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PALESTINIAN RIGHTS

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

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*The Bulletin can be found in the United Nations Information System
on the Question of Palestine (UNISPAL) on the Internet at:
<http://unispal.un.org>*

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I. UNCTAD STUDY HIGHLIGHTS LEGAL IMPLICATIONS OF ECONOMIC COSTS IMPOSED BY OCCUPATION

On 3 April 2018, the United Nations Conference on Trade and Development (UNCTAD) released a [study](#) entitled “The Economic Costs of the Israeli Occupation for the Palestinian People and their Human Right to Development: Legal Dimensions”. The following is the Executive Summary of the study:

United Nations General Assembly resolutions 69/20, 70/12 and 71/20 request the United Nations Conference on Trade and Development (UNCTAD) to assess and report on the economic costs of the Israeli occupation for the Palestinian people. The objective of this study is to ensure that any upcoming economic analyses and reports on the costs of occupation are fully within the bounds of international law and the parameters set by the relevant United Nations resolutions.

Israel bears legal responsibility for the costs it has entailed during its occupation of Palestinian territory. This responsibility is separate from Israel’s obligation to withdraw from that territory. The legal responsibility of a belligerent occupant for the negative economic consequences of actions in violation of humanitarian law survives the occupant’s departure. Israel is responsible both for economic harm it has occasioned and for unjust enrichment it has derived. It also bears an obligation under international law to further the development of the economy for the population whose territory it occupies.

Israel’s obligation in this regard can be found in the humanitarian law developed to protect populations under belligerent occupation. Its obligation is also grounded in the law of human rights, which protects populations during both war and peace. In other instances of belligerent occupation that have occurred, occupying Powers that have caused harm have been recognized to bear an obligation for restitution. This has been ordered by international courts and the Security Council of the United Nations, and has been provided for in peace treaties.

The international community as a whole bears an obligation to ensure that in the case of the Occupied Palestinian Territory, the belligerent occupant is held accountable for harm caused in the course of occupation. Belligerent occupation is a situation that has been recognized by the international community as requiring collective action to ensure compliance with the norms that govern it. This collective responsibility is reflected in treaty law and in international practice.

II. ILO STUDY TAKES STOCK OF THE LABOUR MARKET SITUATION IN THE OCCUPIED PALESTINIAN TERRITORY

On 4 April 2018, the International Labour Organization issued a [study](#) entitled “The Occupied Palestinian Territory: An Employment Diagnostic Study”. The following are the executive summary and the summary of recommendations:

Executive Summary

Conditions in the Occupied Palestinian Territory (OPT) continue to be characterized by a stalled peace process, political instability, a protracted fiscal crisis, outbursts of violence in the West Bank and Gaza, and high levels of deprivation in Gaza due to a crippling blockade — now in its tenth year. The lack of economic prospects, as well as heightened political and security tensions, have constrained the livelihoods of hundreds of thousands of Palestinians, and limited

their access to economic opportunities and decent work. The latest round of the labour force survey conducted by the Palestinian Central Bureau of Statistics (PCBS) showed that the overall unemployment rate increased in 2016, particularly in Gaza, rendering the long-term employment trend in both the West Bank and Gaza ever more bleak.

As part the overarching Decent Work Programme (DWP), the International Labour Organization (ILO), in conjunction with local partners, has commissioned this labour diagnostic. The DWP aims to promote labour rights, enhanced employment and livelihood opportunities for Palestinian men and women, as well as seeking broader social protection for those in need in the OPT. This report, based on an extensive desk review and consultations with relevant national and international stakeholders, seeks to provide a full diagnostic of labour market trends, institutions, and governance. It also maps existing employment programmes and services (both private and public) while providing a general assessment of their impacts and identifying their main strengths and shortfalls. It concludes with a summary and general recommendations about the way forward.

Summary of Recommendations

In a context marred by restrictions, imposed under occupation, on access to and movement of factors of production, limited fiscal space and a lack of monetary levers to promote macroeconomic growth, as well as widening economic fragmentation, heightened uncertainty, and weakening democratic governance, long-term recommendations for inducing job-rich growth can be only be put in broad terms that assume an end of both occupation and internal Palestinian political and administrative divisions.

In the long term, the PA needs to adopt policies and develop an institutional infrastructure that enables rapid and sustained job-rich growth driven by a more diversified economy and higher value-added economic activities and trade, including agriculture, manufacturing and other emerging sectors such as fuel and green energy. Land assets and water resources will need to be unlocked for economic use, which will require reforms in land regulations and administration and water laws. Closing the widening socioeconomic gap — particularly in areas related to employment, income and structure of the economy — between and within the West Bank (including East Jerusalem) and Gaza will necessitate proactive policies for inducing local economic development and inclusive economic growth, including for any returning Palestinian refugees.

Such policies will need to focus on dismantling the economic structures created by years of occupation through incentivizing and facilitating private domestic and foreign investment to offset the effects of years of regression and underinvestment.

Finally, structural reforms that improve fiscal sustainability will be crucial, including improving the efficiency and effectiveness of public expenditures to create the fiscal space for multi-dimensional poverty reduction, social protection and large-scale infrastructure investments.

Short-term recommendations focus on those key priorities for inducing job-rich growth in the short term, while laying the foundations for effective implementation of the broader long-term policy orientations discussed above. These focus exclusively on areas within the control of the tripartite partners and stakeholders with programmes supporting private sector and economic development. The recommendations are grouped under three themes as follows:

III. UN SPECIAL COORDINATOR EXPRESSES CONCERN ABOUT PREPARATIONS AND RHETORIC FOR THE “GREAT RETURN MARCH”

The following [statement](#) was issued on 5 April 2018 by the United Nations Special Coordinator for the Middle East Peace Process, Nickolay Mladenov:

I am following with concern the continuing preparations and rhetoric for this Friday’s ‘Great Return March’ in Gaza.

Israeli forces should exercise maximum restraint and Palestinians should avoid friction at the Gaza fence.

Demonstrations and protests must be allowed to proceed in a peaceful manner. Civilians, particularly children, must not be intentionally put in danger or targeted in any way.

IV. UN SECRETARY-GENERAL CALLS UPON ISRAELIS, PALESTINIANS TO AVOID CONFRONTATION, EXERCISE RESTRAINT FOLLOWING “GREAT RETURN MARCH”

The following statement was issued on 5 April 2018 by UN Secretary-General António Guterres ([SG/SM/18975-PAL/2221](#)):

In light of the tragic events of the “Great Return March” last Friday, I reiterate my call on all concerned to refrain from any act that could lead to further violence or place civilians in harm’s way, especially children.

I call upon all parties on the ground to avoid confrontation and exercise maximum restraint. I particularly urge Israel to exercise extreme caution with the use of force in order to avoid casualties. Civilians must be able to exercise their right to demonstrate peacefully.

I again stress the urgency to accelerate efforts to return to meaningful negotiations that will eventually allow Palestinians and Israelis to live in two democratic states side by side in peace and within secure and recognized borders. I reaffirm the United Nations’ readiness to support these efforts.

V. UN SPECIAL RAPPORTEURS CONDEMN ISRAEL’S KILLING OF PROTESTERS IN GAZA, CALL FOR ACCOUNTABILITY

The Special Rapporteur on extrajudicial, summary or arbitrary executions, Agnès Callamard, Special Rapporteur on the right to adequate housing, Leilani Farha, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, David Kaye, and Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967, Michael Lynk, on 6 April 2018 issued the following [press release](#):

UN human rights experts have condemned the killings by Israeli security forces of at least 16 Palestinian protesters near the Gaza fence, and urged the international community to ensure accountability through an independent and impartial investigation into the Israeli response.

As many as 1,400 Palestinians have been wounded, some critically, since demonstrations began last Friday. Israeli forces used live ammunition and teargas against the demonstrators, who had gathered in occupied Gaza on the occasion of Land Day to call for their right to return to their homes. Most of Gaza's population – which has been subjected to a comprehensive air, land and sea blockade by Israel for 10 years – is comprised of Palestinians who have been forcibly expelled from their homes and lands since 1948.

“International law sets strict prohibitions on the use of force by law enforcement officials,” said the human rights experts, who echoed a call by the UN Secretary General for an investigation into Israel's response. The experts expressed deep concern at reports that Israel's Minister of Defense stated that there will not be any inquiry into Israel's actions.

“The Basic Principles on the Use of Force and Firearms by Law Enforcement Officials require law enforcement officials to refrain from using lethal force on demonstrators unless strictly unavoidable in order to protect their own or others' lives – their safety must be in actual danger,” the experts said.

“There is no available evidence to suggest that the lives of heavily armed security forces were threatened,” the experts said. “Israel has ignored repeated demands by the international community to credibly investigate and prosecute substantial allegations of wrongful killings by its security forces,” they added.

A number of the dead and wounded were shot in their upper bodies while at considerable distances from the Israeli security forces, the experts noted, expressing concern at the apparent disregard for the lives of Palestinian protesters. They noted that wilful killing or serious injury of the protected population amounts to grave breaches of the Fourth Geneva Convention.

The experts also noted with alarm reports that the Israeli Defence Forces posted the following message on its twitter feed on Saturday with respect to the events on Friday: “Nothing was carried out uncontrolled; everything was accurate and measured, and we know where every bullet landed.”

The experts remind the Government of Israel that peaceful protest is a legitimate exercise of the rights of freedom of expression, assembly, and association, and that Israel, as the occupying power, is obligated to protect and to respect the human rights of the Palestinians living in occupied Gaza.

The UN human rights experts pointed out that, while Israel is entitled to take measures to ensure its security, it must be guided by international human rights law in the force that it employs, exercising restraint and resorting to the use of lethal force only against an imminent threat of death or serious injury.

VI. ICC PROSECUTOR EXPRESSES GRAVE CONCERN OVER THE VIOLENCE IN GAZA, WILL CLOSELY WATCH THE SITUATION

The following [statement](#) was issued on 8 April 2018 by the Prosecutor of the International Criminal Court, Fatou Bensouda:

It is with grave concern that I note the violence and deteriorating situation in the Gaza Strip in the context of recent mass demonstrations. Since 30 March 2018, at least 27 Palestinians have been reportedly killed by the Israeli Defence Forces, with over a thousand more injured, many, as a result of shootings using live ammunition and rubber-bullets. Violence against civilians - in a situation such as the one prevailing in Gaza – could constitute crimes under the Rome Statute of the International Criminal Court (“ICC” or “the Court”), as could the use of civilian presence for the purpose of shielding military activities.

I remind all parties that the situation in Palestine is under preliminary examination by my Office. While a preliminary examination is not an investigation, any new alleged crime committed in the context of the situation in Palestine may be subjected to my Office’s scrutiny. This applies to the events of the past weeks and to any future incident.

I am aware that the demonstrations in the Gaza Strip are planned to continue further. My Office will continue to closely watch the situation and will record any instance of incitement or resort to unlawful force. I urge all those concerned to refrain from further escalating this tragic situation.

Any person who incites or engages in acts of violence including by ordering, requesting, encouraging or contributing in any other manner to the commission of crimes within ICC’s jurisdiction is liable to prosecution before the Court, with full respect for the principle of complementarity. The resort to violence must stop.

VII. UNESCO DIRECTOR-GENERAL CONDEMNS KILLING OF PALESTINIAN PRESS PHOTOGRAPHER ON THE GAZA BORDER

The following [statement](#) was issued on 10 April 2018 by Audrey Azoulay, Director-General of The United Nations Educational, Scientific and Cultural Organisation (UNESCO):

I condemn the killing of Yaser Murtaja and welcome the decision of the Israeli authorities to investigate this killing”, said the Director-General.

Yaser Murtaja was allegedly shot by Israeli soldiers while he was covering Palestinian protests on the Israeli border on 6 April and died from his injuries the following day.

Murtaja had freelanced for television network *Al Jazeera* and served as a cameraman for *Human Flow*, the 2017 documentary on the global refugee crisis directed by renowned Chinese visual artist Ai Weiwei.

VIII. UNICEF CALLS FOR THE PROTECTION OF CHILDREN IN GAZA

The following [statement](#) was issued on 10 April 2018 by the United Nations Children's Fund (UNICEF):

In the last 10 days, three children were killed and dozens more were seriously injured in the recent tragic events in the Gaza Strip. UNICEF deplores all acts of violence against children.

Children in Gaza have been living in extremely dire circumstances for many years.

It is imperative that all actors on all sides put the protection of children first. Children should never be the target of violence and must not be put at risk of violence nor encouraged to participate in violence.

These latest developments compound an already acute crisis in the Gaza Strip, where families have been coping with less than five hours of electricity per day for almost a year. Among young people, who have experienced three major rounds of armed conflict in the last decade, unemployment is above 60 per cent. Only 10 per cent of families in the Gaza Strip have regular direct access to drinking water. One in four children (250,000) are in need of psychosocial support due to past trauma and more than half of children depend on some form of assistance for their daily survival.

UNICEF was able today to deliver long-awaited critical health supplies into Gaza. UNICEF is also advising parents on how to seek psychosocial support and trauma counselling for their children, and continues to support health, water, sanitation and hygiene, education and protection services.”

IX. UNESCO DIRECTOR-GENERAL WELCOMES RESTORATION OF CONSTRUCTIVE DIALOGUE CONCERNING MIDDLE EAST AT UNESCO EXECUTIVE BOARD

The following [statement](#) was issued on 12 April 2018 by Audrey Azoulay, Director-General of The United Nations Educational, Scientific and Cultural Organisation (UNESCO):

I welcome the spirit of dialogue and responsibility that has allowed a consensual decision* to be reached in the framework of the Executive Board during its discussions concerning the Middle East.

This spirit of consensus opens up a new positive dynamic within UNESCO. I thank all the delegations that have worked towards this, notably the representatives of the Palestinian, Israeli, Jordanian, American, and European Union delegations. The Secretariat of UNESCO will continue to be involved as a dialogue facilitator for Member States.

This outcome bears witness to the Parties' strong commitment to work together, including on the most sensitive issues. The will to achieve consensus is part of UNESCO's DNA and must guide our work in the future, particularly during the upcoming discussions at the World Heritage Committee and within the governing bodies of the Organization.

The restoration of a constructive atmosphere is a necessary first step for UNESCO to be able to work steadily in its fields of competence: education, the sciences and culture. Our Organization was established specifically to create spaces for dialogue and cooperation in areas of shared interest: the heritage of humanity, scientific cooperation, and the sharing of ideas and knowledge. The Secretariat will spare no effort in supporting States along this path.”

*[The decision adopted](#) in Commission was submitted for final approval by the Executive Board in the Plenary session on 17 April.

X. UN SECRETARY-GENERAL BRIEFS SECURITY COUNCIL ON THE MIDDLE EAST SITUATION, CALLS FOR INVESTIGATION INTO GAZA VIOLENCE

On 13 April 2018, the UN Secretary-General António Guterres briefed the Security Council on “the Situation in the Middle East”. The following are excerpts from his briefing ([S/PV.8231](#)):

The situation in the Middle East is in chaos to such an extent it has become a threat to international peace and security. The region is facing a true Gordian knot — different fault lines crossing each other and creating a highly volatile situation with risks of escalation, fragmentation and division as far as the eye can see, with profound regional and global ramifications. We see a multiplicity of divides.

...

We see the wounds of the Palestinian-Israeli conflict continuing to fester. The recent violence in Gaza resulted in many needless deaths and injuries. I repeat my call for an independent and transparent investigation into those incidents. I also appeal to those concerned to refrain from any act that could lead to further casualties, in particular any measures that could place civilians in harm’s way. That tragedy underlines the urgency of revitalizing the peace process for a two-State solution that will allow Palestinians and Israelis to live side by side in peace in two democratic States within secure and recognized borders. I reaffirm the readiness of the United Nations to support those efforts.

...

XI. UN SPECIAL RAPORTEURS CONDEMN KILLINGS OF PALESTINIANS NEAR GAZA FENCE BY ISRAELI SECURITY FORCES

On 17 April 2018, Special Rapporteur on extrajudicial, summary or arbitrary executions, Agnès Callamard, Special Rapporteur on the right to adequate housing, Leilani Farha, the Special Rapporteur on the situation of human rights defenders, Michel Forst, Special Rapporteur on the negative impact of the unilateral coercive measures on the enjoyment of human rights, Idriss Jazairy, Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967, Michael Lynk, and Special Rapporteur on the rights to freedom of assembly, Nyaletsossi Clément Voule, issued the following [press release](#):

UN human rights experts have condemned the continued use of firearms, including live ammunition, by Israeli security forces against mostly unarmed Palestinian protesters and observers for a third straight week near the fence between occupied Gaza and Israel.

The United Nations and its independent human rights experts, along with the International Criminal Court, have expressed grave concern about the Israeli security forces' use of force, and called for the violence to stop. Israel has pledged to conduct an investigation into the security forces' response to the protests.

“Despite Israel’s commitment to investigate the events of the past few weeks, security forces continue to use live ammunition and rubber bullets against the protesters, killing and wounding dozens of mostly unarmed protesters, women, men and children alike,” said the UN experts.

“We express our outrage over these shootings that may have resulted in unlawful killings and the incomprehensibly high number of injuries sustained.”

At least 28 Palestinians have been killed and more than 1600 wounded by Israeli security forces during a series of demonstrations that began on 30 March and are set to continue until 15 May. The participants are protesting their forced evictions and displacement since 1948 and calling for an end to the 11-year blockade on Gaza. Among those killed were three children and a journalist, who was wearing clearly visible insignia identifying him as a member of the press. Six other journalists have so far been wounded.

The experts reiterated Israel’s obligation as occupying power to uphold international human rights law and international humanitarian law, emphasising that in the context of law enforcement, security forces may only resort to lethal force when faced with a situation involving an imminent threat to life or risk of serious injury.

“No evidence has emerged showing that such a situation occurred during the demonstrations that would make the lethal force used legal,” they said.

“The freedoms of association, assembly, and expression are all fundamental rights under international human rights law. These rights are to be given broad protection, and can only be restricted in narrow and exceptional circumstances. Israel must fully observe these rights, and ensure that their approaches to crowd control and demonstrations are in strict accordance with international law.”

Referring to a recent statement issued by the Chief Prosecutor of the International Criminal Court, Ms. Fatou Bensouda, the experts said that the deadly use of force against demonstrators could constitute crimes under the Rome Statute.

The UN experts pointed out that the deaths and injuries since 30 March by the Israeli security forces appeared to be in breach of the *International Covenant on Civil and Political Rights* (1966), *The Basic Principles on the Use of Force and Firearms by Law Enforcement Officials* (1990) and the prohibitions in the *Fourth Geneva Convention of 1949* against wilful killings and the serious injury of the protected population.

The experts reiterated their call on the international community, through the United Nations, to establish an independent commission to investigate the events of the past three weeks.

“While Israel’s announcement that it will launch a probe is welcome, we are concerned that the planned probe may lack the independence, impartiality and effectiveness required by the international law,” they said. “Coupled with reports that some Israeli officials have suggested the purpose of the investigation is to avoid scrutiny from the international community and the ICC, we believe an independent investigation is the only way to truly address what has happened in Gaza, and to prevent its recurrence.

“Accountability is imperative when the fatal shooting of demonstrators, by security forces has occurred,” the experts said. “If Israel will not take credible and effective steps to investigate, and indeed, where it has congratulated its military forces for their use of force, then the international community must fill the investigatory void to ensure respect for international law.

“Finally, we call for an immediate end to the 11-year-old comprehensive blockade on Gaza, which is imposing untold suffering on the population. We cannot continue to ignore this collective punishment of the people of Gaza, and the undeniable human rights impacts of the blockade,” added the experts. “Collective punishment is prohibited under international law, and there must be international accountability for such actions.”

XII. WHO CONCERNED OVER INCREASINGLY OVERWHELMED HEALTH SERVICES IN GAZA

On 17 April 2018, the World Health Organization Office for West Bank and Gaza issued the following [press release](#):

Mass demonstrations in Gaza have left at least 33 Palestinians dead and more than 4279 injured since 30 March, according to the Palestinian Ministry of Health. The escalating violence has also led to the injury of 41 health staff, of whom 3 were injured by bullets, with 13 ambulances damaged by bullets and tear gas.

“The deteriorating humanitarian situation is extremely worrying. Hospitals in Gaza are overwhelmed with the influx of injured patients. With further escalations expected during the coming weeks, the increasing numbers of injured patients requiring urgent medical care is likely to devastate Gaza’s already weakened health system, placing even more lives at risk,” said Dr. Gerald Rockenschaub, WHO’s Head of Office for the West Bank and Gaza.

“We are especially concerned over the impact of the violence on health care workers and ambulances, especially in this current context,” added Dr. Rockenschaub. “Health services in Gaza are already extremely limited due to chronic shortages of medicines, medical disposables, and inadequate supplies of electricity and fuel for emergency generators in hospitals.”

In response to increasing health needs, the Palestinian Ministry of Health has established 5 medical camps equipped with emergency supplies to stabilize injuries before referring them to nearby hospitals. The medical camps are staffed with up to 10 doctors and 15 nurses, supported by volunteers, and ambulances are on stand-by. Each camp is equipped with first aid medication, and had 3-4 beds; mattresses were also used to support the increasing number of casualties. They are complemented by 5 advanced medical posts managed by the Palestinian Red Crescent Society. An additional 5 primary health centres were opened to provide support.

However, shortages of medicines and medical supplies are impeding the ability of health authorities to effectively respond to the immediate needs of casualties. The Palestinian Ministry of Health and health partners need urgently to replenish 75 types of essential medicines, 190 types of essential medical disposables.

To fill critical gaps, WHO and health partners are currently in the process of delivering 10 types of essential medicines and 16 types of medical disposables to meet emergency medical needs.

“WHO continues to monitor the situation and identify urgent health needs that are required to save lives. However, without additional funding for trauma and surgical medicines and supplies, very little can be done. WHO and health partners urgently require US\$ 4.4 million to respond to immediate emergency needs in Gaza. Further funding will be needed for emergency preparedness and response over the coming weeks as the demonstrations and clashes continue,” said Dr. Rockenschaub.

XIII. UN HUMANITARIAN COORDINATOR CALLS FOR PROTECTION OF PALESTINIAN DEMONSTRATORS IN GAZA

The following [statement](#) was issued on 19 April 2018 by the Humanitarian Coordinator for the Occupied Palestinian Territory, Jamie McGoldrick:

The Humanitarian Coordinator, Mr. Jamie McGoldrick, today called for the protection of Palestinian demonstrators and for urgent funding to meet critical humanitarian needs that have been generated by the massive rise in Palestinian casualties in Gaza since 30 March.

“The current surge in humanitarian needs is a crisis on top of a catastrophe,” said Mr. McGoldrick. “As we approach another Friday of demonstrations near the perimeter fence between Gaza and Israel, it is critical that the Israeli authorities exercise the utmost restraint in the use of force for law enforcement operations, in line with their obligations under international law.”

Humanitarian partners urgently need US\$ 5.3 million in funding to meet emerging health, psycho-social and protection needs until 31 May 2018. These funds are required to enable the deployment of specialized medical teams to conduct complex, lifesaving surgeries; for medicines to prevent avoidable death or disability; to allow blood banks to immediately increase their

capacity to cope with the high volume of trauma casualties, among a range of other critical health needs. Funding is also required to ensure that victims of violence and their families receive essential mental health and psycho-social support and to support organizations monitoring, verifying and documenting possible protection violations.

“Gaza’s essential service providers simply do not have the capacity, at present, to cope with the current situation” said Mr. McGoldrick. “The humanitarian community stands ready to support the State of Palestine in meeting the immense health needs of Palestinians in Gaza, and ensuring that vital protection and mental health support is available.”

XIV. UN SPECIAL COORDINATOR BRIEFS SECURITY COUNCIL ON THE MIDDLE EAST SITUATION INCLUDING THE PALESTINIAN QUESTION

On 26 April 2018, the United Nations Special Coordinator for the Middle East Peace Process, Nickolay Mladenov, briefed the Security Council on “the Situation in the Middle East, including the Palestinian question”. The following are excerpts from his briefing ([S/PV.8244](#)):

Two weeks ago, the Secretary-General addressed the Security Council on the crisis in the Middle East and the threats to international peace and security (see [S/PV.8231](#)). He spoke of a region that is plagued by sectarian divisions, by imploding States and exploding extremist groups; a region in which anger and frustration quickly turn to terror, violence and radicalism; a region where the battle between moderation and radicalism is the battle for the future of millions of people. What happens in the Middle East today has immediate implications for the rest of the world.

Outside interference is transforming domestic conflicts into regional wars. In Syria, we see confrontations between several national armies, their proxies, various armed opposition groups, militias, foreign fighters and multiple terrorist organizations. Humanitarian crises are escalating and spreading across borders. In Yemen, we are witnessing the worst humanitarian disaster of our time. Old wounds continue to bleed and deepen as we speak, risking the outbreak of another war. The Palestinian-Israeli conflict continues with no prospect of a political resolution, and Gaza is about to explode. Gross violations of international law, including human rights law and humanitarian law, have become the hallmark of the region.

Today, the risk of miscalculation grows, increasing the danger of a wider conflagration as violence spills across borders. In that highly charged and dangerous environment, whether in Syria, Yemen or Gaza, one word becomes critical. It is de-escalation — de-escalation of the dangerous military buildup; de-escalation of the inflammatory and provocative political rhetoric. Everyone in the Middle East needs to step back from the brink. There is no military solution to the conflicts of the region.

Amid these complex conditions, my counterparts in the region and I regularly emphasize in our briefings to the Council the rapidly shifting regional dynamics. The United Nations is working tirelessly to prevent further deterioration, while supporting national political processes region-wide. We in the field need the international community to continue supporting multilateral mechanisms promoting security, stability and development in the region. We see the need for more

multilateralism that blends humanitarian and development interventions with preventive diplomacy and crisis management.

As stated by the Secretary-General, the changing nature of conflict means that prevention should be at the centre of our efforts. It is most certainly needed when dealing with the Palestinian-Israeli conflict. Although the urgency of the grave situations in Syria, Yemen and elsewhere has understandably focused international attention, Palestine remains a central part of the regional quagmire. Until the occupation ends and a two-State solution is achieved through meaningful negotiations based on relevant United Nations resolutions, the conflict will remain one of the key drivers of extremism and a persistent threat to regional stability.

Gaza is coming apart as we speak. It is coming apart under the pressure of an explosive combination of negative humanitarian, security and political factors. If another conflict between Hamas and Israel were to erupt, it would have devastating consequences for Palestinians in Gaza. It could undermine the relative stability of the West Bank and have repercussions for Israel and the region. I say this with a heavy heart and in the hope that all of us will do our utmost, in the spirit of preventive diplomacy.

For the past four weeks, tens of thousands of Palestinians in Gaza have converged on the border with Israel in the context of the Great March of Return protests. Demonstrations are expected to continue and culminate around 15 May, and could spread to the West Bank and beyond. Since 30 March, during these demonstrations 35 Palestinians have been killed and a large number have been injured by Israeli security forces. No Israeli casualties have been reported.

There has also been an increasing number of dangerous incidents at the fence, including the planting of improvised explosive devices — at least one of which detonated — the throwing of Molotov cocktails and attempts to breach the fence. Israel has accused Hamas, Islamic Jihad and other militants of using the protests, women, children and the elderly as a cover to infiltrate Israel and to commit terrorist attacks. As these protests continue, tension and the potential for serious incidents and further casualties will increase.

I have engaged in an intense effort with all sides to reduce the risks of friction and welcome efforts, particularly those of Egypt and others, to the same effect. Israel must calibrate its use of force and minimize the use of live fire. Lethal force should be used only as a last resort. Hamas and the leaders of the demonstrations must keep protestors away from the Gaza fence and prevent all violent actions and provocations. The Secretary-General has been vocal in reiterating these messages and calling for restraint, and has repeatedly called for all incidents to be investigated.

Children, who should be particularly protected, are at grave risk. Sadly, to date we have witnessed at least four who have been shot dead by Israeli live fire. I take this opportunity to reiterate in the strongest possible terms that civilians, particularly children, must not be intentionally put in danger or targeted in any way. Everyone must ensure that civilians are able to exercise their right to demonstrate peacefully. I welcome recent reports that the Israel Defense Forces have established a team to examine the use of force during the current protests, including all incidents of fatal shooting, and reiterate the importance of conducting an independent investigation for results to be credible.

In other incidents, two Hamas militants were shot dead on 30 March in an exchange of fire near Gaza's fence, and five rockets and mortars were fired towards Israel in the past month. On 12 April, one person was killed by an Israeli air strike after a group of Palestinian militants targeted an Israeli aircraft with machine gun fire. At least three additional militants were killed by the Israeli security forces in separate incidents. On 15 April, Israel announced that it had sealed the fifth Hamas tunnel in the past six months leading from Gaza into its territory. The Israeli security forces also foiled an attempt in the West Bank to smuggle 10 pipe bombs that were reportedly intended for an attack on Israel's Independence Day.

As I have said repeatedly, all militant activity in Gaza, including the digging of tunnels and the firing of rockets, must cease. It threatens the lives of Israelis and Palestinians alike, increases the risk of a new escalation of hostilities, undermines calls for lifting the closures, and ultimately damages the prospects for peace. I call on all Member States to join the United Nations in condemning such actions.

On top of the security risks escalating in Gaza, the humanitarian situation continues to rapidly deteriorate. Starting in March 2017 and without prior notice, the Palestinian Authority reduced the salary benefits of thousands of public sector employees in the Strip by over 30 per cent. One year later, in March 2018 it suspended the payment of salaries to some 20,000 civil servants in Gaza. The impact of this decision has been devastating. Gaza's already faltering public service will move further towards a total collapse. Hospitals and clinics, schools, water and wastewater treatment facilities, garbage collection, transportation and other critical services will be critically impacted. I have engaged with the Palestinian Authority on the destructive impact of such decisions, which pressure ordinary families that are already struggling to make ends meet. That is why I call on the Palestinian Government to resume the payment of public-sector salaries in Gaza without delay.

We must immediately deal with the humanitarian crisis that is unfolding. Israel must relax movement and access restrictions on Gaza to enable the economy to recover, with due consideration for its legitimate security concerns. In this context, I take note of the decision to increase the fishing zone from six to nine nautical miles, and urge that the zone be extended further and on a permanent basis. I also note our continuing engagement with Israel and the Palestinian Authority on the Gaza Reconstruction Mechanism.

I want to assure the Council that the United Nations is working intensely with partners to prioritize energy and water initiatives discussed in the format of the Ad Hoc Liaison Committee for the Coordination of International Assistance to Palestinians, as well as in our donor meetings in Cairo and Washington, D.C. The long-term goal of increasing energy supply must be pursued, alongside immediate and short-term projects in the Gaza Strip.

Compounding the deteriorating humanitarian and security situation in Gaza are the stalled efforts to restore Palestinian Authority control over the Strip. Despite the best efforts of Egypt, the implementation of the Cairo agreement has come to a halt. I urge all Palestinian factions to engage with Egypt and redouble their efforts to enable the legitimate Palestinian Government to be fully empowered in Gaza. The combination of the security, development and humanitarian deterioration that we are seeing in Gaza, coupled with the political impasse, makes the Strip a powder-keg.

Notwithstanding the tragic developments in the rest of the region, we must do everything possible to prevent another war in Gaza. It is imperative that the international community and the

Security Council support the efforts of the United Nations and key stakeholders to address the security, humanitarian and political challenges that I have outlined. The tragic events in Gaza have reinforced the growing risks of implosion and explosion, with potentially grave consequences elsewhere in the region. Palestine refugee camps in the occupied Palestinian territory, Lebanon, Jordan and Syria are highly vulnerable.

In this context, the situation of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) is particularly worrying. Even with the welcome pledges of some \$100 million last month in Rome, the recent \$50-million pledged by Saudi Arabia and the United Arab Emirates, respectively, and the \$10-million contribution just announced by Japan, UNRWA operations are funded only into the summer.

Shutting down or reducing services at this critical time would further destabilize the region. The ability of half a million Palestinian refugee students across the Middle East to start the new school year, must be protected. Just in Gaza, UNRWA serves as a lifeline for more than 1 million people — half the population — who are at risk of losing access to health services, education and food. Without those services, we should anticipate a dramatic increase in social unrest, poverty, hunger and psychosocial problems, not only in Gaza but across the region. I again appeal to Member States to ensure funding for UNRWA.

Turning briefly to the occupied West Bank, including East Jerusalem, there have been no settlement plans approved or tenders issued in the reporting period. However, settlement construction and the demolition of Palestinian-owned structures in Area C have continued. The United Nations considers all settlement activities illegal under international law and an obstacle to peace.

According to the Office for the Coordination of Humanitarian Affairs, in Area C of the West Bank 35 structures were demolished, including a school in the Hebron community of Khirbet Zanuta. The only school of the Al-Muntar Bedouin community is also at risk of being demolished. Meanwhile, attacks against Palestinians and the vandalism of property are also increasing. On 13 April a mosque in the West Bank was badly damaged in another apparent hate crime and arson attack.

...

I would like to conclude with some brief reflections on the situation in Gaza, the peace process and the regional impact. What is happening in Gaza today is an injustice that no man, woman or child should have to endure. The deplorable living conditions, the consequences of the continued suffocating closures and the control of Hamas and the increasing risk that Gaza could trigger a new conflict are building up. People should not be destined to spend their lives surrounded by borders that they are forbidden to cross or waters that they are forbidden to navigate. They should not be destined to live under the control of Hamas, which invests in military activities at the expense of the population.

I firmly believe that there is a way out. The challenges are political and man-made and therefore resolvable if all sides firmly commit to supporting practical solutions that can be implemented quickly, effectively and sustainably.

However, Gaza is only part of the story. We must also step up our efforts to support the parties in advancing a sustainable Israeli-Palestinian peace on the basis of the two-State solution. The prospects for peace are slipping further and further away, emboldening extremists and deepening polarization and mistrust on all sides. With tensions mounting across the region, the lack of progress should worry us all. The fires of the Middle East continue to expand and shift. The Israeli-Palestinian conflict remains a perpetual source of oxygen for militants and radicals across the region.

Establishing a just, comprehensive and lasting solution to the conflict would eliminate a chronic source of instability and violence from the region. The United Nations will continue to make every effort in the pursuit of that objective.

XV. VICE-CHAIR OF PALESTINIAN RIGHTS COMMITTEE ADDRESSES SECURITY COUNCIL

On 26 April 2018, Vice-Chair of the Committee on the Inalienable Rights of the Palestinian People, Amb. María Rubiales de Chamorro of Nicaragua, made the following [statement](#) at the Security Council open debate on “The situation in the Middle East, including the Palestinian question”:

First of all, I would like to thank our brothers from Peru for their work at the helm of the Security Council during this month.

The past month has again reminded us why, despite the many issues on the Security Council’s agenda, the Israeli-Palestinian conflict must remain a priority demanding the Council’s attention. At least 37 demonstrators have been killed and over 4,900 wounded due to the excessive and disproportionate use of force by Israel, the occupying Power, particularly in response to the Great March of Return demonstrations at the Gaza Strip border fence with Israel. The Committee urges that the Council join and support the call made by Secretary-General, among others, for an independent and transparent investigation of the incidents. As the Prosecutor of the International Criminal Court warned, violence against civilians could constitute crimes under the Rome Statute. Moreover, the continuing violence foreshadows the deterioration of an already unstable and tense situation, with serious repercussions. We also condemn the attack on the convoy of the Palestinian Prime Minister during his 13 March visit to Gaza, which was a hostile and violent act at cross purposes with Palestinian reconciliation. We urge all Palestinian parties to continue working towards unity to peacefully achieve their shared goals and realize the legitimate aspirations of the Palestinian people.

This coming May, we will commemorate the seventieth anniversary of the 1948 war, which led to the expulsion and flight of almost 800,000 Palestinian Arab inhabitants from their homes in what was then the British Mandate of Palestine. That legacy of expropriation, known as the Nakba — the catastrophe — continues to cast a shadow over the refugees of 1948 and their descendants. The continued lack of a just solution to that tragedy and the current plight of Palestinian refugees have prolonged and exacerbated the conflict, as well as its regional and global impact. In that context, the Committee invites all Member States to participate in its upcoming forum, entitled “Seventy Years after 1948 — Lessons to Achieve a Sustainable Peace”, to be held at Headquarters from 17 to 18 May to consider that history, as well as possible joint solutions to promote peace.

The Committee urges donor countries to act quickly in providing broad support for the activities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, especially given the fact that the humanitarian situation in Gaza is seriously worsening and the needs of Palestinian refugees suffering from the consequences of the Syrian crisis are increasing. At this fragile juncture, we must meet our humanitarian obligations vis-à-vis the refugees by providing the Agency with the necessary support so that it can fulfil its mandate and play its stabilizing role in the region.

As was indicated in the fifth report on the implementation of resolution [2334](#) (2016), introduced by Mr. Mladenov on behalf of the Secretary-General before the Security-Council last month (see [S/PV.8214](#)), we regret that the Government of Israel decided to move forward settlement plans, which violate its obligations as an occupying Power under international law and are a clear indication of its indifference to the authority of the Security Council. We encourage Member States to follow the examples set by the Danish Parliament and the European Commission, which decided to make the distinction between the State of Israel and the territories occupied since 1967 in their respective dealings with each, pursuant to resolution [2334](#) (2016) and in adhering faithfully to the Fourth Geneva Convention.

The unilateral decisions of some States Members to move their embassies from Tel Aviv to Jerusalem, in violation of resolution 478 (1980) and other relevant United Nations resolutions, irreversibly slows prospects for peace and puts in jeopardy the viability of the two-State solution within the 1967 borders.

Faced with that prospect, we welcome and support President Mahmoud Abbas' peace initiative presented before the Council on 20 February (see [S/PV.8183](#)). Visits by the Committee's delegation to Uganda in February and Panama in early April elicited broad acknowledgement of the outlook and efforts of the State of Palestine, as well as the support for the full exercise of the rights of the Palestinian people. That reflects the international consensus that continues to prevail concerning the just and peaceful resolution of the question of Palestine that must be realized. Our willingness — that of the international community — to act rapidly and unwaveringly remains the best assurance for achieving a peaceful solution to the conflict.

XVI. UN HIGH COMMISSIONER FOR HUMAN RIGHTS CALLS ON ISRAEL NOT TO RESORT TO EXCESSIVE FORCE

The following [press release](#) was issued on 27 April 2018 by the United Nations High Commissioner for Human Rights, Zeid Ra'ad Al Hussein:

UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein on Friday called on Israel to ensure that its security forces do not resort to the use of excessive force, following the many deaths and injuries sustained by Palestinians, including children, in Gaza over the past month. He also called for those responsible to be held accountable.

During the past four weeks, 42 Palestinians have been killed and over 5,500 injured – 1,739 by live ammunition fired by the Israeli Security Forces (ISF) – along the fence in Gaza. Thirty-five of those killed were taking part in demonstrations as part of the “Great March of Return”.

Most of them appear to have been unarmed or not presenting an imminent threat to the ISF at the time of their killing or injury. No Israeli casualties have been reported.

“Every week, we witness instances of use of lethal force against unarmed demonstrators,” said the High Commissioner. “Warnings by the United Nations and others have seemingly gone unheeded, as the approach of the security forces from week to week does not seem to have changed.”

Under international law, Palestinians have the right to peaceful assembly and expression. Israeli security forces, in policing the Gaza fence, must use only necessary and proportionate means to discharge their duties. Exceptionally, they may resort to lethal force in cases of extreme necessity, as a last resort in response to an imminent threat of death or risk of serious injury. It is difficult to see how tire-burning or stone-throwing, or even Molotov-cocktails thrown from a significant distance at heavily protected security forces in defensive positions can be seen to constitute such threat. In the context of an occupation such as Gaza, killings resulting from the unlawful use of force may also constitute wilful killings which are a grave breach of the Fourth Geneva Convention.

“The loss of life is deplorable, and the staggering number of injuries caused by live ammunition only confirms the sense that excessive force has been used against demonstrators – not once, not twice, but repeatedly,” said Zeid. “I am doubly concerned by reports of unusually severe injuries resulting from the use of live ammunition. Furthermore, many of those seeking treatment outside of Gaza have been refused permits by Israel to leave, which has increased the suffering.”

The impact on children is of great concern. Since 30 March 2018, four children have been shot dead by Israeli forces, three of them by a bullet to the head or neck. A further 233 children have been injured by live ammunition, with some sustaining injuries that will result in lifelong disabilities, including through the amputation of limbs.

“The use of excessive force against any demonstrator is reprehensible, but children enjoy additional protection under international law,” said Zeid. “It is difficult to see how children, even those throwing stones, can present a threat of imminent death or serious injury to heavily protected security force personnel.”

“Images of a child being shot as he runs away from Israeli security forces are downright shocking,” he added, referring to the case of 14 year-old Mohammad Ayyoub who was killed by a bullet to the head on 20 April.

The events of recent weeks build on a background of years of concerns expressed by the UN and others of excessive use of force by Israeli forces against Palestinians in the occupied West Bank (including East Jerusalem) and Gaza.

“These trends call into question to what extent the ISF’s rules of engagement, which are not public, are in line with international law, or at least to what degree the ISF abides by its own rules,” said Zeid.

The deaths and injuries sustained in Gaza over the past weeks also underline the importance of a strong accountability system for any alleged crime, as highlighted by the Secretary-General when he called for an independent and transparent investigation into recent killings.

“Every country has the primary human rights obligation to ensure that all loss of life and serious injury is investigated and those responsible held to account under the criminal law. Any investigations into the events in Gaza must fulfil this purpose,” Zeid stressed.

“Unfortunately, in the context of this perennial and asymmetric conflict, serious investigations only seem to take place when video evidence has been gathered independently,” the UN Human Rights Chief added. “For the many more alleged killings of unarmed civilians by Israeli security forces that take place off camera, there seems to be little or no effort to apply the rule of law.”

“I am extremely concerned that by the end of today – and next Friday, and the Friday after that -- more unarmed Palestinians who were alive this morning will have been killed, simply because, while exercising their right to protest, they approached a fence, or otherwise attracted the attention of the soldiers on the other side,” Zeid said. “Israel’s failure to consistently prosecute violations committed by members of its security forces, encourages them to use deadly force against their fellow unarmed human beings, even when they present no threat.”

XVII. UN SPECIAL COORDINATOR WELCOMES THE CONVENING OF THE PALESTINIAN NATIONAL COUNCIL

The following [statement](#) was issued on 30 April 2018 by the United Nations Special Coordinator for the Middle East Peace Process, Nickolay Mladenov:

I welcome the convening of the Palestinian National Council, which meets today in Ramallah for the first time in two decades.

It is a critical time for Palestinians. The leadership has a responsibility to end divisions and the deteriorating economic, humanitarian and social situation in Gaza.

Unity is essential to furthering the Palestinian national aspirations for statehood and sovereignty. That is why the Government of National Consensus should be enabled to take up its responsibilities in Gaza and bring immediate relief and change to the population.

No one should stand in their way.

I look forward to the conclusions of the Palestinian National Council and the election of its new executive bodies.