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BRIEFING TO THE SECURITY COUNCIL
ON THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 2334 (2016)
20 September 2019

Mr. President,

Members of the Security Council,

Today I will devote my regular briefing on the situation in the Middle East to presenting, on behalf of the Secretary-General, the eleventh report on the implementation of Security Council resolution 2334 (2016), which covers the period between 11 June and 11 September 2019.

Let me reiterate that developments during this reporting period cannot be divorced from the broader context: Israel's continued military occupation of Palestinian territory, settlement activity and the threat of annexation; Hamas' continuing hold over Gaza, and its militant activity; unilateral actions that undermine peace efforts and severe challenges to the fiscal viability of the Palestinian Authority; and the persistent risk of military escalation in the region. All these developments collectively erode the prospects of a two-State solution.

Mr. President,

Security Council resolution 2334 (2016) calls on Israel to "immediately and completely cease all settlement activity in the Occupied Palestinian Territory, including East Jerusalem" and to "fully respect all of its legal obligations in this regard." No steps were taken to that effect during the reporting period.

During this period, however, Israeli authorities advanced some 3,000 housing units in the occupied West Bank, including some 400 units in East Jerusalem. Among the plans advanced were 354 units in Nili, 346 in Beit El, and 215 in Asfar, which are all located east of the route of the separation barrier. In addition, the Security Cabinet reportedly discussed on 30 July the advancement of another 6,000 housing units. In a rare step the Government also approved granting construction permits for 715 housing units for Palestinians living in Area C.

A decision by the District Court in Jerusalem published on 29 June determined that under the so-called "market regulation" principle, four houses built in the Israeli settlement of Alei Zahav could be retroactively "regularized" under Israeli law, despite being built on private Palestinian land without the consent of the owner. The "market regulation" principle allows for houses built "in good faith" on private Palestinian land without the consent of the owner to be retroactively regularized under Israeli law and the owner is compensated. This decision is the first implementation of this principle, according to which up to 2,000 housing units in settlements could be retroactively regularized.

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

Finally, on 29 August, a year after being evicted from a disputed building in Hebron's H2 area, several dozen Israelis moved into the compound, despite ongoing legal proceedings to determine its ownership.

Mr. President,

Demolitions and seizures of Palestinian-owned structures by Israeli authorities have continued across the occupied West Bank, including in East Jerusalem.

Citing the absence of Israeli-issued building permits, which are nearly impossible for Palestinians to obtain in Area C and in East Jerusalem, 165 Palestinian-owned structures were demolished or seized during the reporting period, resulting in the displacement of 170 people, including 85 children. Of those, nine structures were demolished by their owners, including seven in East Jerusalem and two in Area C of the West Bank.

On 22 June, Israeli authorities demolished nine buildings in the Wadi Hummus / Sur Bahir neighbourhood of East Jerusalem, most of them located in Areas A and B of the West Bank although on the "Jerusalem" side of the wall, citing their proximity to the separation barrier as a security concern. This resulted in the displacement of 24 Palestinians, including 14 children.

On 3 July, the authorities delivered several demolition orders for structures in the Hebron governorate, the first such orders based on Military Order 1797, which authorizes an expedited process for demolition of unauthorized "new structures" in Area C, and gives owners only 96 hours to demonstrate to Israeli authorities that they possess a valid building permit. During the reporting period, three structures have been demolished on the basis of this Military Order.

On 10 July, after a costly 24-year legal battle, a Palestinian family was evicted from its property in the Silwan neighbourhood of East Jerusalem and the premises handed over to Israelis. This was done after an Israeli Court ruled in favour of a settler-related organization, which had obtained ownership of much of the property.

On 26 August, Israeli authorities demolished a house and a restaurant (the latter for the third time) in Beit Jala, displacing five Palestinians and affecting the livelihoods of another 32. Following the demolition, a new settlement outpost was reportedly established nearby, without a building permit from Israeli authorities.

Mr. President,

Security Council resolution 2334 (2016) also "calls for immediate steps to prevent all acts of violence against civilians, including all acts of terror, as well as all acts of provocation and

destruction.” However, the reporting period saw worrying levels of violence, throughout the Occupied Palestinian Territory.

In the West Bank, including East Jerusalem, three Palestinians, including one child, and two Israelis, including one child, were killed, and 336 Palestinians and 21 Israelis were injured in various incidents, including in clashes with ISF, security operations, attacks and settler-related violence.

On 27 June in al-Issawiya neighborhood of East Jerusalem a 21-year-old Palestinian, who is alleged to have targeted Israeli forces with fireworks, was shot and killed by a policeman. Throughout the following two months, tensions in the neighbourhood remained high, as Israeli security forces conducted raids, house searches and arrests, including of children. These operations have triggered clashes with residents and were usually conducted at night, causing disruption and trauma to residents and businesses.

According to OHCHR, on 30 June, three Israeli settlers physically assaulted a 70-year-old Palestinian man living near the Abraham Spring in the H2 area of Hebron. On 6 July, a group of seven Israeli children physically assaulted a 10-year-old Palestinian child near the Ibrahimi Mosque in the H2 area of Hebron.

On 12 July, a 9-year-old Palestinian boy was shot in the forehead by ISF during clashes in Kafr Qaddum, West Bank, and remains in critical condition.

On 8 August, a 19-year old Israeli was stabbed to death in the West Bank, close to the settlement of Migdal Oz, south of Bethlehem. Two Palestinian suspects were later arrested by the ISF.

On 15 August, two Palestinian teens stabbed and injured an Israeli police officer in Jerusalem’s Old City. One of the assailants was shot and killed.

On 16 August, two Israeli teens 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 (IED) was detonated near the settlement of Dolev, northwest of Ramallah, killing a 17-year-old Israeli girl and severely injuring her father and brother.

According to the OHCHR, a Palestinian family was forced to leave their home in the West Bank village of Urif after repeated attacks over the past year.

Mr. President,

Tensions in Jerusalem’s Old City also continued. On 10 August, the Muslim Eid al-Adha and the Jewish commemoration of Tisha B’Av coincided, which led to tensions at the 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 had urged worshippers

to come *en masse* to al-Aqsa Mosque for Eid prayers. Clashes between police forces and worshippers reportedly resulted in 29 Palestinians and four ISF injured.

Mr. President,

In Gaza the overall levels of violence and ensuing casualties have decreased, but tensions continue. During the reporting period the IDF used riot dispersal means and live ammunition against the continuing “Great March of Return” demonstrations. In this context, four Palestinians, including two children, were killed and 496 were injured by live fire. 10 Palestinian militants meanwhile were killed in other incidents and 13 were injured, while one Israeli soldier was injured by a grenade thrown across the fence and three were injured in other incidents.

In the same period 33 rockets and mortar shells were launched from Gaza towards Israel. Most were intercepted but 18 landed in Israeli towns, causing material damage.

Although fewer incendiary kites, balloons and other devices have been launched from Gaza compared to the last reporting period, at least 140 fires were reported in Israel.

In a worrying development on 27 August, three Palestinian policemen were killed, and three pedestrians were injured in two separate apparent suicide explosions targeting police checkpoints inside Gaza.

On 6 September, ISF shot and killed two Palestinian teenagers, aged 14 and 17, during the Great March of Return demonstrations at the Gaza perimeter fence.

On 7 September, according to the IDF, an armed drone launched from Gaza dropped an explosive device on an Israeli military vehicle at the perimeter fence. In retaliation the IDF struck a number of Hamas targets in Gaza.

Separately, between 23 and 27 June, three men were arrested and reportedly subjected to ill treatment during interrogation by Hamas for organizing a charity event coordinated with an NGO connected to Israel. Between 6 and 8 August, at least four men were detained after they criticized Hamas on social media. All were subsequently released.

Mr. President,

Security Council resolution 2334 (2016) calls upon the parties “to refrain from provocative actions, incitement, and inflammatory rhetoric.” Unfortunately, such actions continued during the reporting period.

On 12 July, a senior Hamas official called on Palestinians overseas “to attack every Jew on the globe by way of slaughter and killing,” telling them “enough of the warming up.” The official’s statement was condemned as “repugnant” by the Palestinian Authority (PA), and Hamas said that it did not represent the organization’s views. On several occasions, however, officials from Hamas and other Palestinian factions welcomed and celebrated stabbing, car ramming and bombing

attacks against Israelis in the occupied West Bank, calling the perpetrators “heroic.” Fatah officials also continued to honour and glorify perpetrators of past terrorist attacks.

Israeli officials also continued to make provocative and inflammatory statements. Leading politicians have sought to publicly minimize the connection of Palestinians to their ancestral land, called for the annexation of Israeli settlements in Area C of the West Bank, and rejected the notion of Palestinian statehood. During a visit to Hebron on 4 September, senior Israeli officials reiterated pledges for the expansion of settlements there, and for the annexation of the city. Further, on 10 September, the Prime Minister declared his intention, if elected, to “apply Israeli sovereignty over the Jordan Valley and the northern Dead Sea” as a first step to applying Israeli sovereignty over “settlements in Judea and Samaria as well as additional areas with significance for [Israel’s] security, heritage and future.”

Mr. President,

Resolution 2334 (2016) reiterated calls by the Middle East Quartet for “affirmative steps to be taken immediately to reverse negative trends on the ground that are imperilling the two-State solution.” Some positive developments were witnessed during the reporting period, but they were once again overshadowed by negative trends.

In Gaza, the United Nations and its partners continued to implement the critical economic and humanitarian interventions identified in UNSCO’s last two reports to the Ad Hoc Liaison Committee (AHLIC). With these efforts, the energy supply to households in Gaza has more than doubled, and some improvements were felt in the economy. A slight decrease of the unemployment rate to 46.7% in the second quarter of 2019 from 47% was reported.

Qatar has continued to generously fund the supply of fuel for the Gaza Power Plant, and the daily availability of electricity has more than doubled. More than 10,000 jobs, including 3,000 for women, have been created by UNDP, UNRWA and other UN Agencies.

Some easing of the import and export restrictions by Israel, additional permits, as well as the extension of permitted fishing zone to 15 nautical miles from the coast and the return of confiscated fishing boats are a welcome development.

Despite these efforts, Gaza’s health system remains on the brink of collapse. In July, 44% of essential medicines in Gaza were completely depleted and 26% of essential medical disposables had less than a month’s supply remaining. Over 1000 people injured in Gaza will require complex limb reconstruction treatment or may risk losing limbs due to infection.

On 22 August, Israel and the PA reached an arrangement, whereby the PA received on an *ad hoc* basis approximately USD 568 million in reimbursed taxes levied by Israel on fuel. While providing some temporary relief, the Palestinian Government’s ability to deliver services remains severely affected by the continued disagreement over the bulk of the tax revenue transfers.

On 27 August, Palestinian families demonstrated throughout the West Bank and Gaza, calling for the return by Israel of bodies of Palestinians killed while allegedly carrying out attacks or in clashes

with ISF. In a decision on 9 September, the Israeli High Court of Justice reversed an earlier ruling and decided that Israel is authorized to withhold Palestinian bodies. According to the PA, 253 Palestinian bodies are withheld by Israel.

Sadly, almost two years after the reconciliation agreement brokered by Egypt, intra-Palestinian divisions remain deeply entrenched.

The generous support of Member States to date has allowed UNRWA to reduce its funding shortfall from USD 211 million in January 2019 to USD 120 million. As a result, half a million Palestinian children resumed school on time this year. In East Jerusalem, however, UNRWA has reported on efforts by the Israeli Jerusalem municipality to interfere with its work, including obstructing solid waste services in Shu'fat camp, replicating sanitation services and attempting to enter an UNRWA vocational training center in Qalandia without the Agency authorization.

Mr. President,

Security Council resolution 2334 (2016) called on Member States “to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied in 1967.”

I note ongoing separate proceedings in the European Court of Justice and the Federal Court of Canada related to the labelling of products originating in Israel and the territories occupied in 1967.

The resolution also called upon “all parties to continue, inter alia, to exert collective efforts to launch credible negotiations.” No meaningful efforts have been made in this direction during the reporting period.

Mr. President,

In closing, on behalf of the Secretary-General, I would like to share some broad observations concerning the implementation of the of resolution 2334 (2016) during the reporting period.

1. The expansion of settlements has no legal validity and constitutes a flagrant violation under international law, as stated in Security Council resolution 2334 (2016). It must cease immediately and completely. The expansion of illegal Israeli settlements in the occupied West Bank, including East Jerusalem, continues unabated. The existence and expansion of settlements, including in occupied East Jerusalem, fuel anger and disillusionment among the Palestinian population and significantly undermine the prospects for establishing a contiguous and viable Palestinian state with Jerusalem as the future capital of both states.
2. I reiterate the Secretary-General's concern over statements regarding the annexation of the Jordan Valley and northern Dead Sea as a first step to applying Israeli sovereignty over all settlements and other areas in the occupied West Bank. Such steps, if implemented, would constitute a serious violation of international law. They would be devastating to the potential of reviving negotiations and regional peace, while severely undermining the viability of the two-State solution.

3. The demolition and seizure of Palestinian structures also continues. The Sur Bahir demolitions, the evictions in Silwan in East Jerusalem as well as the use of military order 1797 to demolish structures are particularly concerning. Some 200 Palestinian families in East Jerusalem have eviction cases filed against them, mostly by settler-related organizations. The number of structures demolished, and people displaced since the beginning of 2019 has already exceeded figures for the entire year of 2018. Such policies must be reversed, and Israel should abide by its obligations under international law.
4. The situation in Gaza remains very volatile. It is shameful and intolerable that people, including children, continue to be killed and injured during demonstrations or by indiscriminate rocket attacks, or other hostile acts. Israeli security forces have the responsibility to exercise maximum restraint and shall only use intentional lethal force when strictly necessary, as a last resort, and in response to an imminent threat of death or serious injury, in accordance with international law. Children should never be the target of attacks nor should they be exposed to violence. The launching of rockets and mortars towards Israeli civilian populations is prohibited by international humanitarian law and Hamas and Palestinian Islamic Jihad must cease this practice immediately.
5. I unequivocally condemn all attacks on Palestinian and Israeli civilians, including settler-related violence, and call on all sides to refrain from violence and to clearly and unequivocally condemn attacks when they occur. All perpetrators must be held accountable for their crimes.
6. I reiterate the call for the status quo at the Holy Sites in Jerusalem 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.
7. I remain deeply concerned about developments relating to the clearance of revenues of the Palestinian Authority. Despite the PA's temporary reprieve as a result of the reimbursed taxes levied by Israel on fuel, the financial crisis is far from over. I urge both sides to engage in a constructive manner with the goal of restoring the revenue transfer in full in line with the Paris Protocol on Economic Relations.
8. I would like to also reiterate that the fate of two Israeli civilians and the bodies of two IDF soldiers missing in Gaza remain an important humanitarian concern for all of us.
9. Despite our sustained efforts, the deteriorating humanitarian and economic situation in Gaza is a mounting concern. It is not possible to genuinely and sustainably improve the socio-economic situation there without significantly easing restrictions on the movement and access of goods and people, with the goal of ultimately lifting them in line with Security Council resolution 1860 (2009), and reuniting Gaza and the West Bank under a single, legitimate Palestinian national authority. At the same time, it is crucial to ensure that the current calm be sustained in order to gradually introduce longer-term projects that will support Gaza's development.

10. I reiterate the call on all Palestinian factions to actively engage with Egypt on reconciliation. Despite the challenges, it is critical that these efforts continue. The United Nations remains steadfast in its support of Egypt's efforts in this regard, and all Palestinian factions must take concrete steps to ensure the reunification of Gaza and the West Bank. Gaza is, and must remain, an integral part of a future Palestinian State as part of the two-State solution.

Mr. President,

As we approach three years since the passing of Security Council resolution 2334 (2016), we can only lament the worsening situation on the ground. Settlements have expanded, demolitions have accelerated, violence and incitement have continued, achieving intra-Palestinian unity seems an ever-more distant prospect, and credible negotiations have yet to be launched.

It is hard to tolerate the steady deterioration of the already difficult status-quo. It reflects the collective failure of leaders, politicians and the international community to deliver on the vision that peace between the State of Israel and the State of Palestine can be achieved through peaceful negotiations with support from the international community, based on 1967 lines, international law, relevant UN resolutions and prior agreements. There is no other viable solution to end the conflict. Those who continue to support a two-State outcome must acknowledge that derailing that prospect means that Palestinians and Israelis are facing a grim future of perpetual occupation, endless violence and threats to regional stability.

Thank you.