Movement of humanitarian staff

17. **Incidents of delayed or denied access at a WB checkpoint:** includes incidents affecting local or international staff of humanitarian organizations, both UN and international NGOs.

Imports to Gaza

18. **Truckloads by type:** for historical reasons this figure excludes truckloads carrying all types of fuel.

Child Protection

19. Attacks include the targeting of schools that cause the total or partial destruction of such facilities. Other interferences to the normal operation of the facility may also be reported, such as the occupation, shelling, targeting for propaganda of, or otherwise causing harm to school facilities or its personnel.