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BRIEFING TO THE SECURITY COUNCIL ON THE SITUATION IN THE MIDDLE
EAST – REPORT ON UNSCR 2334 (2016)
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Mr. President,

Members of the Security Council,

On behalf of the Secretary-General, I devote my regular briefing on the situation in the Middle East today to presenting the fourth report on the implementation of Security Council resolution 2334 covering the period from 20 September to 18 December.

I will focus on developments on the ground in accordance with the provisions of the resolution, including on regional and international efforts to advance the peace process.

Let me note from the outset that none of the developments on the ground can be divorced from the broader context in which they are happening: uncertainties about the future of the peace process, unilateral actions that undermine the two-state solution, occupation and violence.

As 23 December will mark one year since the adoption of the resolution, I will also use this opportunity to address some of the broader trends that we have witnessed during the past year.

Mr. President,

The resolution reiterates its demand that Israel “immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem”. No such steps have been taken during the reporting period; some 1,200 units in the occupied West Bank were approved for construction, approximately 460 of them in the settlement of Ma’ale Adumim. Israel also advanced, through the various stages of the planning process, some 1,400 housing units in Area C of the West Bank.

Plans promoted included units in the new settlement of Amihai, a new neighbourhood in Kochav Yaacov, and a new site near Alon Shvut, north and south of Jerusalem, respectively. All three have been designated for either those evicted from the “illegal outposts” of Migron in 2012 and Amona in February of this year, or those soon to be evicted from the outpost of Netiv Ha’Avot, which has been planned for demolition and evacuation in March 2018.

In October, the Government announced that it will issue a tender for 296 housing units in the Beit El settlement, adjacent to Ramallah; however, this tender has not yet been published. The authorities also conditionally approved building permits for 31 housing units in Hebron’s H2 area, the first such approvals since 2001.

In East Jerusalem, preparations began for the construction of infrastructure in Givat Hamatos, which, if built, would solidify the ring of settlements isolating East Jerusalem from the southern West Bank. In October, the Jerusalem Municipality conditionally approved building permits for 178 housing units in the settlement of Nof Zion located in the Palestinian neighbourhood of Jabel Mukaber; and in November, it also granted building permits for at least 418 housing units in Gilo and Ramat Shlomo.

Let me reiterate that the United Nations considers all settlement activities to be illegal under international law and a major obstacle to peace.

Mr. President,

As the Middle East Quartet report noted in 2016, all structures lacking permits from the Israeli authorities in Area C and East Jerusalem are potentially subject to demolition. According to OCHA, during the reporting period the authorities demolished or seized 61 structures for lacking building permits. Consequently, 110 people, including 61 children, were displaced and the livelihoods of over 1,000 people were affected.

Meanwhile, over 10 Bedouin communities, comprising some 1,500 residents, remain at heightened risk of demolition and displacement. This includes herding communities in Ein al-Hilwe and Um al-Jmal in the northern Jordan Valley, as well as Jabal al-Baba in the sensitive E1 area.

The reporting period also saw several potentially significant legal developments. In an opinion issued in November, the Attorney General approved the legalization of an access road built on private Palestinian land leading to the illegal outpost of Haresha. The opinion came in light of a court decision by Supreme Court Justice Salim Joubran, who determined that the confiscation of private Palestinian land for the public interest, including in the exclusive interest of settler communities, may, under certain conditions, be legal in the West Bank, if done proportionally and with fair compensations to the landowners. However, the Attorney General did not soften his stance on the Land Regularization Law. On 22nd November, he wrote that “there is no alternative to a judicial ruling declaring the Land Regularization Law unconstitutional”.

Separately, and still in November, the Government informed the Court that, for the first time, it intends to implement a clause in military law allowing the confiscation of private land if it has been used by a third party unknowingly. This may clear the way for the retroactive legalization of settlement homes and possibly illegal outposts.

Mr. President,

Allow me to turn to the problems of violence and terrorism that remain a hallmark of the conflict.

During the reporting period, the security situation in Israel and the occupied Palestinian territory remained relatively calm. During the past three months, 22 Palestinians have been killed by Israeli security forces (ISF), including in clashes and security operations and one was killed by an Israeli civilian in the West Bank. Four Israelis have been killed by Palestinians in attacks. Last week Israel reported that it had foiled a kidnapping plot by Hamas in the West Bank.

Since 6 December, in the wake of the decision of the United States to recognize Jerusalem as the capital of Israel, the situation has become more tense with an increase in incidents, notably rockets fired from Gaza and clashes between Palestinians and Israeli security forces.

Most recently, on 10 December one Israeli was seriously injured in a stabbing attack at the Jerusalem Bus Station. The Palestinian perpetrator has been detained.

On 30 October, the Israeli Defense Forces destroyed yet another tunnel that extended from Gaza into Israel. During the operation, at least 12 Palestinian militants were killed underground. According to statements by a spokesperson for Islamic Jihad, the group's aim in constructing the tunnel was to "kidnap Israeli soldiers". A second tunnel was destroyed on 10 December.

On 31 October, a 25-year-old Palestinian man was shot dead by the IDF while in his car near the settlement of Halamish. On 30 November, an Israeli civilian shot dead a Palestinian man in the northern West Bank and a group of Palestinians reportedly threw stones at a group of Israelis. Both shooting incidents are under investigation.

During the reporting period, 28 rockets were fired from Gaza towards Israel, and 12 mortar rounds. In response, the IDF continued to target a number of Hamas and Islamic Jihad military posts across the Gaza Strip in which two Palestinian militants and one civilian were killed, with at least 28 people injured.

Since 7 December, there has been a visible increase in rockets fired by Gaza militants. Of the 40 projectiles fired during the reporting period, 27 have been launched since Hamas called for an escalation. Four rockets were intercepted by the Iron Dome system. One rocket and the remains of an intercepted rocket landed in the town of Sderot, causing damage to a kindergarten as well as to vehicles but resulting in no injuries. At least eight more rockets landed in Israel.

Mr. President,

Allow me to now turn to some of the problems of inflammatory rhetoric and provocations. Resolution 2334 calls on all to refrain from such acts and undertake efforts to combat them.

During the reporting period, while on a visit to Iran, Hamas leaders continued to make deplorable calls for the destruction of the State of Israel. The level of provocative rhetoric has heightened since the 6th December, including with calls for escalation, violence and an intifada. On its official social media pages, Fatah continued to celebrate perpetrators of past attacks against Israelis, including a 26 September attack in Har Adar in which two security guards and a border policeman were killed. Most recently, Hamas and other factions applauded the stabbing attack at the Jerusalem Bus Station, organizing rallies in Gaza and the West Bank and calling for escalation.

Israeli politicians have also made provocative statements during this period, including by calling for "only one state between the river and the sea" or "recognizing Judea and Samaria as Israel".

Mr. President,

Resolution 2334 reiterates the call by the Middle East Quartet for both parties to take steps to “reverse negative trends on the ground that are imperiling the two-state solution.”

While the goal of realizing a sustainable peace based on the two-state solution remains elusive, Palestinian factions signed an agreement on 12 October to allow the Palestinian Authority to assume control of Gaza. The Gaza crossings fully returned to the control of the Palestinian Authority on 1 November; and public sector employees recruited by the Palestinian Authority prior to 2007 registered in preparation for establishing a unified work force.

The process, however, is faltering over substantial disagreements, including on important questions related to the payment of public sector salaries, the lifting of PA imposed measures, and Hamas giving up its security control of Gaza.

Despite repeated calls for the Palestinian Authority to alleviate the electricity crisis in Gaza, which was exacerbated by the PA’s decision earlier this year to reduce payments to Israel, residents still live with four hours of electricity per day. Forty-five percent of essential drugs and medical supplies are at zero stock, while basic services are only maintained through donor-funded emergency fuel distributed by the United Nations.

On 7 December, an additional USD 2.2 million was released from the UN Humanitarian Pooled Fund to cover urgent health and food security needs in Gaza.

On a positive note, talks between the Israeli and Palestinian Ministries of Finance resumed during the reporting period. On 28 November, Israel transferred to the PA a lump sum amount of USD 63.8 million in VAT collections and tax clearance.

Construction of the Northern Gaza Emergency Sewage Treatment (NGEST) plant is expected to be completed by the end of this month. Israel has informed the Palestinian Authority of its willingness to increase the energy supply to Gaza by six MW, for this plant. If implemented, this will help address critical sewage and broader environmental problems in Gaza and beyond.

Mr. President,

During the reporting period, there have been no developments related to Member States distinguishing, in their relevant dealings, between the territory of the State of Israel and the territories occupied in 1967.

Regrettably, the reporting period has not seen significant positive moves towards advancing peace, and the parties remain divided further than ever. The US President announced in December its decision to recognize Jerusalem as the capital of the State of Israel, while stating that final status issues remain for the parties to determine. He also made clear his commitment to advance peace between Israelis and Palestinians and called for the status quo at the Holy Sites to be respected. Since then, the Palestinian leadership has canceled meetings with visiting U.S. Vice President Pence, and called for the establishment of a new mechanism to achieve peace. The Palestinian President has also vowed to seek unilateral recognition of Palestine and to seek full membership in international organizations in the absence of a meaningful peace process.

The United Nations maintains the view that Jerusalem is a final status issue that must be resolved through direct negotiations between the two parties on the basis of the relevant Security Council and General Assembly resolutions taking into account the legitimate concerns of both the Palestinian and the Israeli sides.

Mr. President, members of the Council,

In closing, I would like to share some broad observations on developments concerning the provisions of the resolution during the past year.

1.) Continued settlement construction in the occupied Palestinian territory contravenes resolution 2334. Significantly more housing units were advanced and approved in 2017. In Area C, the number of units advanced and approved more than doubled from 3,000 in 2016 to nearly 7,000 in 2017. In East Jerusalem, the increase has similarly been from 1,600 in 2016 to some 3,100 in 2017.

The number of tenders, however, published and opened for bidding has decreased this year. In Area C, out of tenders for 3,200 units that were announced in 2017, only two, for some 50 housing units have been published so far. For the first time since 2010, in East Jerusalem, in 2017 there have been no new tenders published. About 80 per cent of the settlement moves this year were concentrated in and around major Israeli population centers, while some 20 per cent were in outlying locations deep inside the occupied West Bank.

The number of Palestinian-owned structures demolished in 2017 in the West Bank was significantly lower than in 2016, and the lowest since 2009. In total, 400 Palestinian-owned structures were demolished in the West Bank, including East Jerusalem, during 2017, a sharp decline compared to over 1,000 structures during 2016.

In addition to these developments, 2017 has seen worrying legislative, judicial and administrative initiatives that aim to change the long-standing Israeli policy concerning the legal status of the West Bank and the use of private Palestinian land.

Settlement-related activities undermine the chances for the establishment of a viable, contiguous Palestinian state as part of a two-state solution.

2.) Continuing violence against civilians and incitement perpetuate mutual fear and suspicion. Since the adoption of resolution 2334, there has been a significant reduction in the number of violent attacks. In 2017, there were 109 shooting, stabbing, ramming, and bombing attacks conducted compared to 223 similar attacks in 2016. Regarding fatalities, 72 Palestinians and 15 Israelis were killed this year, compared to 109 and 13, respectively, in 2016.

I call on the international community to join the United Nations in condemning terror attacks and such reckless action that impede any efforts to bridge the gaps between Israelis and Palestinians and empower extremists. Nothing justifies terror – no cause, no grievance.

The terror threat from Gaza of indiscriminate rocket attacks and tunnel construction continues, and the recent escalation by militants in Gaza is reckless and dangerous. I urge all Palestinian factions to commit to rejecting violence, inflammatory rhetoric and provocative actions that undermine the cause of peace.

Israel must also uphold its responsibilities under international human rights and humanitarian law and calibrate its use of force.

3.) Bringing the legitimate Palestinian national authority back to Gaza is key to alleviating the humanitarian crisis, lifting the closures and enhancing the prospects for peace. I commend Egypt for its tireless efforts in this respect. I encourage all sides to focus on addressing the devastating humanitarian situation, with an immediate focus on the electricity crisis, and to ensure that agreement is reached on mechanisms to implement the 12 October intra-Palestinian agreement in full.

4.) This past year has witnessed important progress in finalizing agreements between Israel and the Palestinian Authority with regard to water, energy, telecommunications and other areas aimed at improving the economic reality of Palestinians. These efforts are critical to building trust, and obstacles to their realization must be removed. The United Nations will continue supporting such efforts.

5.) I am particularly concerned as to the future of our collective efforts to achieve peace between Israelis and Palestinians. The United Nations remains strongly committed to supporting all endeavors towards a negotiated two-state solution. The Secretary-General has been clear that ending the occupation and realizing a two-state solution, with Jerusalem as the capital of Israel and Palestine, is the only way to achieve such a vision. Today, however, there is a growing risk that the parties may revert to more unilateral actions.

Mr. President,

In the current environment the continued absence of a credible proposal, which can become the basis of meaningful negotiations is damaging the prospects for peace. The lack of significant steps on the ground that protect the viability of a two-state solution and support Palestinian statehood is undermining moderates and empowering radicals. The weakening of the international architecture in support of peace is increasing the risks to the region.

Resolving the conflict will remove a key driver of extremism and terrorism in the Middle East and provide hope to generations of Israelis and Palestinians, trapped in a vicious cycle of violence and conflict.

Thank you.