



DIVISION FOR  
PALESTINIAN RIGHTS

# Bulletin

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

**September 2019**  
**Volume XLII, Bulletin No. 9**

## *Contents*

	<i>Page</i>
I. OIC condemns decision of Nauru to recognize occupied Jerusalem as capital of Israel	1
II. Palestinian Rights Committee adopts annual report to General Assembly	1
III. UN Human Rights High Commissioner updates Human Rights Council on the implementation of recommendations of Commission of Inquiry on Gaza Protests	4
IV. UNCTAD warns of worsening socioeconomic crisis in Palestine	6
V. Commissioner-General calls for urgent political, financial support for UNRWA at the Arab League ministerial meeting	9
VI. UN Secretary-General expresses concern over Israeli Prime Minister's comments on annexation	10
VII. Palestinian Rights Committee Chair addresses International Media Seminar on Peace in the Middle East	10
VIII. UN Special Rapporteur says Israel's planned Jordan Valley annexation is illegal, puts at risk two-State solution	12

	<i>Contents</i>	<i>Page</i>
IX.	OIC rejects Israeli Prime Minister's stated intention to annex Palestinian territory	13
X.	OIC Secretary-General calls for international mechanisms to hold Israel accountable for violations	15
XI.	Committee on the Elimination of Racial Discrimination issues concluding observations on the reports of the State of Palestine	17
XII.	UN Special Coordinator briefs Security Council on implementation of Resolution 2334 (2016)	24
XIII.	Ad Hoc Liaison Committee of donors meets at ministerial level	31
XIV.	EU releases report on Israeli settlements	33

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

*Disclaimer: The texts cited in this Monthly Bulletin have been reproduced in their original form. The Division for Palestinian Rights is consequently not responsible for the views, positions or discrepancies contained in these texts.*

## **I. OIC CONDEMNS DECISION OF THE REPUBLIC OF NAURU TO RECOGNIZE OCCUPIED JERUSALEM AS CAPITAL OF ISRAEL**

*On 2 September, 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 Nauru to recognize Al-Quds/Jerusalem as a capital for Israel, a step which the OIC considers as illegal and as a violation of international law and UN resolutions on Al-Quds, particularly UN Security Council resolution no.478 which calls upon all states that have established diplomatic missions in Al-Quds to withdraw them from the Holy City. In parallel, the OIC invited the Government of the Republic of Nauru to rescind this decision and honour its legal and political commitments under international law and resolutions of international legitimacy.

## **II. PALESTINIAN RIGHTS COMMITTEE ADOPTS ANNUAL REPORT TO GENERAL ASSEMBLY**

*On 4 September, the Committee on the Exercise of the Inalienable Rights of the Palestinian People held its 396th meeting, during which it adopted its Annual Report to the General Assembly. Conclusions and recommendations of the report ([A/74/35](#)) are replicated below:*

...

87. Recalling that 2019 marks the seventy-first anniversary of the expulsion and flight of Palestine refugees from their homeland in 1948, remembered as the Nakbah (catastrophe), and the fifty-second anniversary of the Israeli occupation, the Committee urges the international community to redouble its efforts towards the fulfilment of the inalienable rights of the Palestinian people, including to self-determination and independence, and the achievement of the two-State solution based on the 1967 borders, in accordance with relevant United Nations resolutions, the Madrid principles, the Arab Peace Initiative and the road map of the Quartet.

88. The Committee reiterates the need to reframe the Palestinian-Israeli conflict. It is not a conflict between two equal parties over disputed territory. It is a conflict emanating from one State occupying, colonizing and annexing the territory of another State under oppressive, inhumane and discriminatory conditions.

89. Consistent with the responsibilities and obligations of the international community, the Committee supports revising the existing model of bilateral negotiations into an expanded multilateral framework, with a view to reviving the peace process with a credible political horizon. In this context, the Committee welcomes the eight-point plan presented to the Security Council by the President of the State of Palestine, Mahmoud Abbas, on 20 February 2018, reiterating the agreed long-standing international consensus on the question of Palestine and calling for the mobilization of efforts to actualize that consensus.

90. Any resolution of the conflict, apart from having the two-State formula at its core, requires a comprehensive regional solution, such as that offered by the Arab Peace Initiative.

The Committee calls upon international and regional organizations, such as the European Union, LAS and OIC, to take on a more politically active role in mediating an end to the conflict.

91. The Committee acknowledges that intra-Palestinian unity is critical to the reunification of Gaza and the West Bank under a single, democratic and legitimate national Government and to achieving an independent State of Palestine. The Committee offers its support to local, regional and international efforts to advance the unity process.

92. The Committee urges the Security Council and the General Assembly to ensure the implementation of the long-standing parameters for peace affirmed in relevant United Nations resolutions, including Council resolution [2334 \(2016\)](#) and Assembly resolution [73/19](#). The Committee requests the Secretary-General to continue to submit his reports to the Council on the implementation of resolution [2334 \(2016\)](#) in written format and to include references to implementation by Member States of the provision contained in paragraph 5 of resolution [2334 \(2016\)](#). Pursuant to paragraph 11 of the resolution, the Committee also calls upon the Council to examine practical ways and means to secure the full implementation of relevant Council resolutions.

93. The Committee underscores the responsibility of States and private entities not to contribute to grave Israeli violations of Palestinian human rights, in particular with respect to settlements in the Occupied Palestinian Territory, including East Jerusalem. It looks forward to the publication, by OHCHR, of a database of all business enterprises engaged in certain Israeli settlement activities in the Occupied Palestinian Territory, as mandated by the Human Rights Council in its resolution 31/36.

94. The Committee calls upon the international community to shift from a humanitarian to a human rights framework in addressing the plight of the Palestinian people. It demands an end to the 12-year Israeli air, land and sea blockade of Gaza and the lifting of all closures within the framework of Security Council resolution [1860 \(2009\)](#). It calls upon international donors to fulfil without delay all pledges to expedite the provision of humanitarian assistance, the reconstruction process and economic recovery, which are essential to alleviate the distress of Palestinians, including women and children, who face additional and gender-specific challenges that need to be addressed through targeted actions.

95. The Committee deems unilateral decisions by Member States to recognize Jerusalem as the capital of Israel and the transfer of embassies in Israel from Tel Aviv to Jerusalem as null and void, as they are in violation of Security Council resolutions, including resolutions 476 (1980) and 478 (1980). The Committee calls upon Member States to rescind those decisions and reiterates that the historic status quo of the holy sites in Jerusalem must be respected and that the international community shares the responsibility to preserve the legal, demographic and historical multicultural and multireligious character and status of the city.

96. The Committee deplores the use of excessive, disproportionate and indiscriminate force by Israeli forces against Palestinian civilians, including during the protests in the Gaza Strip in 2018 and 2019. The Committee calls for the implementation of the recommendations contained in the report of the commission of inquiry, mandated by the

Human Rights Council to investigate violations committed on the fence between Israel and the Gaza Strip during those protests.

97. The Committee urges Member States and the Organization to remind Israel of its obligations under international law to protect civilians. It regrets that, on 29 January, the mandate of the Temporary International Presence in Hebron was not renewed, and that the international monitors left the city, removing an essential element of protection for the local population. Further to the report of the Secretary-General pursuant to General Assembly resolution ES-10/20, the Committee emphasizes the need for the implementation of an international protection mechanism that can credibly ensure the safety and welfare of Palestinian civilians.

98. The Committee emphasizes the importance of the acknowledgment by Israel of the Nakbah and its impact upon the Palestinian people as a necessary requirement for a viable and lasting peace. Palestine refugees should be treated as dispossessed nationals of a country – the State of Palestine – rather than as stateless refugees. It strongly advocates the right to return as well as just compensation for Palestine refugees, as provided for in paragraph 11 of General Assembly resolution [194 \(III\)](#). The Committee further encourages all Member States to work collectively to fund UNRWA sufficiently and predictably.

99. The Committee notes with appreciation the diligent contribution of the Division for Palestinian Rights in support of its mandate and requests the Division to continue its substantive and secretariat support for all aspects of its mandate.

100. The Committee will continue, through its mandated activities implemented by the Division, to raise international awareness as well as international support for the rights of the Palestinian people in conformity with international law and United Nations resolutions. In that context, the Committee recognizes the growing importance of cooperation among developing countries and regional and subregional organizations within the framework of South-South and triangular cooperation for sharing replicable experiences towards the achievement of self-determination and independence.

101. The Committee requests the continuation of the special information programme on the question of Palestine of the Department of Public Information (now the Department of Global Communications), which has made an important contribution to informing the media and the public.

102. The Committee commends civil society initiatives in support of the Palestinian people and will continue to expand its efforts to engage civil society organizations, including by regularly convening civil society forums. It encourages civil society partners to work with their national Governments, parliamentarians and other institutions to promote the achievement of the inalienable rights of the Palestinian people and the full recognition of the State of Palestine and its independence.

103. The Committee intends to continue to work closely with other United Nations actors and entities, including the Special Coordinator for the Middle East Peace Process and UNRWA, to synergize efforts in fields of common concern and uphold the permanent responsibility of the Organization towards the question of Palestine until it is resolved in all

its aspects in a satisfactory manner and in accordance with international law. The Committee wishes to express its deep appreciation to its partners, and in particular OIC, for the contribution of extrabudgetary resources and their active participation in its conferences and events.

104. Lastly, the Committee urges its members, observers and others to participate actively in its programme of activities. The Committee will also enhance its outreach to all Member States and regional groups at the United Nations to take a more active and effective approach towards the achievement of the two-State solution, and to expand the Committee's membership as a form of political support for the resolution of the question of Palestine. The Committee calls upon all Member States to join in this endeavour and invites the General Assembly to reconfirm its mandate in recognition of the importance of its role.

### **III. UN HUMAN RIGHTS HIGH COMMISSIONER UPDATES HUMAN RIGHTS COUNCIL ON THE IMPLEMENTATION OF RECOMMENDATIONS OF COMMISSION OF INQUIRY ON GAZA PROTESTS**

*On 9 September, the United Nations High Commissioner for Human Rights, Ms. Michelle Bachelet, made the following [remarks](#) at the 42nd session of the Human Rights Council:*

I present this oral update as requested by the Council in operative paragraph 11 of Resolution [40/13](#), which focuses on violations of international law in the context of large-scale civilian protests in the Occupied Palestinian Territory, particularly in the occupied Gaza Strip.

My update covers the period since Resolution 40/13 was adopted, on 22 March 2019. I recall that the Council's Commission of Inquiry into violations of international law in the context of large-scale civilian protests in the Occupied Palestinian Territory, including East Jerusalem presented its report to this Council on 18 March 2019 ([A/HRC/40/74](#)). Serious violations of international human rights law and international humanitarian law have continued in the Occupied Palestinian Territory in this period, including in the context of large-scale civilian protests in Gaza.

...

The Demonstrations, known as the Great March of Return, have been held along the Israel-Gaza perimeter fence since 30 March 2018, against a backdrop of a drastically deteriorating humanitarian situation in Gaza. These demonstrations have continued to take place almost every Friday. They have remained largely peaceful, although on numerous occasions a number of demonstrators have damaged and breached the fence, and have thrown petrol bombs, sound grenades and improvised explosive devices towards Israeli Security Forces, injuring two Israeli soldiers.

Between March and August, 180 burning kites and incendiary balloons were launched by demonstrators, causing significant damage to agricultural land and forests inside Israel.

Israeli Security Forces have used tear gas, rubber-coated bullets, water cannon and sound devices, as well as regularly firing live ammunition, against the demonstrators. As a direct result, since 22 March 2019, 13 Palestinians, including five children, have been killed. Just last Friday,

two more boys, aged 14 and 17, were killed by ISF live ammunition while demonstrating near the fence. Initial monitoring suggests they were killed in circumstances where there was no threat to life or serious injury, and thus the use of lethal force may have been excessive.

Hundreds of others, including health workers and journalists, have been injured. Many have been left with permanent disabilities, including 20 who have undergone amputations, two who have been paralysed, and six who have permanently lost their vision in one eye.

These 13 deaths since 22 March follow the killings of 189 Palestinians in the previous 12 months – including 38 children. Since 22 March 2019 a further 859 Palestinians have been injured by live ammunition. Despite representing a significant decrease from the more than 6,800 demonstrators injured by Israeli forces with live ammunition, according to WHO, in the first year of the protests, it is a shockingly high number. The 263 children injured by live ammunition are a matter of deep concern.

I am also worried about the continued attacks on medical workers by Israel security forces. Since 22 March over 45 first responders have been injured at the fence. Some were shot at with live ammunition while trying to rescue injured demonstrators, despite being clearly visible in paramedic uniforms. During the same period, 30 journalists covering the protests were injured by Israeli security forces.

Gaza's already over-burdened health system has been stretched beyond capacity in attempting to deal with so many traumatic injuries, in particular those caused by live ammunition. The situation has been compounded by Israel's ongoing restrictions on the movement of essential medical equipment and supplies into Gaza. As a result, doctors have sought to refer dozens of injured protesters for treatment outside Gaza. Between 22 March and 31 July, 69 applications for medical permits for injured demonstrators were submitted to the Israeli authorities. Only 12 were approved.

Since March 2019 a steady decrease in the number of people taking part in the demonstrations has been observed. On most Fridays, the number of protesters has averaged between six and eight thousand people. In 2018, between 10,000 and 15,000 people regularly participated in demonstrations at the fence.

It should also be noted that other incidents have occurred outside the context of the large-scale civilian protests, resulting in both Israelis and Palestinians being killed and injured.

Mr President,

In the vast majority of cases monitored by my Office, no indication was found that the demonstrators – including children who were killed or seriously injured by live fire – represented an imminent threat of death or risk of serious injury to the Israeli soldiers, or anyone else.

Under international law, the use of lethal force in law enforcement operations must be limited to situations in which it is strictly necessary and in accordance with the principle of proportionality. The Basic Principles on the Use of Force and Firearms by Law Enforcement Officials could not be more clear: lethal force should be used only in situations of last resort, specifically as a response to an imminent threat of death or serious injury. Use of force that does not comply with those

principles, and which results in death, amounts to arbitrary deprivation of life. Under international humanitarian law, this may constitute an act of wilful killing.

The Israeli Security Forces' rules of engagement remain mostly confidential. Media reports in July suggested that the open-fire regulations in force along the fence were amended to ensure that soldiers would primarily shoot at protesters' ankles. The persistence of live ammunition injuries to the torso and head, including fatalities, does not appear to support this reported change.

As the Secretary-General and the Commission of Inquiry have emphasised, Israel has an obligation under international law to conduct appropriate investigations into the deaths and injuries which have occurred during the demonstrations. In February this year, the Israeli Military Advocate General announced investigations into 11 killings, including of two children, along the Israel-Gaza fence. Aside from this media announcement, there has been no information on the status of any such investigations in the public domain.

...

I am concerned that despite the imperative of protecting children, many children continue to be present every Friday at the fence, where they are exposed to unacceptable levels of violence. While Israel bears the main responsibility for any killing and injury of these children, little efforts seem to have been made by the organizers of the demonstrations and the authorities in Gaza to prevent children from travelling to the demonstration sites. Children must never be the target of violence, and neither should they be put at risk of violence or encouraged to participate in violence.

...

#### **IV. UNCTAD WARNS OF WORSENING SOCIOECONOMIC CRISIS IN PALESTINE**

*On 10 September, the United Nations Conference on Trade and Development (UNCTAD) issued the following [press release](#) on its latest [report](#) (TD/B/EX(68)/4) on assistance to the Palestinian people:*

Suffering is deepening in Palestine as its economy continues to deteriorate and rising poverty levels and increasing environmental degradation exact a heavy toll, according to the latest [UNCTAD report on its assistance to the Palestinian people](#).

In 2018 and early 2019, the Palestinian economy stagnated, per capita income further fell by 1.7%, unemployment increased, poverty deepened, and the environmental toll of occupation rose in the occupied Palestinian territory (Gaza and the West Bank including East Jerusalem).

The short-term economic prospects for Palestine are even grimmer and there are no signs that the negative trends in the key drivers of economic growth will be reversed soon, the report warns.

About one in three Palestinians in the labor market is unemployed. In Gaza, the unemployment rate is above 50% while the poverty level has reached 53%, even though most of the people classified as poor receive aid from the government and international organizations.



Gaza is increasingly becoming unlivable under the severe and worsening socioeconomic conditions. In 2018, its local economy contracted by 7%, leading to a 10% decline in its per capita income.

### **Reasons behind near collapse of economy**

According to the report, the reasons behind the near collapse of the Palestinian economy are the expansion and tightening grip of occupation, suffocation of Gaza's local economy, a 6% drop in donor support between 2017 and 2018, deterioration of the security situation and lack of confidence as a result of bleak political horizons.

Even though all sectors of the economy are constrained by occupation, agriculture and manufacturing are disproportionately impacted and the ensuing massive trade deficit adversely affects economic growth.

Between 1994 and 2018, the share of manufacturing in the economy shrunk from 20% to 11% of the gross domestic product (GDP), whereas the share of agriculture and fishing dropped from over 12% to less than a paltry 3%, the report says.

The viability and competitiveness of Palestinian producers are undermined by the multilayered system of physical and administrative restrictions deployed by the occupying power.

In the West Bank alone, 705 permanent physical obstacles restrict the movement of Palestinian workers and goods. They include checkpoints, gates, earth mounds, roadblocks and trenches.

In addition, the economy is further weakened by the Israeli ban on the importation of a long list of "dual use" essential technological and intermediate goods as well as other critical production inputs ("dual use" goods are civilian ones deemed, by Israel, to have potential military applications).

### **Isolated from international markets**

The report notes that occupation isolates the Palestinian people from international markets and thus compels them into overwhelming trade and economic dependence on Israel, which accounts for 80% of Palestinian exports and supplies 58% of its imports.

The small Palestinian market ranks fourth among Israel's top export markets, just behind the United States, China and the United Kingdom – but ahead of trading giants such as France, Germany and India. The resulting trade deficit with Israel cannot be covered by the value of all Palestinian exports.

With respect to the economic cost of occupation, the UNCTAD report suggests that occupation has prevented the Palestinian people from developing their oil and natural gas resources in Gaza and the West Bank.

Consequently, the estimated accumulated losses are worth billions of dollars and the associated opportunity cost of forgone development is staggering. The longer this situation persists, the higher this cost will be and the total economic cost of occupation borne by the Palestinian people will continue to rise.

## **Multiple fiscal shocks precipitate steeper economic decline**

In addition to the unprecedented deterioration in socioeconomic conditions, in July 2018, Israel passed a law mandating deduction, from Palestinian fiscal revenues, of an amount equivalent to the payments made by the Palestinian government to families of Palestinian martyrs and prisoners in Israeli jails.

Subsequently, in 2019, Israel deducted \$11.5 million per month (equivalent to \$138 million annually) from Palestinian clearance revenues. The Palestinian government responded by refusing to accept anything less than the full amount due to it in fiscal revenue.

The fiscal faceoff thus deprives the Palestinian government of 65% of its revenue (15% of GDP). Deprived of two-thirds of its tax revenue, the Palestinian government coped by implementing painful cuts to social assistance to the neediest and paying public employees only 50% of their salaries.

This fiscal shock will further amplify the already large negative impact of declining donor support on output, employment and socioeconomic conditions. If this fiscal standoff persists, it may well push the economy into recession and instigate the collapse of Palestinian finances, the report warns.

## **Environmental cost of occupation**

Despite several United Nations resolutions, construction of illegal Israeli settlements accelerated in the West Bank, and incidents of settlers' violence in 2018 were the highest since 2014.

The violence coerces Palestinians to leave their homeland and relocate. Israel also uses the West Bank as a "sacrifice zone" to which it transfers hazardous waste produced inside Israel, thus threatening the health of the Palestinian people and the integrity of their environment and natural resources.

Meanwhile, in Gaza, the destruction and demolition of the sanitation infrastructure has resulted in environmental breakdown.

Every day, over a 100 million liters of untreated sewage is dumped into the Mediterranean Sea; resulting in extensive contamination of beaches to levels four times higher than the international environmental standards.

This pollution imperils public health, undermines the fishing economy and deprives the population of the only affordable recreational possibilities offered by the sea.

"The international community should do more to promote responsible and sustainable industrial practices in Palestine, and to protect the public health of the Palestinian people," UNCTAD Secretary-General Mukhisa Kituyi said.

The report recommends the reversal of the negative trends in donor support to the Palestinian people as well as further research to ascertain the economic and property rights and identify the

Palestinian share in oil and natural gas resources owned by several neighbouring states in the region.

The United Nations continues to work towards the establishment of an independent, democratic, contiguous and viable Palestinian State, living side by side in peace with all its neighbours consistent with all UN resolutions.

## **V. COMMISSIONER-GENERAL CALLS FOR URGENT POLITICAL, FINANCIAL SUPPORT FOR UNRWA AT ARAB LEAGUE MINISTERIAL MEETING**

*On 11 September, the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), Mr. Pierre Krähenbühl, addressed the 152<sup>nd</sup> session of the Council of Arab Foreign Ministers, as reflected in the following [press release](#):*

The Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) Pierre Krähenbühl, has urgently called on Arab states for their continued financial and political support to Palestine refugees and to the work and role of the Agency at the Arab League Summit.

Addressing the 152<sup>nd</sup> session of the Council of Arab Foreign Ministers, Mr. Krähenbühl highlighted that the work of UNRWA remains vital, especially as long as there is no just and lasting solution to the plight of Palestine refugees. He thanked member states of the League of Arab States for their support and asked them to show the same level of commitment to defending UNRWA as has been the case in all previous years, particularly in the run-up to the renewal of the Agency's mandate in November.

UNRWA Commissioner-General held meetings with the Secretary-General of the League of Arab States, Dr. Ahmad Aboul Gheit and with the foreign ministers of Egypt, the State of Palestine, Iraq and Qatar, as well as with the Deputy Foreign Minister of Kuwait in Cairo on Tuesday, 10 September.

“UNRWA is facing enormous political challenges,” said Arab League Secretary-General Ahmad Aboul Gheit. “I call on Member States to protect funding to UNRWA and to ensure the smooth renewal of the Agency's mandate.”

Mr. Krähenbühl reiterated his and the Agency's gratitude to members of the League of Arab States for their outstanding support in 2018; the most financially challenging year since UNRWA was created in 1949. Mr. Krähenbühl also reminded them that the crisis is neither resolved nor was it simply financial in nature.

Running at an annual budget of US\$ 1.2 billion, UNRWA is mandated to serve 5.5 million Palestine refugees through the Agency's education, health, social and protection services in five areas of operations. Last week, 709 UNRWA schools opened their doors for a new scholastic year to over 530,000 girls and boys across the region. In 2018, over 8 million medical consultations were conducted in 143 UNRWA health centres. UNRWA services not only contribute to the wellbeing and development of human beings, they also provide a sense of normalcy and stability to those who receive them.

“Over the last eighteen months, we have witnessed severe attempts to delegitimize the Agency and what it does, either by questioning the very basis of our mandate or the definition of who we serve,” said Mr. Krähenbühl. “Standing with UNRWA and its services in the West Bank, including East Jerusalem, Gaza, Syria, Lebanon and Jordan is paramount not only for the human development of Palestine refugees, but also for the preservation of regional stability.”

## **VI. UN SECRETARY-GENERAL EXPRESSES CONCERN OVER ISRAELI PRIME MINISTER’S COMMENTS ON ANNEXATION**

*On 11 September, the Office of the Secretary-General, Mr. António Guterres, issued the following [statement](#):*

The Secretary-General is concerned by Israeli Prime Minister [Benjamin] Netanyahu’s statement declaring his intention, if elected, to annex 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.

The United Nations remains committed to supporting Palestinians and Israelis to resolve the conflict on the basis of relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet Road Map, as well as in compliance with prior agreements between the Government of Israel and the Palestine Liberation Organization, and realizing the vision of two States — Israel and an independent, democratic, contiguous and viable Palestinian State — living side by side in peace and security within recognized borders, on the basis of the pre-1967 borders.

## **VII. PALESTINIAN RIGHTS COMMITTEE CHAIR ADDRESSES INTERNATIONAL MEDIA SEMINAR ON PEACE IN THE MIDDLE EAST**

*The following [statement](#) was made on 11 September 2019 by the Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Ambassador Cheikh Niang, at the [International Media Seminar on Peace in Middle East](#), organized by the United Nations Department of Global Communications in cooperation with the Turkish Ministry of Foreign Affairs:*

As Chair of the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People, I would like to begin by thanking the Government of Turkey for hosting this Media seminar even as I commend the UN Department of Global Communications for highlighting the important role media plays on the road to peace. Fittingly this seminar is held in Turkey, where our Committee, together with the Organisation of Islamic Cooperation, held a conference on Jerusalem back in 2014. It was a high-profile event well covered by Turkish and international media. Turkey, a founding member of our Committee, has provided unreserved support to the Palestinian people over the years.

The mission of our Committee, as defined by the General Assembly, is to promote the inalienable rights of the Palestinian people to self-determination, to national independence and sovereignty; and the right of the refugees to return. Which is why our Committee remains alarmed by the acceleration of settlement construction and house demolitions while violent attacks against unarmed Palestinians, such as Israeli army shootings along the Gaza fence, continue. The occupation has in fact tightened over the years, leading experts to call it a *de facto* annexation.

We are further alarmed at the rise of violence against journalists reporting on these violations in Palestine. Statistics by the Palestinian Center for Development and Media Freedoms (MADA) show that attacks on Palestinian media workers were up by 60 per cent in 2018, accounting for a total of 584 violations against media freedoms. [Violations documented were committed by the Israeli Government and Palestinian authorities.] Yet amid these difficult conditions, the media continued to inform the public including on human rights violations.

You, the journalists can contribute in many ways to creating a better future for the Palestinian people, including by giving voice to the voiceless, challenging entrenched attitudes/perceptions and promoting trust. Your job is not an easy one, that is why we, the UN community, urge all Governments including the Palestinian authorities, to ensure that the rights to freedom of opinion and expression of the media are protected. In this vein, in July this year, two UN Special rapporteurs on human rights called on Israel to halt the deportation of a Palestinian photojournalist from Jerusalem to Jordan, a country where he does not even have residency rights.

The Training Programme for Palestinian Journalists run by the organizers of this seminar has familiarized its almost 200 participants with the work of the UN on human rights and on the Question of Palestine. As Chair of our Committee I have been fortunate to meet these admirable journalists, and I was deeply moved by their courageous stories.

Mobilizing international public opinion around the world in support of Palestinian rights constitutes a major part of what our Committee does. This is no easy task given the multitude of crises competing for the world's attention. This is why we need you, the media, as our allies. We hold international meetings and conferences in various parts of the world to promote wide support for the Palestinian people, but they would not have full impact without maximum media coverage. Know that our events are always open to you and we encourage you to cover them and assist us in broadening our reach. We broadcast them live, tweet, post videos on our YouTube channel, and publish documents on a daily basis on our website.

This year, a United Nations Forum on the Question of Palestine was held at UN Headquarters in April and an International Conference on the Question of Jerusalem was held at the United Nations Office at Geneva in June. They served as important platforms for raising awareness, exchanging ideas and mobilizing the international community. The Bureau of our Committee met with the UN Secretary-General to exchange ideas on how to move the Palestinian issue forward. Also, this year, as part of its priority to mobilize the European Union, the Committee sent delegations to Brussels and Berlin to talk to key European and national interlocutors.

While the Department of Global Communications builds the capacity of the Palestinian media, we in the Committee also contribute to building capacity of officials from the State of Palestine. This year, in recognition of the important role of the media, we, together with other UN partners, are planning to implement a media and communications training for Palestinian officials.

As a major awareness-raising event organized by the Committee, the International Day of Solidarity with the Palestinian People, will be commemorated on 26 November at the UN Headquarters in New York and UN offices worldwide. In New York, it will be accompanied by the exhibit “Palestine — The Most Universal of National Causes”, highlighting the support for the cause of Palestine by major world personalities such as Nelson Mandela. The media is encouraged to cover these activities to give them the biggest international resonance.

The Committee’s social media presence includes Twitter @UNISPAL with 16, 700 followers, the Facebook page of the Committee, its YouTube channel and its website “The Question of Palestine” at [www.un.org/unispal](http://www.un.org/unispal), where all information on our Committee’s activities can be found as well as the world’s largest online repository of UN documents on the Question of Palestine which features over 36,000 documents. The Division for Palestinian Rights of the United Nations, on behalf of the Committee, also produces a monthly bulletin on actions by the UN system and intergovernmental bodies, a weekly newsletter on NGO actions relevant to the question of Palestine, and a quarterly newsletter on overall Committee activities. You are encouraged to use these resources in your work.

We in the Committee are convinced that the proliferation of independent journalists and social media guarantees that the true story on what is taking place on the ground will be told. I invite you to join our Facebook, Twitter and other social media platforms and share your commitment to securing the inalienable rights of the Palestinian people. I invite you to join us and contribute to disseminate this idea through your media work as agents of change. Working as partners, we the diplomatic community and the media, can thus promote the achievement of a lasting peace in the Middle East.

#### **VIII. UN SPECIAL RAPPORTEUR SAYS ISRAEL’S PLANNED JORDAN VALLEY ANNEXATION IS ILLEGAL, PUTS AT RISK TWO-STATE SOLUTION**

*On 12 September, the United Nations Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967, Mr. Michael Lynk, released a [statement](#) reflected in the following press release:*

“To assert the right to annex in the 21st century is to attempt to re-enter a world that no longer exists,” said Michael Lynk, the UN Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967.

“Annexation is strictly prohibited under international law under any circumstances, let alone for political or electoral considerations.

“Now, with this announcement, the patina of a temporary occupation has surely come to an end. Israel, the occupying power, has demonstrated no willingness to either fulfill its international obligations or to accept the many United Nations resolutions commanding it to stop its illegal settlement enterprise and to end its 52-year old occupation.”

Annexation was outlawed by the international community in 1945, with the adoption of the Charter of the United Nations. The Jordan Valley makes up 30 percent of the occupied West Bank, and is home more than 65,000 Palestinians who live there alongside 11,000 Israeli settlers.

“By annexing these areas, Israel will further confine Palestinians to live in small, fragmented and disconnected cantons while others will continue to live under Israeli military rule,” Lynk said. “The annexation, if realized, will effectively end the illusion of a meaningful two-state solution, and will instead further entrench a one state reality of separate and vastly unequal legal systems, political rights and social opportunities.”

The Special Rapporteur called on the international community to go beyond simply issuing a verbal rebuke of the annexation announcement. “Criticism devoid of consequences can no longer be justified with respect to this conflict. This prolonged occupation will not die of old age. Only by employing meaningful counter-measures to this illegal occupation will there be any chance of reversing this promise of annexation, and ultimately ending the occupation itself,” he said.

## **IX. OIC REJECTS ISRAELI PRIME MINISTER’S STATED INTENTION TO ANNEX PALESTINIAN TERRITORY**

*On 15 September, the Organization of Islamic Cooperation adopted [Resolution No-1/16](#) on the proposed annexation of territory in the occupied West Bank, excerpted below:*

The Council of Foreign Ministers of the Member States of the Organization of Islamic Cooperation (OIC), convening at an extraordinary meeting held at the OIC headquarters in Jeddah, on 15 September 2019 (16 Muharram 1441H), at the request of the Kingdom of Saudi Arabia, on the “Israeli Prime Minister’s stated intention to annex territories in the Occupied West Bank”;

**Asserting** the principles and objectives of the OIC Charter,

**Based on** the successive Islamic Summit,’s and Council of Foreign Ministers’ resolutions on Palestine and Al-Quds Al-Sharif,

**Proceeding from** the historical, moral and legal responsibility incumbent on the Muslim Ummah, and from the sense of full solidarity with Palestine and its people,

**Guided by** the purposes and principles of the UN Charter, mainly the principle prohibiting the inadmissibility of acquisition of territory by force,

**Recalling** the relevant UN resolutions, along with the advisory opinion of the International Court of Justice of 9 July 2004 on the legal consequences of the construction of a wall in the Occupied Palestinian Territory”,

**Expressing** gratitude and appreciation to the Kingdom of Saudi Arabia for convening and presiding over this extraordinary meeting, and to the Custodian of the Two Holy Mosques, King Salman bin Abdulaziz Al Saud, and His Royal Highness Crown Prince Mohammad bin Salman bin Abdulaziz Al Saud, Deputy Prime Minister and Minister of Defense, for the attention, care and support they give to the advancement of joint Islamic solidarity, while **commending** the Kingdom of Saudi Arabia’s firm historical stances towards the Palestinian cause and constant support to the rights of the Palestinian people.

**Renewing** principled support to the Palestinian people and their legitimate leadership in their quest to obtain their inalienable national rights, including the right to self-determination, the right

to establish their sovereign independent state along the lines of 4 June 1967 and with Al-Quds Al-Sharif as its capital, and the right of refugees to return to their homes in accordance with resolution 194,

**Condemning** the Israeli occupation authority's colonial policies, practices and plans on the occupied Palestinian territory, and all attempts to change the demographic composition, character and status of the 1967 occupied Palestinian territory, including Al-Quds Al-Sharif, such as through settlement building and expansion, relocation of Israeli settlers, land confiscation and annexation, forced displacement of Palestinian citizens in violation of international humanitarian law and relevant resolutions, **considering** these criminal acts as a threat to international peace and security and to stability in the Middle East and the world as a whole,

**Welcoming** the stated positions of the UN Secretary General and the countries rejecting the Israeli prime minister's announcement,

**1. Reaffirms** the centrality of the Cause of Palestine, with Al-Quds Ash-Sharif to the entire Muslim Ummah,

**2. Proclaims** absolute rejection and vehemently **condemns** the Israeli Prime Minister's stated intention to "apply Israeli sovereignty on all of the Jordan Valley, northern Dead Sea and settlements in the occupied West Bank", **describing** it as a dangerous escalation, a further serious encroachment on the historical and legal rights of the Palestinian people, a flagrant breach of the UN Charter, the principles of international law and the relevant UN resolutions, including resolutions 181 (1947), 242 (1967), 252 (1968), 338 (1973), 425 (1978), 465 (1980), 476 (1980), 478 (1980), 681 (1990), 1073 (1996), 1397 (2002), 1435 (2002), and 1515 (2003), along with Security Council resolution 2334 of 2016.

**3. Holds fully responsible** the Israeli government for the consequences of its colonial policies in the occupied territory of the State of Palestine, including the Israeli Prime Minister's dangerous pledge deliberately seeking to undermine international efforts for a just, lasting and comprehensive peace to realize the two-state vision, and aiming at blowing up the foundations of peace and pushing the entire region towards more violence and instability.

**4. Decides** to respond strongly to this gravely aggressive statement, while taking all possible measures, both political and legal, such as initiating action with the UN Security Council and General Assembly, international courts and other relevant international organizations and bodies to counter this expansionist colonial policy.

**5. Urges** all OIC Member States to raise the issue of Palestine and the illegitimate violations and measures of the Israeli occupation during the 74<sup>th</sup> UN General Assembly.

**6. Calls on** the international community, especially the UN General Assembly and Security Council, to shoulder their responsibility, such as through rejecting and condemning this illegal Israeli statement, confronting it by compelling Israel to cease all its illegal measures, considered as null and void and having no effect under international law and relevant UN resolutions, while stressing non-recognition and rejection of any changes to the pre-1967 borders, including with regard to Al-Quds Al-Sharif.



**7. Also calls on** the international community, in this regard, to take all measures required to confront the Israeli occupation's colonial practices aimed at undermining the foundations of international law, destabilizing the law-based international system, which countermeasures include boycotting and imposing economic and political sanctions on the Israeli occupation to bring it to an end, so that the Palestinian people may exercise their right to self-determination.

**8. Supports and backs up** the Palestinian moves and steps to hold accountable Israel, the occupying authority, for its crimes against the Palestinian people, while **calling on** the Member States to provide all the political, legal, technical and material support necessary for the success of the State of Palestine's moves with the relevant international bodies.

**9. Stresses** that peace and security in the Middle East, it being a strategic choice, cannot be achieved without the Israeli occupation brought to an end and without a full Israeli withdrawal from the 1967 occupied territory of the State of Palestine, including Al-Quds Al-Sharif, in compliance with the principles of international law and the relevant international legitimacy resolutions, while clinging to the Arab Peace Initiative and all its provisions in natural sequence as approved at the Arab Summit held in Beirut in 2002.

**10. Supports** the Palestinian efforts to gain greater international recognition of the State of Palestine on the borders of 4 June 1967, **calling on** the states that have not yet recognized the State of Palestine to do so as soon as possible.

**11. Reiterates support** for the Palestinian President's initiative proposed to the UN Security Council in February 2018, while **expressing** in this regard its determination to continue to work with the international community to launch a credible, time-bound multilaterally-sponsored political process to resolve the Palestinian cause on the basis of international law, international legitimacy and agreed references, including the Arab Peace Initiative, adopted at the 2005 Islamic Summit, and the Two-State solution principle based on the 4 June 1967 borders.

**12. Mandates** the Secretary-General to follow up on the implementation of this resolution and to report thereon to the Council at its upcoming meeting.

## **X. OIC SECRETARY-GENERAL CALLS FOR INTERNATIONAL MECHANISMS TO HOLD ISRAEL ACCOUNTABLE**

*On 16 September, the Organization of Islamic Cooperation issued the following [press release](#):*

The Organization of Islamic Cooperation (OIC) played host in Jeddah, on 15 September 2019, to the extraordinary meeting of its Council of Foreign Ministers. The meeting, called for and chaired by the Kingdom of Saudi Arabia, discussed the Israeli prime minister's stated intention to annex lands from the occupied West Bank.

The Palestinian issue is the first central concern of the OIC member states, Secretary General Dr Yousef Al-Othaimen said, considering the prompt manner in which they responded to the call by the Kingdom of Saudi Arabia, the current Chair of the Islamic Summit Conference, and a clear recognition of the primacy of the Palestinian cause.

He addressed the opening session by expressing grateful appreciation to the government of the Kingdom of Saudi Arabia, under the leadership of the Custodian of the Two Holy Mosques, King Salman bin Abdulaziz Al Saud, and His Highness Crown Prince Mohammad bin Salman, may Allah preserve them, for the urgent call for this important meeting.

Dr Al-Othaimeen went on, “the Saudi call is a continuation of the dedicated commitment, both political and material, on the part of the Kingdom of Saudi Arabia to advance the issues of the Muslim world, mainly the Palestinian cause.” He thanked the member states that have taken similar positions in support of the resilient Palestinian people, stressing that unilateral actions by Israel, the occupying force, and its continued attempts to alter the historical, geographical and legal identity of Palestine, violating the legitimate rights of the Palestinians, have earned the condemnation of the overwhelming majority of the international community. Political and legal mechanisms need to be put in place to hold Israel responsible and accountable for its incessant violations, and to ensure international protection for the Palestinian people, their land and sanctities, OIC Secretary General underlined.

For his part, Foreign Minister of the Kingdom of Saudi Arabia Ibrahim Al-Assaf, Chair of the meeting, said the Palestinian cause has been – and still is – central to the Muslim world. It is a primary issue of concern for this sacred land and a top-level agenda for its foreign policy, he added, pointing out that the Kingdom of Saudi Arabia historically has always supported the Palestinian people, in all circumstances and by every means, to recover their rights and establish an independent Palestinian state with full sovereignty over its territories along the lines of 1967 and with Al-Quds Al-Sharif as its capital.

He went on, “the Kingdom is very clear in condemning and rejecting the Israeli prime minister’s statement, considering it and its resulting consequences null and void.”

Also speaking to the meeting was Palestinian foreign minister Riyad al-Maliki, who said that the risks of the Israeli prime minister’s statement cannot be underestimated as it endangers prospects for any two-state political settlement acceptable to the Palestinians, the Arab and Islamic world and internationally.

## **XI. COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION ISSUES CONCLUDING OBSERVATIONS ON THE REPORTS OF THE STATE OF PALESTINE**

*On 20 September, the Committee on the Elimination of Racial Discrimination issued its concluding observations on the initial and second periodic reports of the State of Palestine submitted under the International Convention on the Elimination of All Forms of Racial Discrimination. The concerns and recommendations of the Committee ([CERD/C/PSE/CO/1-2](#)) are reproduced below.*

### **D. Concerns and recommendations**

#### **Statistics**

7. While taking note of the population, housing and establishments census undertaken by the Palestinian Central Bureau of Statistics in 2018, the Committee regrets the lack of comprehensive statistics on the demographic composition of the population, disaggregated by ethnic or national origin, including on non-citizens, such as migrants, refugees and stateless persons. The Committee also regrets the absence of socioeconomic indicators to enable it to evaluate the enjoyment of rights under the Convention by all groups residing in the territory of the State party, including ethno-religious and national minority groups (arts. 1 and 5).

8. Recalling paragraphs 10 to 12 of its guidelines for reporting under the Convention (CERD/C/2007/1) and its general recommendation No. 24 (1999) concerning article 1 of the Convention, the Committee recommends that the State party provide information on the demographic composition of the population in the whole of the State party's territory, disaggregated by ethnic or national origin, including on non-citizens, such as migrants, refugees and stateless persons, as well as on socioeconomic indicators, to enable the Committee to evaluate the enjoyment of rights under the Convention by all groups residing in the territory of the State party, including ethno-religious and national minorities.

#### **Convention in the domestic legal order**

9. The Committee commends the State party for ratifying the Convention without reservations. The Committee is concerned, however, about the interpretation of the Supreme Constitutional Court, in its decisions No. 4 (2017) of 19 November 2017 and No. 5 (2018) of 12 March 2018, according to which international treaties acceded to by the State party take precedence over national legislation only insofar as they are consistent with the national, religious and cultural identity of the Palestinian Arab people, which may impede the enjoyment of the rights set forth in the Convention. The Committee is also concerned that the Convention has not yet been published in the Official Gazette to make it enforceable in the State party (arts. 1 and 2).

10. The Committee recommends that the State party:

(a) Fully and expeditiously incorporate the provisions of the Convention into its national law, including through publication in the Official Gazette, and take all possible measures to ensure its implementation throughout its territory;

(b) Ensure that the interpretation of the Supreme Constitutional Court, in its decisions No. 4 of 19 November 2017 (2017) and No. 5 (2018) of 12 March 2018 and their application, do not prevent persons or groups living in the territory of the State party, including Palestinian non-Arab people, from fully enjoying their rights under the Convention;

(c) Conduct training sessions and awareness-raising campaigns for judges, prosecutors, lawyers and other law enforcement officials, as well as for the general population, to ensure that the provisions of the Convention are invoked by and before domestic courts.

### **Prohibition of racial discrimination**

11. The Committee notes that race and colour are mentioned as grounds of discrimination under article 9 of the Amended Basic Law of 2003 and that an attempt was made to define discrimination in article 546 of the proposed draft penal code of 2011. However, the Committee is concerned about the absence of a comprehensive definition of racial discrimination in the legislation of the State party, in line with article 1 of the Convention.

12. The Committee recommends that the State party:

(a) Adopt comprehensive anti-discrimination legislation that includes a definition of racial discrimination, covering all grounds of discrimination mentioned in the Convention, including descent and ethnic or national origin, and encompassing direct and indirect discrimination in both the public and private spheres, in line with article 1 of the Convention;

(b) Ensure that relevant legislation, including the Amended Basic Law, as well as the proposed draft penal code of 2011, which is aimed at prohibiting and punishing discrimination, is revised to bring it into conformity with the Convention.

### **Harmonization of legislation and compliance with the Convention**

13. While welcoming the establishment of a legislative harmonization committee to review all laws to ensure their compliance with the human rights treaties to which the State party has acceded, including the Convention, the Committee is concerned that the State party has not set a time frame for completing such a review. The Committee is also concerned that:

(a) The Palestinian Legislative Council was dissolved by the Supreme Constitutional Court, in its decision No. 10 on 12 December 2018;

(b) The laws enacted by presidential decrees since the suspension of the Palestinian Legislative Council in 2006 are neither recognized nor enforced in the Gaza Strip, which exacerbates the fragmentation of the legal system and subjects Palestinians in the Gaza Strip and the West Bank, including East Jerusalem, to multiple sets of laws affording varying levels of protection;

(c) Various laws, including the Civil Service Code, the Decree Law on General Elections and the Law for the Lease and Sale of Immovable Property to Foreigners, are not in line with the Convention;

(d) No time frame has been set for the review and adoption of draft laws, such as the draft penal code, the draft personal status code and the draft family protection law (arts. 1 and 2).

14. The Committee urges the State party to:

(a) Ensure popular participation in decision-making and address the current rule of law deficit by reinstituting a democratically elected parliamentary legislative body, such as the Palestinian Legislative Council;

(b) Harmonize, through a democratic legislative process, the different sets of laws implemented in the Gaza Strip and the West Bank, including East Jerusalem, to ensure that all persons living under the jurisdiction of the State party are protected equally under the law;

(c) Adopt a clear time frame for the completion of the review of the existing legislative framework, in collaboration with civil society organizations, to ensure compliance with the Convention;

(d) Expedite the review of draft laws, including the draft penal code, the draft personal status code and the draft family protection law, to ensure their compliance with the Convention and their adoption.

### **National human rights institution**

15. The Committee welcomes the fact that the Global Alliance of National Human Rights Institutions granted the Independent Commission for Human Rights “A” status in 2015. However, the Committee is concerned that the draft law formalizing the establishment of the Commission has not yet been adopted notwithstanding its submission to the Palestinian Legislative Council in 2005. It is also concerned that the Commission does not have adequate human and financial resources to discharge its mandate effectively (art. 2).

16. The Committee recommends that the State party formalize in law the establishment of the Independent Commission for Human Rights and provide it with adequate human and financial resources to carry out its mandate fully, effectively and independently, in conformity with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

### **Complaints of racial discrimination**

17. The Committee is concerned that no complaints of racial discrimination were brought before the Independent Commission for Human Rights. It also regrets the lack of detailed information on racial discrimination complaints filed with the national courts and other relevant Palestinian institutions, as well as on investigations, prosecutions, convictions and sanctions imposed and on the reparations provided to victims (art. 6).

18. The Committee draws the State party’s attention to its general recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system and recalls that the absence of complaints and legal actions relating to racial discrimination may reveal a lack of suitable legislation, poor awareness of the legal remedies

available, a lack of trust in the judicial system, a fear of reprisals or a lack of will on the part of the authorities to prosecute the perpetrators of such acts. It recommends that the State party:

- (a) Facilitate the filing of complaints for acts of racial discrimination and ensure that such acts are properly investigated and that those responsible are adequately sanctioned;
- (b) Provide training programmes for law enforcement officials, prosecutors, judges and other public officials on the identification and registration of incidents of racial discrimination;
- (c) Undertake public education campaigns on how rights under the Convention can be invoked before the courts and on remedies available;
- (d) Provide information and statistics on complaints of racial discrimination, as well as on investigations, prosecutions, convictions and sanctions imposed, and on the reparations provided to victims, disaggregated by age, sex and ethnic and national origin.

### **Racist hate speech and hate crimes**

19. The Committee is concerned:

- (a) That the State party's legislation criminalizing racist hate speech and hate crimes, as well as organizations that promote and incite racial discrimination, in particular the Penal Code of 1936 and the Jordanian Penal Code of 1960, which are applicable in the Gaza Strip and the West Bank, respectively, as well as the Press and Publication Act, the Cybercrime Act and Presidential Decree No. 3 on the Enhancement of National Unity and Prohibition of Incitement, is not fully in line with article 4 of the Convention;
- (b) That the overly broad and vague character of some of the provisions allows for the imposition of severe restrictions on free speech and for the criminalization of journalists, human rights defenders and political opponents for exercising their right to freedom of opinion and expression;
- (c) About the existence of hate speech, in particular hate speech directed against Israelis, which at times fuels anti-Semitism towards this group, in certain media outlets, in particular those controlled by Hamas, as well as on social media, in public officials' statements and in school curricula and textbooks, which also fuels hatred and may incite violence (art. 4).

20. Recalling its general recommendations No. 7 (1985) relating to the implementation of article 4 of the Convention, No. 8 (1990) concerning the interpretation and application of article 1 (1) and (4) of the Convention, No. 15 (1993) on article 4 of the Convention and No. 35 (2013) on combating racist hate speech, the Committee urges the State party to:

- (a) Amend its legislation, in particular the Penal Code of 1936 and the Jordanian Penal Code of 1960, which are applicable in the Gaza Strip and the West Bank, respectively, the Press and Publication Act, the Cybercrime Act and Presidential Decree No. 3 on the Enhancement of National Unity and Prohibition of Incitement, to ensure its conformity with the provisions of article 4 of the Convention;

(b) Ensure that the above-mentioned laws are not used to intimidate, harass, arrest, detain or prosecute journalists, human rights defenders or political opponents for exercising their right to freedom of opinion and expression;

(c) Combat hate speech and incitement to violence, including on the Internet and by public figures, politicians and media officials, and remove any derogatory comments and images that perpetuate prejudices and hatred from school curricula and textbooks.

### **Situation of ethno-religious and national minorities**

21. The Committee regrets the lack of information on the situation of ethno-religious and national minorities in the State party and on their ability to fully enjoy all the rights covered by the Convention without discrimination. The Committee is particularly concerned about the lack of information on the situation of Bedouins, who face a number of challenges in terms of obtaining access to essential services, as well as forcible evictions and the demolition of their houses (art. 5).

22. The Committee recommends that the State party:

(a) Ensure that all ethno-religious and national minorities have full access to all the rights covered by the Convention without discrimination;

(b) Take all possible measures to ensure access to, inter alia, employment, health care, water, sanitation and electricity for Bedouins, who are particularly vulnerable to forcible evictions and the demolition of their houses, and continue to provide them with humanitarian assistance.

### **Minorities in public and political life**

23. The Committee notes the measures taken to promote the political participation of Syriacs and Samaritans. It is concerned, however, that the measures do not benefit all minorities. It is also concerned about the lack of information regarding the representation of ethno-religious and national minorities in the elective bodies at all levels and in public office (arts. 2 and 5).

24. The Committee recommends that the State party ensure that ethno-religious and national minorities are adequately represented in all elective bodies and in public office by taking all measures necessary, including amending its electoral laws.

### **Migrant domestic workers**

25. The Committee is concerned that migrant domestic workers remain excluded from the protection guaranteed by the Labour Act of 2000. It is also concerned about the lack of information on the working conditions of migrant domestic workers and their ability to fully enjoy all the rights covered by the Convention without discrimination (arts. 5–7).

26. Recalling its general recommendations No. 25 (2000) on gender-related dimensions of racial discrimination and No. 30 (2004) on discrimination against non-citizens, the Committee recommends that the State party:

(a) Ensure that the employment of migrant domestic workers is regulated under the Labour Act;

(b) Provide detailed information on the measures taken to protect migrant domestic workers from exploitative labour practices, including data on the number, types and outcomes of complaints filed by migrant domestic workers.

### **Situation of minority women**

27. The Committee is concerned that minority women may face multiple and intersecting forms of discrimination on the basis of ethnic origin and gender, including barriers to obtaining access to employment, education, health care and justice (arts. 2 and 5).

28. Recalling its general recommendation No. 25 (2000), the Committee recommends that the State party eliminate all barriers faced by minority women in obtaining access to employment, education, health care and justice. To this end, it recommends that the State party incorporate a minority women perspective into all gender-related policies and strategies.

### **Nationality**

29. The Committee notes that, under Palestinian law, women and men have equal rights to transmit, acquire, change or retain their nationality. It is concerned, however, that legislation concerning nationality is governed by a complex set of laws, including the Civil Status Code of 1999, the Palestinian nationality decrees issued in 1925 under the British Mandate, and the amended Jordanian Nationality Act of 1954. In particular, the Committee is concerned about:

(a) The lack of information on measures to adopt a comprehensive law to unify and clarify the above-mentioned provisions in order to reduce the risk of statelessness;

(b) The high number of Palestinians who are deprived of citizenship owing to prolonged refugee status abroad, displacement within the territory of the State party and discriminatory citizenship laws in the Occupied Palestinian Territory, in particular East Jerusalem (arts. 2 and 5).

30. The Committee recommends that the State party:

(a) Adopt a comprehensive law on nationality that harmonizes the various provisions on nationality to reduce the risk of statelessness;

(b) Engage with the international community to address the issue of nationality for Palestinians who are deprived of citizenship owing to prolonged refugee status, displacement within the State party territory and discriminatory citizenship laws, in particular for those living in East Jerusalem;

(c) Ratify the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.

## **E. Other recommendations**

### **Ratification of other treaties**

31. Bearing in mind the indivisibility of all human rights, the Committee encourages the State party to consider ratifying those international human rights treaties that it has not yet ratified,



in particular treaties with provisions that have direct relevance to communities that may be subjected to racial discrimination, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. The Committee also recommends that the State party consider ratifying the Convention relating to the Status of Refugees and its Protocol.

### **Follow-up to the Durban Declaration and Programme of Action**

32. In the light of its general recommendation No. 33 (2009) on the follow-up to the Durban Review Conference, the Committee recommends that, when implementing the Convention in its domestic legal order, the State party give effect to the Durban Declaration and Programme of Action, adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking into account the outcome document of the Durban Review Conference, held in Geneva in April 2009. The Committee requests that the State party include in its next periodic report specific information on action plans and other measures taken to implement the Durban Declaration and Programme of Action at the national level.

### **International Decade for People of African Descent**

33. In the light of General Assembly resolution 68/237, in which the Assembly proclaimed 2015–2024 the International Decade for People of African Descent, and Assembly resolution 69/16 on the programme of activities for the implementation of the Decade, the Committee recommends that the State party prepare and implement a suitable programme of measures and policies in collaboration with organizations and peoples of African descent. The Committee requests that the State party include in its next report precise information on the concrete measures adopted in that framework, taking into account its general recommendation No. 34 (2011) on racial discrimination against people of African descent.

### **Consultations with civil society**

34. The Committee recommends that the State party continue consulting and increasing its dialogue with civil society organizations working in the area of human rights protection, in particular those working to combat racial discrimination, in connection with the preparation of the next periodic report and in follow-up to the present concluding observations.

### **Common core document**

35. The Committee encourages the State party to submit a common core document in accordance with the harmonized guidelines on reporting under the international human rights treaties, in particular those on the common core document, as adopted at the fifth inter-committee meeting of the human rights treaty bodies held in June 2006 (HRI/GEN/2/Rev.6, chap. I). In the light of General Assembly resolution 68/268, the Committee urges the State party to observe the limit of 42,400 words for such documents.

### **Follow-up to the present concluding observations**

36. In accordance with article 9 (1) of the Convention and rule 65 of its rules of procedure, the Committee requests the State party to provide, within one year of the adoption of the present concluding observations, information on its implementation of the recommendations contained in paragraphs 10 (a) (Convention in the domestic legal order), 14 (a) and (c) (harmonization of legislation and compliance with the Convention) and 20 (b) (racist hate speech and hate crimes) above.

### **Paragraphs of particular importance**

37. The Committee wishes to draw the attention of the State party to the particular importance of the recommendations contained in paragraphs 8 (statistics), 10 (b) (Convention in the domestic legal order), 14 (b) and (d) (harmonization of legislation and compliance with the Convention), and 30 (nationality) above and requests the State party to provide detailed information in its next periodic report on the concrete measures taken to implement those recommendations.

### **Dissemination of information**

38. The Committee recommends that the State party's reports be made readily available and accessible to the public at the time of their submission and that the concluding observations of the Committee with respect to those reports be similarly made available to all State bodies entrusted with the implementation of the Convention, including municipalities, in the official and other commonly used languages, as appropriate.

### **Preparation of the next periodic report**

39. The Committee recommends that the State party submit its combined third to fifth periodic reports, as a single document, by 2 April 2023, taking into account the reporting guidelines adopted by the Committee during its seventy-first session (CERD/C/2007/1) and addressing all the points raised in the present concluding observations. In the light of General Assembly resolution 68/268, the Committee urges the State party to observe the limit of 21,200 words for periodic reports.

## **XII. UN SPECIAL COORDINATOR BRIEFS SECURITY COUNCIL ON IMPLEMENTATION OF RESOLUTION 2334 (2016)**

*On 20 September, the United Nations Special Coordinator for the Middle East Peace Process, Mr. Nickolay Mladenov, briefed the Security Council at its 8625th meeting. His [statement](#) is replicated below:*

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 resolution 2334 (2016), which covers the period between 11 June and 11 September.

Let me reiterate that developments during the 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; severe challenges to the fiscal viability of the Palestinian Authority; and the persistent risk of military escalation in the region. All those developments collectively erode the prospects for a two-State solution.

Paragraph 2 of 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. However, 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 compensated. The 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 ownership.

Demolitions and seizures of Palestinian-owned structures by Israeli authorities have continued across the occupied West Bank and 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, which resulted 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 Al-Hummus neighbourhood in the village of Sur Bahir in 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 the 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 the Israeli Court ruled in favour of a settler-related organization, which had obtained ownership of much of the property.

On 26 August, the 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 Israeli settlement outpost was reportedly established nearby, without a building permit from the Israeli authorities.

Resolution 2334 (2016) also “calls for immediate steps to prevent all acts of violence against civilians, including 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, also including one child, were killed, and 336 Palestinians and 21 Israelis were injured in various incidents, including clashes with the Israeli Security Forces (ISF), security operations, attacks and settler-related violence.

On 27 June, in the Al-Issawiya neighbourhood 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 security forces have conducted raids, house searches and arrests. These operations have triggered clashes with residents and were usually conducted at night, causing disruption and trauma to residents and businesses.

According to the Office of the United Nations High Commissioner for Human Rights (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 Al-Ibrahimi Mosque in the H2 area of Hebron. On 12 July, a nine-year-old Palestinian boy was shot in the forehead by the ISF during clashes in Kafr Qaddum, in the 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 policeman. On 23 August, an improvised explosive device 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 its home in the West Bank village of Urif after repeated attacks over the past year.

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 gain access to 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 Israeli security officers being injured.

In Gaza, the overall levels of violence and ensuing casualties have decreased during the reporting period, but tension continues. The Israel Defence Forces (IDF) continues to use 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. Some 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, the Israeli Security Forces 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 a non-governmental organization 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.

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, and Hamas later 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 made 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 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 and also on other important regions for [Israel’s] security, for our heritage, and for our future”.

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 the last two reports of the Office of the United Nations Special Coordinator for the Middle East Peace Process to the Ad Hoc Liaison Committee for the Coordination of International Assistance to Palestinians. With those efforts, the energy supply to households in Gaza has more than doubled and some improvements in the economy have been felt. A slight decrease in the unemployment rate to 46.7 per cent in the second quarter of 2019, from 47 per cent, was reported.

Qatar has continued to generously fund the supply of fuel to 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 the United Nations Development Programme, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and other United Nations agencies. Some easing of the import and export restrictions by Israel, additional permits, as well as the extension of the permitted fishing zone to 15 nautical miles from the coast and the return of confiscated fishing boats, are also welcome developments.

Despite those efforts, Gaza’s health-care system remains on the brink of collapse. In July, 44 per cent of essential medicines in Gaza were completely depleted and 26 per cent of essential medical disposables had less than one month’s supply remaining. Over 1,000 people injured in Gaza will require complex limb reconstruction treatment and may risk losing limbs due to infection.

On 22 August, Israel and the Palestinian Authority reached an arrangement, whereby the Palestinian Authority received on an ad hoc basis approximately \$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 the bodies of the Palestinians killed, while allegedly carrying out attacks on or clashing with the Israeli security forces. 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 Palestinian Authority, 253 such bodies are being withheld by Israel. Sadly, almost two years after the reconciliation agreement brokered by Egypt, internal Palestinian divisions remain deeply entrenched.

The generous support of Member States to date has allowed UNRWA to reduce its funding shortfall from \$211 million in January 2019 to \$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 Jerusalem municipality to interfere with its work, including obstructing solid waste services in Shuafat camp, replicating sanitation services and attempting to enter an UNRWA vocational training centre in Kalandia without authorization by the Agency.

In its paragraph 5, resolution 2334 (2016) calls 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 calls upon all parties to continue, inter alia, to exert collective efforts to launch credible negotiations. No meaningful efforts were made in that direction during the reporting period.

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

The expansion of settlements has no legal validity and constitutes a flagrant violation of international law, as stated in 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 East Jerusalem, fuel anger and disillusionment among the population and significantly undermine the prospects for establishing a contiguous and viable Palestinian State, with Jerusalem as the future capital of both States.

I reiterate the Secretary-General’s concern over statements regarding the annexation of the Jordan Valley and the northern Dead Sea as a first step towards 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.

The demolition and seizure of Palestinian structures also continues. The Sur Bahir demolitions and the evictions in Silwan, 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.

The situation in Gaza remains volatile. It is shameful and intolerable that people, including children, continue to be killed and injured during demonstrations and by indiscriminate rocket attacks or other hostile acts. The Israeli security forces have the responsibility to exercise maximum restraint and to use lethal force only when strictly necessary, as a last resort, in response to an imminent threat of death or serious injury and in accordance with international law. Children should never be the target of attacks or exposed to violence. The launching of rockets and mortars

towards Israeli civilian populations is prohibited by international humanitarian law, and Hamas and the Palestinian Islamic Jihad must cease that practice immediately.

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. I also 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.

I remain deeply concerned about developments relating to the clearance of revenues of the Palestinian Authority. Despite the Palestinian Authority's temporary reprieve as a result of the reimbursed taxes levied by Israel on fuel, the financial crisis is very far from over. I urge both sides to engage in a constructive manner with the goal of restoring the revenue transfers in full, in line with the Paris Protocol on Economic Relations.

I would like to also reiterate that the fate of two Israeli civilians and the bodies of two Israeli Defence Forces soldiers missing in Gaza remain an important humanitarian concern for all of us.

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 socioeconomic 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 resolution 1860 (2009), and by reuniting Gaza and the West Bank under a single, legitimate Palestinian national authority. At the same time, it is critical to ensure that the current calm be sustained in order to gradually introduce longer-term projects that will support Gaza's development.

I reiterate the call on all Palestinian factions to actively engage with Egypt on reconciliation. Despite the challenges, it is critical that those efforts continue. The United Nations remains steadfast in its support of Egyptian efforts in that 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.

As we approach third anniversary of the adoption of 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 the 1967 lines, international law, relevant United Nations resolutions and previous 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.



### **XIII. AD HOC LIAISON COMMITTEE OF DONORS MEETS AT MINISTERIAL LEVEL**

*On 26 September, the Chair of the Ad Hoc Liaison Committee (AHLC), Ms. Ine Eriksen Søreide, Foreign Minister of Norway, issued the following [summary](#) of AHLC deliberations following its meeting in New York:*

The AHLC met in New York on 26 September 2019 on ministerial level.

The meeting focused on what the donors, the international community and the Israeli and Palestinian governments should do at this critical juncture, to make progress on statebuilding and economic development, and encourage resumption of a political process.

An overall majority of the AHLC members emphasized the international consensus on a two-state solution, relevant UN resolutions and bilateral agreements as the basis for resolving the Israeli-Palestinian conflict. They stressed that the successful establishment of the Palestinian Authority should be further consolidated, and obstacles limiting its further development removed. The parties should restart political talks to resolve all outstanding final status issues. Statebuilding and economic development can underpin, but never replace a political solution.

The current severe liquidity crisis of the PA, stemming from the standoff over clearance revenues and the shortfall of donor contributions, strongly affects the Palestinian economy. In 2019, the PA has relied on increased borrowing. Improving the prospects for the Palestinian people requires increased access and movement, including to Area C, and opening up for internal trade within the Palestinian territories, between Palestine and Israel as well as with regional and international markets.

The meeting called for immediate steps to redress the fiscal situation for the PA, resume transfers of clearance revenues, and increase donor support including to Gaza.

1. The meeting welcomed the willingness of the parties to continue the dialogue on outstanding fiscal issues with the objective to agree on long-term solutions. The parties will report on progress and results to the AHLC meeting in Brussels.

2. The meeting expressed support for the continued reform efforts of the PA, including judicial, economic and social reform, and strengthening institution building and rule of law. The meeting welcomed president Abbas' announcement on Palestinian elections.

3. The meeting encouraged improved movement and access, and facilitation of trade. There is an urgent need for increased Palestinian access to Area C. Donors called for further improving of through-flow at the international crossings, in particular Allenby Bridge/ King Hussein, and for relaxing restrictions on items considered "dual-use". An electronic VAT system should be established and made operational without delay.

4. The Chair urged donors to reverse the recent decline in donor support. Increased donors support is critical, also in order to upgrade basic infrastructure, both in the West Bank, East Jerusalem and Gaza.

5. There is a need to ensure long term and stable supply of energy, including by concluding the Power Purchase Agreement (PPA), upgrading necessary feeder lines and investing in solar power. Talks should start on how to deal with payments for energy and electrification of the substations at the West Bank.

6. The Gaza package, which was presented at the AHLC in September 2018, has had positive effects, particularly in the continued funding of fuel to Gaza and cash for work. The meeting urged donors to step up support for the following:

a. Additional funding for fuel to the Gaza Power Plant.

b. Extend cash for work programs.

c. Measures in support of the economy and industrial sectors, including improving access for external markets for Gaza, Gaza Industrial Zone, upgrades to the Kerem Shalom Crossing. The AHLC welcomed the progress made on broadening the scope of products allowed out of Gaza if such products meet international standards, and called upon both sides to continue their constructive dialogue to further ease restrictions on trade.

d. Ensure and fully finance the Gaza Reconstruction Mechanism (GRM).

7. The meeting took note of the Palestinian government's efforts to review education and health sectors for more reforms, including the distribution of health equipment and medicines. The meeting welcomed the decision by the Palestinian government to undertake a broad review of the health sector focusing on the delivery of medicine and medical equipment as well as cost of health referrals and the economic situation for major hospitals. Furthermore, the PA will improve the supply chain for medicine, medical disposals and medical equipment to Gaza. The PA calls on the international community to support investments into the health care sector in Gaza, the West Bank and East Jerusalem.

8. The AHLC welcomed that the financing of the Gaza Central desalination plan and associated works is now fully secured, that Israel has given all necessary permits up front, that tendering is now proceeding for the plant, and that construction of water pipes in Gaza south has started. This will provide for larger quantities of water delivered to Gaza within a year. The meeting also welcomed progress made related to the operation and maintenance at NGEST [Northern Gaza Emergency Sewage Treatment project].

The meeting took note of the constructive discussions between the PA and IMF on the issue of representation. The relationship is particularly critical during the current fiscal crisis. The meeting is looking forward to the IMF's report to the Brussels meeting.

The meeting urged the parties to agree on and implement without any further delay a mechanism to ensure continued correspondent banking relations.

The work of the AHLC will be monitored and followed up in meetings between the parties and the donors at local level.

#### **XIV. EU RELEASES REPORT ON ISRAELI SETTLEMENTS**

*On 30 September, the Office of the European Union Representative (West Bank and Gaza Strip, UNRWA), released the following [summary](#) of its latest periodic six-month report on settlements:*

In the first half of 2019 (January-June) advancement of housing units continued on a high level. 5,800 new housing units were advanced in different stages of the planning and implementation process (tenders and plans) in the occupied West Bank, including East Jerusalem. 1,153 of the units pertain to settlements located in East Jerusalem, and 4,647 to settlements located in other parts of the West Bank, including in outlying locations deep inside the West Bank.

Several significant developments took place during the reporting period.

A new settlement was approved by the retroactive authorization of the Haresha outpost in the north of the West Bank. Another plan authorized previously unauthorized settler construction in Sde Bar east of Bethlehem.

Plans were advanced for the settlements Efrat and Ma'ale Adumim, two large settlements in strategic locations that hamper the possibility for a contiguous Palestinian state and North-South, East-West connectivity. 289 new housing units were approved for validation for the expansion of the Alon settlement near the Palestinian community of Khan al-Ahmar, which is under threat of demolition. Khan al-Ahmar is situated in a sensitive location in Area C, and has strategic importance for preserving the contiguity of a future Palestinian state.

Other developments contributing to settlement expansion include the expropriation of Palestinian land for the construction of bypass roads for settlers, settlement activities related to touristic endeavours in and around the Old City of Jerusalem, the eviction of the Palestinian Abu Asab family from its home in the Muslim quarter of Jerusalem's Old City, as well as an increase in the number of reported incidents of settler-related violence.

There are currently approximately 215,000 Israelis living in East Jerusalem while the settler population in Area C of the occupied West Bank is some 413,000.<sup>1</sup> This brings the Israeli settler population in the West Bank to approximately 630,000 individuals in some 143 settlement locations in the West Bank (132) including East Jerusalem (11)<sup>2</sup>, and 113 outposts.

As stated in UN Security Council Resolution 2334 (2016), the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation of international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace.

---

<sup>1</sup> Israeli Central Bureau of Statistics, 2017.

<sup>2</sup> East Talpiyot, French Hill, Gilo, Har Homa, Jewish Quarter, Maalot Dafna, Neve Ya'akov, Pisgat Ze'ev, Ramat Eshkol, Ramat Shlomo and Ramot.