



DIVISION FOR
PALESTINIAN RIGHTS

Bulletin

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

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Contents

	<i>Page</i>
I. UN Secretary-General appoints Christian Saunders Acting Deputy Commissioner-General of UNRWA	1
II. EU issues statement on latest settlements approved by the Israeli authorities	1
III. UN Special Coordinator issues statement on advancement of settlement units in West Bank	2
IV. UN Special Rapporteurs on Human Rights in the OPT and on Adequate Housing call for action to stop Israeli settlements	2
V. Committee on the Elimination of Racial Discrimination examines the report of Palestine	4
VI. OIC emphasizes status of Jerusalem and its holy sites on the 50th anniversary of Al-Aqsa arson	15
VII. UN Special Coordinator warns Security Council of rising violence and continuing settlement expansion	16

Contents

	<i>Page</i>
IX. Palestinians and Europeans meet to find joint solutions to challenges facing Palestinian development	20

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I. UN SECRETARY-GENERAL APPOINTS CHRISTIAN SAUNDERS ACTING DEPUTY COMMISSIONER-GENERAL OF UNRWA

On 1 August, the Office of the Secretary-General António Guterres issued the following [press release](#):

The Office of Internal Oversight Services is currently investigating allegations of misconduct in the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). The Secretary-General is committed to acting, as appropriate, once he receives the findings and recommendations. The Secretary-General continues to consider the work undertaken by UNRWA as essential to Palestinian refugees. He calls upon Member States and other partners to remain committed to UNRWA and its services and continue their support for the crucial work performed by the Agency.

With the aim to support UNRWA and ensure operational continuity, the Secretary-General has decided, in coordination with UNRWA's Commissioner-General, to appoint Christian Saunders of the United Kingdom as Acting Deputy Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) at the level of Assistant Secretary-General.

Mr. Saunders brings to the position over three decades of experience in humanitarian and international affairs with a strong focus on delivering results and overseeing major reforms leading to improved organizational effectiveness and efficiency. He is currently Assistant Secretary-General for Supply Chain Management and previously served as Assistant Secretary-General for the Office of Central Support Services.

Mr. Saunders began his United Nations career in 1989 with UNRWA in Gaza and subsequently in senior United Nations roles as Chief of the Procurement Service (2001-2005), Chief of the Coordination and Support Service in the Office of Information and Communications Technology (2005-2009), Executive Officer for the Department of Safety and Security (2009-2013) and Director of the Office of the Under Secretary-General for Management (2013-2017). He also served in various capacities with the Office of the United Nations High Commissioner for Refugees (UNHCR), peacekeeping missions and the United Nations Population Fund (UNFPA).

Mr. Saunders is a graduate of Royal Holloway College, University of London and the University of Wales in the United Kingdom. He is married and has three children.

II. EU ISSUES STATEMENT ON LATEST SETTLEMENT UNITS APPROVED BY THE ISRAELI AUTHORITIES

On 6 August, the Spokesperson for Foreign Affairs and Security Policy of the European External Action Service issued the following [statement](#):

Israeli authorities have approved the advancement of well over 2.000 housing units in illegal settlements in the occupied West Bank. The European Union's position on Israeli settlement policy in the occupied Palestinian territory is clear and remains unchanged: all settlement activity is

illegal under international law and it erodes the viability of the two-State solution and the prospects for a lasting peace.

The approval of 715 housing units for Palestinians in Area C was announced last week by the Israeli Cabinet. The Palestinian population living in Area C continues to face repeated confiscations, demolitions, displacements and land expropriation, while almost all of their submitted master plans and building permits for Palestinian development remain unapproved. The EU expects the Israeli authorities to fully meet their obligations as an occupying power under International Humanitarian Law, and to cease the policy of settlement construction and expansion, of designating land for exclusive Israeli use, and of denying Palestinian development.

The EU will continue to support a resumption of a meaningful process towards a negotiated two-state solution, the only realistic and viable way to fulfil the legitimate aspirations of both parties.

III. UN SPECIAL COORDINATOR ISSUES STATEMENT ON ADVANCEMENT OF SETTLEMENT UNITS IN THE WEST BANK

On 7 August, the United Nations Special Coordinator for the Middle East Peace Process, Nickolay Mladenov, issued the following [statement](#):

The Israeli authorities approved over the past two days the advancement of some 2,400 housing units in settlements in Area C of the occupied West Bank. The expansion of settlements has no legal effect and constitutes a flagrant violation of international law. By advancing the effective annexation of the West Bank, it undermines the chances for establishing a Palestinian State based on relevant UN resolutions, as part of a negotiated two-state solution. It must cease immediately and completely.

IV. UN SPECIAL RAPPORTEURS ON HUMAN RIGHTS IN THE OPT AND ON ADEQUATE HOUSING CALL FOR ACTION TO STOP ISRAELI SETTLEMENTS

On 8 August, the United Nations Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967, Mr. Michael Lynk, and the United Nations Special Rapporteur on adequate housing, Ms. Leilani Farhais, released statements reflected in the following [press release](#):

UN human rights experts said the international community has a duty to stand by their collective promise to protect the rights of the Palestinian people, and to take decisive action to prevent Israel's planned construction of a record number of housing units in its West Bank settlements.

The experts refer in their comments to the Civil Administration's High Planning Subcommittee meeting held this week, announcing the approval of around 2,400 housing units and public infrastructure in 21 settlements and outposts. These approvals are intended to formalize existing structures as well as provide initial permits.

“These settlement housing units are clearly meant to solidify the Israeli claim of sovereignty over the West Bank,” said Leilani Farha, the Special Rapporteur for the right to housing, and Michael Lynk, the Special Rapporteur for human rights in the Palestinian territory occupied since 1967.

“Building civilian settlements in occupied territory is illegal, as is the annexation of territory. The international community has spoken out against the Israeli settlements, but it has not imposed effective consequences for the country’s defiance of international law.”

The Israeli Government has already approved approximately 3,700 settlement housing units this year. The approval of a further 2,400 units will bring the total approvals for this year to 6,100. By comparison, the Israeli Government approved 5,600 housing units in all of 2018.

“Israel’s actions indicate it plans to remain permanently and advance a claim of sovereignty,” said the human rights experts. “The Israeli Prime Minister made this clear when he said recently that: ‘No settlement and no settlers will ever be uprooted.’ Should we not take him at his word that Israel has no intention of complying with international law?”

“Criticism without consequences is hollow. The international community has a wide menu of commonly-used countermeasures to push recalcitrant states into compliance with their international duties. If the international community is serious about its support for Palestinian self-determination and its opposition to Israeli settlements then, surely, the time has come for meaningful action.”

Occupying powers are forbidden under the Fourth Geneva Convention from building civilian settlements in occupied territory. The Rome Statute has defined the transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory, as a war crime. The United Nations Security Council, in Resolution 2334 (23 December 2016), stated that the Israeli settlements constitute “a flagrant violation under international law”.

The Israeli security cabinet also announced last week the approval of approximately 6,000 housing units for settlements, and 715 housing units for Palestinians living in Area C of the occupied West Bank.

The human rights experts noted that although the potential approval of housing units for Palestinians represents some progress, it by no means addresses the need. Between 2009 and 2016 there were more than 3,350 applications for permits with only 66 being approved. The experts expressed grave concern noting that the housing crisis and low rate of housing permit approval contributes to the coercive atmosphere facing Palestinians in Area C. Furthermore, the discriminatory approval of housing units, favouring Israelis and generally excluding Palestinians, would constitute a violation of articles 2.2 and 11 of the International Covenant on Economic, Social and Cultural Rights, ratified by Israel on 3 October 1991.

The experts also noted the comments of Israeli cabinet ministers, who have stated that the Palestinian housing permits were issued in order to deflect international criticism of Israel’s

policies of house demolition and record approval of new settlement housing units and to thwart the possibility of a Palestinian State.

UN Special Rapporteurs on Human Rights in the OPT and on Adequate Housing Call for Action to Stop Israeli Settlements.

V. COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION EXAMINES THE REPORT OF PALESTINE

On 14 August, the Committee on the Elimination of Racial Discrimination examined the combined initial and second periodic report of the State of Palestine submitted on its implementation of the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination ([CERD/C/PSE/1-2](#)). The consideration is reflected in the following [press release](#):

Anti-Semitism and the situation of Roma and people of African descent were among issues raised by Experts of the Committee on the Elimination of Racial Discrimination as it considered the combined initial and second periodic report of the State of Palestine on its implementation of the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination.

Committee Experts raised questions on allegedly discriminatory content, such as racist and anti-Semitic language, in education materials used in the State party. They also asked about how Jewish and Roma minorities, as well as people of African descent, were represented in the Palestinian media?

Ammar Hijazi, Assistant Minister of the Multilateral Affairs Sector of the Ministry of Foreign Affairs and Expatriates of the State of Palestine, said some individuals were trying to conflate legitimate criticism of Israel and its occupation, and anti-Semitism. As a point of principle, the State of Palestine rejected and combatted all forms of racism and discrimination, including anti-Semitism. The Palestinian delegation said the Ministry of Health provided support and created mobile clinics in the towns and areas where Roma, Bedouins and Afro descendants lived. The occupying power had hindered the provision of services in some areas.

Israel's occupation of Palestinian territories was repeatedly highlighted in the discussion. Mr. Hijazi said Palestine's land was under Israel's prolonged colonial and racist occupation, adding that the dialogue today did not exempt Israel, the continuing occupying power, from assuming its legal responsibilities in accordance with international law, including the Convention. Israel's colonial expansionist system was based on religious and racial superiority, which included the expansion of settlements, the wall of separation, the forced displacement of Palestinians, and the domination of natural resources through a series of illegal practices.

A Committee Expert remarked that parts of the Palestinian territories were occupied by Israel and this created specific and serious issues vis-a-vis the Convention. There were, however, territories that were not occupied by Israel. It was therefore surprising that there was a wealth of information on the territories on which the Palestinian authorities had no effective jurisdiction, and very little information on their own practices in the other territories.

Committee Experts commended the State of Palestine for submitting a detailed report and appreciated the submissions of the national Commission for Human Rights and non-governmental organizations. They asked the Government of the State of Palestine to provide up-to-date data on the demographic composition of the population in the whole of the State party's territory, disaggregated by race, ethnic or national origin. Were there measures that could be taken to create accurate or comprehensive statistics on the groups protected under the Convention at the national level?

In her concluding remarks, Chinsung Chung, Committee Vice-Chairperson and Rapporteur for the State of Palestine, thanked the delegation for its sincere answers, which had helped the Committee to better understand the situation. She suggested that the State of Palestine undertake serious reforms in its political system. The Palestine Legislative Council should be reconvened, democratic elections should be held, and reconciliation with Hamas should be achieved urgently.

Ibrahim Khraishi, Permanent Observer of the State of Palestine to the United Nations Office at Geneva, thanked the Committee for its questions and recalled that this was the first report of the State of Palestine. It was the first time that this Committee was hearing a report from a country that was under occupation. The delegation had come here to speak about its concerns, seeking the Committee's guidance and help. As a people under occupation, the Palestinians had the right to use all tools to end this occupation.

Mr. Hijazi said the State of Palestine looked forward to its continued collaboration with all partners to achieve the goals set out by the Palestinian people and reflected in the commitment of the State of Palestine to the Convention, that was to ensure that the society was free from all forms of discrimination. He thanked the Committee for the constructive dialogue.

Noureddine Amir, Committee Chairperson, thanked the delegation and said that today it had shown that Palestine wanted peace, justice and liberty.

The delegation of the State of Palestine consisted of representatives of the Ministry of Foreign Affairs and Expatriates, the Higher Presidential Committee of Church Affairs, the Central Bureau of Statistics, the Ministry of Labour, the Sharia High Judicial Council, the Ministry of Health, the Ministry of Social Development, the Ministry of Women's Affairs, the Ministry of Education, the High Judicial Council, and the Permanent Mission of the State of Palestine to the United Nations Office at Geneva.

The Committee will next meet in public on Wednesday, 14 August at 3 p.m. to consider the combined twenty-first to twenty-third periodic report of Iceland (CERD/C/ISL/21-23)

Report

The Committee has before it the combined initial and second periodic report of the State of Palestine ([CERD/C/PSE/1-2](#)).

Presentation of the Report

AMMAR HIJAZI, Assistant Minister of the Multilateral Affairs Sector of the Ministry of Foreign Affairs and Expatriates of the State of Palestine, said that the report gave an account of

the main achievements as well as of the challenges faced in the implementation of the Convention on the Elimination of All Forms of Racial Discrimination in the State of Palestine. This dialogue would contribute to implementing the provisions of the Convention, thus safeguarding the rights of Palestinians so that they may enjoy them all without exception, as well as help the State of Palestine to assume its responsibilities at the international level.

Palestine's land was under Israel's prolonged colonial and racist occupation, which disregarded international humanity and its commitments as the occupying power in accordance to international humanitarian law and international human rights law. Many attempts had been made to obliterate the Palestinian identity in the past 72 years. Millions of refugees were still prevented from returning to their homes, from which they had been uprooted. The dialogue today did not exempt Israel, the continuing occupying power, from assuming its legal responsibilities in accordance with international law, including the Convention, nor did it extinguish its responsibility and accountability for the violations perpetrated against the Palestinian people. Mr. Hijazi reaffirmed the right of the Palestinian people, wherever they may be, to enjoy the rights enshrined in the Convention, which were inalienable, including the rights to self-determination, national independence, sovereignty and the right of refugees to return to their homeland.

The declaration of independence of the State of Palestine, adopted by the National Council in 1988, was a legislative starting point for Palestine, stipulating that Palestine was for Palestinians wherever they may be. In the State of Palestine, the Constitution guaranteed the rule of law and the independence of the judiciary. The State of Palestine was fully committed to the principles and objectives of the United Nations. The Government had cemented the rights contained in international instruments based on a vision that the Palestinians had the right to enjoy them all, despite having been deprived of them for decades. The Government had notably acceded to the Second Protocol of the International Covenant on Civil and Political Rights, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery. The Government had also put in operation an individual complaints procedure as per article 14 of the Convention. The independent Commission for Human Rights followed-up on such complaints. The Government had also ratified the amendment to article 8 of the Convention to strengthen the Committee's work in addressing discriminatory practices.

Mr. Hijazi said that the report had been prepared by a governmental committee comprised of relevant governmental entities in cooperation with relevant representatives of civil society and ethnic and racial minority groups. Consultations had been organized by video conference with representatives of civil society in the Gaza Strip, who had been denied passage by Israeli occupation forces to the West Bank. There was an organic relationship between foreign occupation and discrimination and apartheid. The occupation was in total contravention of the United Nations, its Charter, the Universal Declaration of Human Rights, the two Covenants, the Durban Declaration and Programme of Action, amongst others. This occupation was also in complete contravention of resolutions of the Security Council, the United Nations General Assembly and the Human Rights Council. Furthermore, the fact that Israel had built a wall of separation seriously hampered the right of the Palestinian people to self-determination — a right which was *erga omnes* according the International Court of Justice.

Despite the fact that the State of Palestine was committed to international law, the human rights situation had been deteriorating, as Israel disregarded international humanitarian law and the Convention. This was most visible in the colonial expansionist system based on religious and racial superiority, which included the expansion of settlements, the wall of separation, the forced displacement of Palestinians, and Israel's domination of natural resources through a series of illegal practices. Israel today detained around 6,000 Palestinians, who were subjected to torture and inhuman and degrading treatment. It also upheld measures impeding the mobility of Palestinians, destroyed Palestinian houses and held forced evacuations. The laws implemented by the occupying power led to apartheid, discrimination and oppression of the Palestinian people. Israel aimed at imposing colonial occupation and punishment to push Palestinians to leave by force. Israeli authorities continued to adopt racist legislation against the Palestinian people, including a recent law called *Israel as the Nation-State of the Jewish People*.

Israel, the occupying power, refused to implement the Convention in the occupied territories. The actions of Israel flouted the provisions of the Convention. The State of Palestine had submitted a report on the crimes committed by the occupying power to the International Criminal Court. Nationally, the Government had acted to harmonize its domestic laws to allow citizens to file for remedy. With regard to general recommendation 32, the Government had launched a survey on discrimination. According to that survey, 18.2 per cent of the population had been subjected to discrimination. Political ground was the main reported cause of discrimination.

The State of Palestine welcomed the Committee's efforts and would do its best to create an environment conducive to the respect of human rights.

The Commission for Human Rights of the State of Palestine said the systematic obliteration of justice was occurring in the country, as it had been for decades. The national Commission for Human Rights enjoyed status A according to the Paris Principles. It was competent to promote and protect human rights, as well as monitor them closely. It had partnerships with civil society and governmental organizations. It was constantly abreast of what was happening in the country and cooperated very effectively with all bodies concerned with human rights.

The occupation led to the implementation of discriminatory policies amounting to apartheid. It was important to take note of the pace of the creation of settlements, the blockade against Gaza and the destruction of homes. It was important for people in the State of Palestine to have access to justice and be able to file complaints. It was concerning that the High Constitutional Court had handed down a decision imposing restrictions on the implementation of international conventions on human rights. The Commission for Human Rights of the State of Palestine was ready to work with the State of Palestine to bring national legislation in line with the Convention and called on the State of Palestine to redouble efforts to offer better protection to vulnerable groups so that they may enjoy basic rights. There was still a de facto Hamas Government. It was outrageous that Israel continued to occupy such a large part of the country. Despite all the obstacles thrown up by the occupying force, there was a clear political will and intention by the State of Palestine to comply with treaties and conventions that had been acceded to.

Questions by the Country Rapporteur

CHINSUNG CHUNG, Committee Member and Rapporteur for the State of Palestine, commended the State of Palestine for submitting a detailed report and stated that she appreciated

the submissions of the Palestinian National Human Rights Institute and non-governmental organizations.

She asked the Government of the State of Palestine to provide up-to-date data on the demographic composition of the population in the whole of the State party's territory, disaggregated by race, ethnic or national origin. Were there measures that could be taken to create accurate or comprehensive statistics on the groups protected under the Convention at the national level? Could the delegation inform the Committee about efforts to revise the Jordanian Penal Code of 1960, the Penal Code of 1936, and the 2011 draft penal code to prohibit and punish discrimination, in line with the Convention?

Turning to the legal status of the Convention, she asked if its provisions were fully incorporated into national legislation, including through publication in the official gazette? She sought clarification regarding the National Human Rights Institution's allegation that some laws listed in the State party's report were not used for the implementation of article 2 of the Convention.

On harmonization and implementation of legislation, the Rapporteur noted that the current legal framework in Palestine consisted of a mixture of Jordanian, Egyptian, Palestinian, Ottoman and British laws, as well as Israeli military orders, and requested information on the harmonization of the different sets of laws implemented in the Gaza Strip and the West Bank to ensure all persons living under the jurisdiction of the State party were afforded equal protection under the law, in line with the Convention.

Regarding access to justice and fair trial, what measures had been taken to raise the awareness of the public of their rights under the Convention, she asked. As for the Commission for Human Rights, what resources and specific mechanisms did the Government provide the independent Commission for Human Rights to ensure it could monitor and evaluate the implementation of the Convention in an independent manner?

She requested information on the situation of non-governmental organizations within the State of Palestine and asked why civil society groups combatting racial discrimination had not been formed there. On refugees and displaced persons, could the delegation explain efforts taken to address the issue of nationality for Palestinians who were deprived of citizenship due to prolonged refugee status abroad and discriminatory citizenship laws in occupied Palestinian territories, notably East Jerusalem?

Children and persons with disabilities in armed conflicts were particularly vulnerable to human rights violations. The Rapporteur asked the delegation to describe the measures taken to address such discrimination.

Questions by Committee Experts

GUN KUT, Committee Rapporteur for follow-up to concluding observations, reminded that the Committee requested that the State party provide information on its follow-up to some of the Committee's recommendations. The recommendations that required such follow-up were selected based on their relevance and importance as well as the feasibility of their implementation within

one year. The Committee therefore expected an interim report to be submitted within that time frame. Timeliness was important, he stressed.

Another Expert asked for information on the impact of the State party's policies related to education, notably regarding access to schooling, the dropout rate and the challenges faced by children in enjoying access to education. How did the Government help young Palestinians learn the difference between pride in their culture and discriminating against people that were different? She asked how education had been used to bolster the State party's policies related to its citizenship programme. How were the State party's policies on culture related to the Roma?

An Expert pointed out that the State party's neighbours denied the existence of the Roma, who had been subjected to structural discrimination. They needed support to protect their language. He requested more information on activities related to the International Decade on African Descent in the State party.

Another Expert remarked that parts of the Palestinian territories were occupied by Israel and this created specific and serious issues vis-a-vis the Convention. There were, however, territories that were not occupied by Israel. It was therefore surprising that there was a wealth of information on the territories on which the Palestinian authorities had no effective jurisdiction, and very little information on their own practices in the other territories. What was, more precisely, the surface of the territories that were occupied by Israel and that of territories that were not? He noted that the State party's report stated that the State of Palestine intended to make a declaration as per article 14 of the Convention allowing the Committee to receive individual communications. It was important to note that this would enable the Committee to examine individual communications against the State of Palestine, not Israel, as Israel had not made the article 14 declaration.

An Expert pointed out that the notion of minority did not imply second class citizenship. Could the delegation provide information on the distinction made between different types of minorities, notably those referred to in paragraphs 25 and 86 of the State party's report? How did the Government ensure that racial, ethnic and linguistic groups protected under the Constitution not only had access to specific education programmes but also learned about each other? Did the Government take action to secure the right of various groups to self-representation in the media?

Another Expert noted that the delegation had provided a long list of laws that had been promulgated by the Palestinian authorities. The Government was in a complicated situation given the multiplicity of jurisdictions. She requested information on the legislative process that led to the implementation of laws. To whom were the laws applicable? How did the Government ensure their enforcement? Had all the laws mentioned by the delegation been published in the gazette? What was the judicial system that dealt with the applicability of the laws in the State party? Were the laws drafted as if they were to apply in Gaza? She asked if an implementation act was required for international treaties such as the Convention.

An Expert asked about the allegedly discriminatory content, such as racist and anti-Semitic language, in educational materials used in the State party. The Convention obliged State parties to combat racial discrimination and prejudice, notably through education. Education was the most effective tool to prevent racial discrimination. Could the delegation provide concrete examples of recent reviews of textbooks eliminating racist or anti-Semitic components?

Another Expert said the number of complaints filed and the number of related convictions handed down were lacking from the report. She encouraged the national Commission for Human Rights to analyse closely the concerns that the Committee would be voicing. On nationality, in the absence of a standalone act, the Government could start to harmonize the domestic laws. Did the Government have statistics on the number of people who had been stripped of their nationality? Turning to trafficking, she asked for data on this issue and forced labour. Could the delegation apprise the Committee on measures taken for the rehabilitation of victims of such practices?

The Committee was not a court but rather a body that provided an area in which constructive dialogue could take place, stated an Expert. Drawing the Committee's attention to paragraph 50 of the State party's report, he asked if the measures outlined addressed the spread of hate speech online. How were the Jewish and Roma minorities, as well as the people of African descent represented in the media? On the territories where the State party did not have full jurisdiction, were there mechanisms to ensure the implementation of the Convention?

Another Expert asked what happened when people of different faiths got married. She requested information on the regulation of domestic work. What commitment must the employers undertake in that regard? Were there any non-governmental organizations specialized in racial discrimination and, if so, did they work closely with the Government?

Replies by the Delegation

AMMAR HIJAZI, Assistant Minister of the Multilateral Affairs Sector of the Ministry of Foreign Affairs and Expatriates of the State of Palestine, reaffirmed that the State of Palestine was eager and ready to work with all members of the Committee to fulfil Palestine's objective to fully comply with the Convention. It was important to understand the legal context that informed the situation under review. The State of Palestine as a whole was under occupation. The Government had limited control over the city centres. It did not control its borders, natural resources or the connections between cities. This did not mean that the whole of Palestine did not want to move forward, notably through signing treaties and being present before this Committee.

Certain members of the Committee had talked about both parties vying over the narrative, but there was no getting away from the fact that there was an occupier and an occupied. This fact was legal in nature, and had been acknowledged by various United Nations bodies such as the Security Council and the General Assembly, and was governed by the rules of international law. Advancing any pretext of moral equivalence between the occupier and the occupied was not conducive to dialogue. It was also divorced from reality. The Palestinians' fundamental rights to access healthcare, sufficient drinking water, technology, and other basic services were subjected to the whims and policies of the Israeli occupation regime, which went as far as granting itself the right to decide on the calorie consumption of each Gazan. This regime was not different from other colonial regimes.

On hate speech, Mr. Hijazi said in the context which he had described, dissent and protest were the normal response. The unbearable conditions under which the Palestinians lived were the main source of violence and created an environment conducive to perpetual conflict. Talking about Palestinian history did not amount to incitement to hatred. The State of Palestine had taken all measures possible to ensure that the soul and character of the Palestinian society was preserved and not tarnished by the daily and systematic violence. Palestinians were determined not to let the

cruelty of occupation strip them from humanity. Israel as the illegal occupant of Palestine was bound by the conditions set forth in the Geneva Conventions. On home demolitions, Israeli used this cruel measure as a tool of collective punishment. These demolitions were illegal. The State of Palestine took measures to provide the needed care to the displaced families.

Turning to the issue of anti-Semitism, he stated that some individuals were trying to conflate legitimate criticism of Israel and its occupation, and anti-Semitism. As a point of principle, the State of Palestine rejected and combatted all forms of racism and discrimination, including anti-Semitism. Palestine did not accept Israel's claim that it represented all Jews around the world, and did not believe that Jews around the world, or all Israelis, could be held responsible for the actions of the Israeli Government. The weaponized accusation of anti-Semitism was a ruse devised to silence dissent and should be unequivocally rejected.

Moving on to education, the delegation explained that there were two school curricula, one in the West Bank and another in the Gaza Strip. The programmes included a human rights component. The Government had set up a plan for education on human rights that was adapted for four age groups. It had also cooperated with civil society to create educational guides in that context. In 2016, the Government had introduced concepts such as the importance of education to foster human rights in school curricula. There were modules on citizenship, which sought to promote the respect for others and their opinions. With the help of the Red Cross, the Government had also included humanitarian law in the curricula. Furthermore, it had organized cultural days that covered all Palestinians, regardless of their origin. A study had been carried out by the European Union on the Palestinian school curricula, with the cooperation of the State of Palestine.

Regarding the allegation that the Palestinian curricula included discriminatory elements, the delegation said that, quite to the contrary, the textbooks promoted respect, and 96 per cent of the Palestinian school curricula were in line with United Nations and international standards. Programmes also talked about the presence of Jews and Judaism, as well as the Jews that were present in Palestine before 1947. On the map of Israel that was allegedly missing from the curricula, how could the curricula include a map from the 1930s and 1940s for a country that did not exist at the time? The programmes had been evaluated based on their incorporation of human rights, gender equality and sustainable development goals notions, as well as on their overall quality, by a body comprised of donors and international partners such as USAID. Most of the people working in this body were not Palestinians. This evaluation had concluded that Palestinian curricula included all human rights.

The State of Palestine had taken a number of measures to ensure the implementation of human rights instruments within the framework of a comprehensive approach aiming to promote human rights. For example, the Judicial Inspectorate and the Supreme Judicial Council had prepared and published a guidebook outlining all the international treaties to which Palestine had acceded, and a training course had been given to members of the judiciary in Sweden on Arab jurisprudence related to human rights. To support the Independent Commission on Human Rights, the State of Palestine provided it with a financial contribution in line with the Paris Principles. The Commission could also receive funding from other sources. It had been agreed that the Commission would receive individual complaints as per article 14 of the Convention. The Commission also acted as an Ombudsperson, and received on average 2,500 human rights-related complaints per year.

Regarding the situation of refugees, the delegation said that the right of return of Palestinian refugees was inalienable as General Assembly resolution 194 had confirmed. The Refugee Department provided, mobilized and coordinated assistance to refugees, including projects that developed infrastructure in refugee camps. The State of Palestine rejected attempts to deprive refugees of their rights, notably the right of return. It raised the issue of refugees in all international fora and cooperated with international bodies involved in the improvement of the situation and living conditions of refugees.

Moving on the status of international treaties in national legislation, the delegation said that a sentence had been issued by the Palestinian Cassation Court which had cited the Convention on the Rights of the Child. There were also other court decisions issued by reconciliation courts that invoked the International Covenant on Civil and Political Rights, clearly referring to article 19.

On the legal framework addressing hate speech, it should be noted that the law said that belonging to associations set up to incite hatred between communities could lead to imprisonment and that such associations could be dissolved. The law on publications and the press said that any publication would be suspended for three months if it incited hatred or was hateful to religions. On trafficking, current legal texts covered sexual exploitation and trafficking in human organs. Five cases related to sexual exploitation had gone to court, while there had been none related to trafficking in human organs

The code for criminal procedure prohibited travel bans except when they were issued by courts. For that to happen the judge had to summon concerned individuals and could require that they provide a financial guarantee. If they were unable to provide it, the travel ban could be imposed.

The Constitutional Court dealt with everything related to the constitutionality of laws and the interpretation of statutory laws. It also adjudicated disputes between the judiciary and the administration.

The delegation said that Palestinians who lived in the West Bank and Gaza Strip held identification cards from the age of 16. If a parent did not declare the birth of a child, the child lost the right to obtain such a card. Those who lived outside of Palestine were not allowed to have this card, even if they were born in Palestine. This was a card given by the occupying power to exercise control over the Palestinian territories.

The Armenian community was very important and had had an eminent role in public affairs. They sought to raise attention about the Armenian language. The State of Palestine had tried to help with the renovation of old convents.

Turning to data on groups protected by the Convention, the delegation said that new indicators, such as indicators related to skin colour, had been recently introduced. It was difficult to collect statistics regarding groups protected by the Convention as many of the people concerned lived in Jerusalem and the occupying power impeded freedom of movement. In the next few years, databases drawing from various sources, including the census, would be created. The Committee on the Elimination of Discrimination against Women had highlighted some of the problems faced by the country. A team subsequently had been created to develop formulas for indicators that

would correspond to various Sustainable Development Goals as well as the Committee on the Elimination of Discrimination against Women's concluding observations.

The Ministry of Health provided support and created mobile clinics in the towns and areas where Roma, Bedouins and Afro descendants lived. The occupying power had hindered the provision of services in some areas. People in nomadic areas, Jericho and Jerusalem had been provided with medical insurance so that they could continue to live in their places of residency. In Bedouin communities, 120 health workers were providing assistance, focusing on women and children.

On forced marriage, the delegation said relevant legislation covered personal status. There were two laws, one in the Gaza Strip and one in the West Bank, which stipulated that each person could choose whom they married. As regards harmful practices related to inheritance, there was no discrimination based on ethnic origin or any other basis. There needed to be economic equality between both spouses.

An ordinance on domestic work had been promulgated in 2014, aiming to better define the relationship between the employee and the employer. The practice of domestic work was not widespread in Palestine. The State of Palestine was nevertheless trying to develop regulations to address this situation.

Questions by Committee Experts and Replies by the Delegation

A Committee Expert noted that the delegation had said that Israel was effectively occupying the whole of the territories. He asked for more information about the historical facts and events that had led to such a state of affairs. He noted that there were according to the delegation several difficulties related to the right to marriage without discrimination in Palestine, including some provisions of the law that prohibited marriage between persons of different faiths. What measures was the State party taking to ensure that effective discrimination would not take place in the future regarding these issues? He asked if the State of Palestine took measures to ensure there would be no discrimination in the transmission of nationality. What sort remedial measures could be expected from administrative courts in relation to cases of racial discrimination.

A common core document was important for various committees, not just this Committee, and this Committee would expect answers on all issues of concern in the next report.

AMMAR HIJAZI, Assistant Minister of the Multilateral Affairs Sector of the Ministry of Foreign Affairs and Expatriates, said a history of the State of Palestine was included at the beginning of the report on events that had led to the current state of occupation. On the transmission of citizenship, he said citizenship was granted to both genders equally. Citizenship could also be granted to persons who had parents or grandparents that were Palestinians. There was nothing in the Palestinian law that revoked citizenship for anyone. The State of Palestine did not consider any of its people to be stateless. Palestinians around the world knew their heritage. As for the common core document, it was being prepared and would be finished by the end of the year.

An Expert asked for information on the status of Jewish people in the State of Palestine. Was the Government planning on basing minority rights on higher level laws?

Another Expert said that the judiciary faced problems related to the division of the territory. He requested clarification on the process through which international obligations were automatically incorporated in domestic legislation and ensuring that they prevailed over domestic laws. How many cases of racial discrimination had been brought before courts? The fact that cases had been brought before courts did not mean racial discrimination had increased, but rather that people were better informed of their rights. How did the State party make sure that women were apprised of recent changes related to honour killings? He requested information on the detention of activists. He asked if an individual could decide on their own which group they belonged to do, in other words could an individual self-identify.

AMMAR HIJAZI, Assistant Minister of the Multilateral Affairs Sector of the Ministry of Foreign Affairs and Expatriates, said Palestinians could self-identify, that was choose the group or groups they belonged to, but that information did not appear on the identity cards. On honour killings, more campaigns were ongoing and non-governmental organizations were very active in that area. The Constitutional Court had been very clear: international obligations had to be harmonized into the domestic legal system. Being part of a minority did not amount to having a lesser status. Making sure that people understood this would require training. The State of Palestine would continue to respect the wish of minorities with regards to their appellation.

An Expert said the efforts that were being made in the State of Palestine to implement the Convention despite challenge was commendable. He asked if the State of Palestine had any plans to ratify the two international conventions on statelessness.

AMMAR HIJAZI, Assistant Minister of the Multilateral Affairs Sector of the Ministry of Foreign Affairs and Expatriates, said Hamas' actions in the Gaza Strip amounted to a coup d'état. As a result, there was a differentiated application of laws, but the State of Palestine continued to provided services in Gaza. Looking at the system as a whole, the Constitutional Court had organized the hierarchy of norms. Currently, the legislative process in Palestine had stagnated due to the split. Regarding the question on statelessness, the State of Palestine would be certainly considering acceding to international human rights treaties on statelessness. He stressed, however, that the Palestinians were not stateless.

Concluding Remarks

CHINSUNG CHUNG, Committee Member and Rapporteur for the State of Palestine, thanked the delegation for its sincere answers, which had allowed the Committee to better understand the situation. She suggested that the State of Palestine undertake serious reforms in its political system. The Palestine Legislative Council should be reconvened, democratic elections should be held, and reconciliation with Hamas should be achieved urgently.

IBRAHIM KHRAISHI, Permanent Observer of the State of Palestine to the United Nations Office at Geneva, thanked the Committee for its questions and recalled that this was the first report of the State of Palestine. It was the first time that this Committee was hearing a report from a country that was under occupation. The delegation had come here to speak about its concerns, seeking the Committee's guidance and help. As a people under occupation, the Palestinians had the right to use all tools to end this occupation.

AMMAR HIJAZI, Assistant Minister of the Multilateral Affairs Sector of the Ministry of Foreign Affairs and Expatriates, said the State of Palestine looked forward to its continued collaboration with all partners to achieve the goal set out by the Palestinian people and reflected in the State of Palestine to the Convention, that was to ensure that the society was free from all forms of discrimination. He thanked the Committee for the constructive dialogue.

NOUREDDINE AMIR, Committee Chairperson, thanked the delegation and said that today they had shown that Palestine wanted peace, justice and liberty.

VI. OIC EMPHASIZES STATUS OF JERUSALEM AND ITS HOLY SITES ON THE 50TH ANNIVERSARY OF AL-AQSA ARSON

On 21 August, the Organization of Islamic Cooperation issued the following [press release](#):

While these days mark the fiftieth anniversary of the sinful arson attack on the blessed Al-Aqsa Mosque, the first qibla and the third holiest site in Islam, the notorious Israeli violations continue to escalate. Restricting Muslim worshippers' access to Al-Aqsa Mosque, repeated attacks on them inside its yards, closure of its gates, aiding and abetting extremist Zionist settlers to defile it, and intensifying its illegal excavations under and surrounding it are only a few examples of the Zionist criminal acts. These are merely the tip of the iceberg of Israel (the occupying Power) scheme, to Judaize Al-Quds, change its geographical and demographic character, and isolate it from its Palestinian surroundings, in flagrant violation of the International Law and the relevant UN resolutions.

On this painful anniversary, the Organization of Islamic Cooperation (OIC) reiterates its firm support for the right of the State of Palestine to regain full sovereignty over its eternal capital, the city of Al-Quds Ash-Sharif. The OIC asserts that the State of Palestine has every right to protect the Arab identity of the occupied Al-Quds Ash-Sharif, preserve its human heritage and the sanctity of all Muslim and Christian holy sites therein, and maintain the inalienable religious rights of the Muslim Ummah there. The OIC also reaffirms the eternal attachment of Muslims throughout the world to the blessed Al-Aqsa Mosque.

As the cause of Palestine and Al-Quds was the direct reason for its establishment, the OIC calls on the international community to pressure Israel, the occupying Power, to abide by the International Law and the resolutions of international legitimacy and end its occupation of all UN-recognized occupied territory of Palestine, including Al-Quds Ash-Sharif, based on the 1967 borders.

The OIC applauds the ever resisting Palestinian people stationed in the city of Al-Quds, reaffirms its continued solidarity and standing with them and supporting their legitimate rights therein, and calls for continued support for the city of Al-Quds and the steadfast Maqdisites.

VII. UN SPECIAL COORDINATOR WARNS SECURITY COUNCIL OF RISING VIOLENCE AND CONTINUING SETTLEMENT EXPANSION

On 27 August, the United Nations Special Coordinator for the Middle East Peace Process, Nickolay Mladenov, briefed the Security Council at its 8604th meeting. Excerpts from his statement are reproduced below ([S/PV.8604](#)):

I am afraid that I must begin this month's briefing to the Council by focusing on the rising spectre of violence in the West Bank and Gaza and the threat for a regional escalation. Both are happening against the backdrop of the complete political deadlock of the Middle East peace process and the lack of any prospective to revive it.

On numerous occasions, the Secretary-General and I have warned that the lack of a political horizon towards resolving the Israeli-Palestinian conflict on the basis of the two-State solution, unilateral moves on the ground, including settlement construction and expansion, terror attacks and a multitude of other factors create an explosive mix that can be resolved only by a leadership that is willing to return and capable of returning to the table for meaningful negotiations towards a sustainable and just peace and that can stand up to extremists and radicals and uphold what we in the international community, the Security Council and the region have said so many times, namely, that lasting peace can be based only on the idea that Israelis and Palestinians live side by side in peace, security and mutual recognition, as both peoples have a legitimate and historic right to their own statehood.

That can be achieved on the basis of the relevant United Nations resolutions and mutual agreements. If we stray from that framework, we will see the inevitable radicalization. We cannot give up on the goal of a peaceful resolution to the conflict. The alternative is too horrible to fathom. In the past month, we have seen an increase of violent incidents, including settler-related violence in the West Bank, and continuing tensions in and around Gaza.

On 8 August, a 19-year-old Israeli was murdered in the West Bank, stabbed close to the settlement of Migdal Oz. Two Palestinian suspects were later arrested by the Israeli security forces. On 15 August, two Palestinian teenagers stabbed and injured an Israeli police officer in Jerusalem's Old City. One of the assailants was shot and killed. The following day, two Israeli teenagers were injured in a car-ramming attack near the settlement of Elazar, south of Bethlehem. The 26-year-old driver was shot and killed by an off-duty Israeli policeman. On 23 August, an improvised explosive device was detonated near the settlement of Dolev, north-west of Ramallah, killing a 17-year-old Israeli girl and severely injuring her father and brother.

I unequivocally condemn all attacks on Palestinian and Israeli civilians. Such dangerous attacks serve only those who want an escalation. Violence and terrorism must be condemned by all. Their glorification by Hamas, the Islamic Jihad and other Palestinian factions is indeed deplorable.

In East Jerusalem, two months after the killing of a 21-year-old Palestinian in the Al-Issawiya district, tensions remain high as the Israeli security forces continue to carry out raids and arrests. Overall in the past month, two Palestinians and Israelis have been killed and at least 102 Palestinians and seven Israelis have been injured in the occupied West Bank, including East Jerusalem.

In response to the terrorist attack on 23 August near the settlement of Dolev, the Israeli Government decided to submit to the High Planning Committee a plan for the establishment of the new neighbourhood in Dolev with approximately 300 new housing units. That decision is part of the practice to expand settlements in the wake of attacks in the West Bank.

In addition, settlement expansion, demolitions and seizures of Palestinian property continued during the reporting period. Citing the lack of Israeli-issued building permits, which are nearly impossible for Palestinians to obtain, the Israeli authorities demolished or seized 22 structures in Area C, including 14 donor-funded aid structures and 11 structures in East Jerusalem. Among the demolished structures were four water cisterns, serving two herding communities in

southern Hebron, which are already facing severe water shortages. According to the Office for the Coordination of Humanitarian Affairs, the demolitions have resulted in the displacement of 19 people, including six children, and affected the livelihoods of some 2,000 others.

I reiterate the statement made by the United Nations Humanitarian Coordinator for the Occupied Palestinian Territory that Israel's policy of destroying Palestinian property is not compatible with its obligations under international humanitarian law.

On 5 and 6 August, Israel's High Planning Committee advanced plans for some 2,400 housing units in Area C settlements, with 800 units reaching the final stage of approval. Some 200 units in East Jerusalem were also advanced during the reporting period. Further, the Security Cabinet of Israel discussed on 30 July the advancement of another 6,000 housing units and, in a rare step, unanimously approved granting construction permits for 715 housing units for Palestinians living in Area C.

The expansion of settlements has no legal effect and constitutes a flagrant violation of international law. By advancing the effective annexation of the West Bank, it undermines the chances for establishing a Palestinian State based on relevant United Nations resolutions as part of a negotiated two-State solution.

Despite the relative calm over the past two months, the situation in Gaza remains very fragile as violent incidents continue. During the reporting period, some 11 rockets and mortars were launched from Gaza towards Israel. Most were intercepted. Two landed in the Israeli town of Sderot on 17 and 25 August, causing material damage. In response, just yesterday, Israel decided to temporarily reduce the fuel transfer to Gaza by a half. That unfortunate decision has already resulted in a reduction of energy supply to the Gaza Strip.

On several occasions during the reporting period, some 15 militants from Gaza breached, or attempted to breach, the perimeter fence, triggering retaliatory fire or air strikes by the Israeli Defense Forces (IDF) in which nine militants were killed. The weekly protests at the perimeter fence also continued. Some individuals engaged in violent activity. The IDF responded mostly with riot dispersals means. However, live ammunition was also used. One Palestinian was killed and 545 were injured, including more than 150 children.

Although there were fewer incidents involving incendiary kites, balloons and other devices being launched from Gaza as compared to the previous period, at least 11 fires were reported. Israel must calibrate its use of force and use lethal force only as a last resort and in response to

imminent threat of death or serious injury. Hamas must prevent the indiscriminate launching of rockets and mortars towards Israel. It must ensure that protests at the fence remain peaceful and prevent provocation. I would also like to reiterate that the fate of two Israelis civilians and the bodies of two soldiers missing in Gaza remain an important humanitarian concern for all.

I am afraid that I also have to raise the alarm on the deteriorating situation in the health-care sector in Gaza, particularly the lack of resources, including medical supplies. According to the World Health Organization, in July, 254 items, or 49 per cent, of essential medications, and 225 items, or 26 per cent, of medical disposables were reported to be at less than one month's supply at Gaza's central drugstore.

On 20 August, Deputy Special Coordinator McGoldrick visited a hospital in Gaza and met with a group of women beneficiaries of projects supported by the United Nations Occupied Palestinian Territory Humanitarian Fund. He heard about the large number of health issues that Palestinian women are facing as a result of the humanitarian crisis. Doctors highlighted the scarcity of cancer drugs in Gaza and the unpredictable referral system for treatment outside Gaza as serious challenges. The United Nations is committed to working with all parties, including donors, to prevent a health crisis in the Gaza Strip.

Meanwhile, access to drinking water has improved with the completion of a new desalination plant, which will serve up to 200,000 people. I would like to express my appreciation to the State of Kuwait for generously funding that project through the Islamic Development Bank. The past month also saw an increase in the number of permits given to Palestinian businessmen and labourers from Gaza.

While those efforts are not enough to fundamentally change the harsh realities of life in the Gaza Strip, they serve to lessen the impact of the ongoing humanitarian and economic crises. The past month also saw serious movement and access constraints continue on national staff from United Nations agencies and international non-governmental organizations in Gaza. Those

restrictions affect nearly all our national staff, who are unable to leave Gaza for practically any purpose. Israel must significantly improve the movement and access of goods and people to and from Gaza as a step towards lifting the closures in line with resolution 1860 (2009).

The Muslim holiday of Eid Al-Adha and the Jewish commemoration of Tisha B'Av coincided this year on 10 August, which led to tensions at Jerusalem's holy sites. Israeli authorities allowed Jewish visitors to access Al-Haram Al-Sharif/Temple Mount on that day under police protection. In the days before the holiday, Muslim religious leaders urged worshippers to come en masse to the Al-Aqsa Mosque for Eid prayers.

In clashes between police forces and worshippers that took place before and during the entry of Jewish visitors into the compound, 29 Palestinians were injured, including the Chairman and members of the Islamic Waqf Council. According to media reports, Israeli security forces also sustained four injuries. I reiterate the call for the status quo at the holy sites to be upheld in line with the special and historic role of the Hashemite Kingdom of Jordan as Custodian of the Muslim and Christian Holy Sites in Jerusalem.

Following the demolitions of Palestinian homes in Areas A, B and C of the West Bank on the East Jerusalem side of the barrier, which Under-Secretary-General DiCarlo briefed the Council on last month (see S/PV.8583), President Abbas stated on 25 July that the Palestinian leadership would suspend compliance with agreements signed with Israel and start putting in place mechanisms to implement that decision. For the sixth consecutive month, the Palestinian Government refused to receive Israel's transfer of tax revenues less than the full amount owed to it.

On 22 August, however, following months of consultations, Israel and the Palestinian Authority (PA) agreed for the PA to receive approximately \$568 million in reimbursed taxes levied by Israel on fuel. That is an important measure that will temporarily relieve the PA's financial situation. Disagreement on the bulk of the tax revenue transfers, however, remains. In that context, I reiterate my call on both sides to continue their engagement in a constructive manner and comply with the Paris Protocol on Economic Relations.

...

In conclusion, I would like to repeat, as I said at the beginning of this briefing, that tangible steps can, and must, be taken to reverse the negative trajectory of the Palestinian-Israeli conflict — urgently — in order to counter the rising spectre of violence and the threat of regional escalation. The United Nations remains committed to supporting Palestinians and Israelis to resolve the conflict based on international law, the relevant United Nations resolutions and prior agreements, and to realizing the vision of two States — Israel and Palestine — living side by side in peace and security.

VIII. OIC REJECTS DECISION OF HONDURAS TO OPEN A DIPLOMATIC MISSION IN JERUSALEM

On 29 August, the Organization of Islamic Cooperation issued the following [press release](#):

The Organization of Islamic Cooperation (OIC) expressed its firm rejection and condemnation of the decision taken by the Republic of Honduras to open a diplomatic mission in the occupied city of Al Quds/Jerusalem to be linked to its embassy in Tel Aviv, a move which the OIC condemns as illegal and in full violation of the UN resolutions regarding Al Quds, and particularly UN Security Council resolution No. [478](#) which calls on any state that has opened a diplomatic mission in Al Quds to close it down and remove it from the Holy City.

The OIC also invited the Government of Honduras to rescind this decision and honor its legal and political commitments under international law and legitimacy, and urged it to adopt supportive stands in favor of the achievement of peace based on the Two-State solution, and to steer away from any steps that might prejudice the historical, legal and political status of the occupied city of Al Quds.

IX. PALESTINIANS AND EUROPEANS MEET TO FIND JOINT SOLUTIONS TO CHALLENGES FACING PALESTINIAN DEVELOPMENT

On 30 August, the Office of the European Union Representative of the European External Action Service issued the following [press release](#):

On Monday 26 August 2019, representatives from 14 European countries and the European Union met with the Office of the [Palestinian] Prime Minister to discuss priority policy areas that require greater joint attention on the road towards building a Palestinian state. In the spirit of partnership, Europeans met with the Office of the Prime Minister to discuss findings of a joint monitoring exercise which began in 2018 and will last for three years. The representatives addressed such topics as data collection and analysis, policy-based financing, and how to work in Palestinian areas where the Palestinian Government has limited control due to the full control of Israeli authorities.

“This meeting shows the depth of the cooperative relationship between Palestinians and Europeans. In addition, this government considers such consultations to be crucial. The Palestinian Government works hard to take into account the views of international partners, the private sector and Palestinian civil society,” said Dr Estephan Salameh, Head of Planning, Policy and Aid Coordination at the Office of the Prime Minister. “Europeans are once again speaking with one voice to our Palestinian partners. This is one of the first results of the improved European coordination and unity of purpose among Europeans in terms of the Palestinian state-building agenda,” said Alessandra Viezzer, EU Head of Cooperation.

This meeting is held on an annual basis to ensure that Palestinian citizens are put first. In light of the deteriorating economic and political situation in Palestine, European partners remain committed to supporting the Palestinian Authority to better address the needs of the Palestinian society.
