



DIVISION FOR  
PALESTINIAN RIGHTS

# Bulletin

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

**March 2020**  
**Volume XLIII, Bulletin No. 3**

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*The Bulletin can be found in the United Nations Information System on the Question of Palestine (UNISPAL) on the Internet at:*

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## **I. UN SPECIAL RAPPORTEUR “DEEPLY TROUBLED” BY ISRAEL’S NEW SETTLEMENT BUILDING**

*On 2 March, the Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967, Michael Lynk, issued a statement reflected in the following [press release](#):*

An independent expert appointed by the Human Rights Council said Israel’s recent announcement that it planned to build more than 8,000 settlement housing units in the occupied Palestinian territory amounts to “a significant breach of international law that must be meaningfully opposed by the international community”.

“I am deeply troubled by this highly disturbing development,” said Michael Lynk, Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967. “This dramatic increase in new housing units in the illegal Israeli settlements not only ensures that a two-state solution has become a vanishing mirage, but it also consolidates the territorial basis for Israel, the occupying power, to make a sovereign claim to annex the settlements.

“Annexation violates the Charter of the United Nations, and these trends on the ground will only worsen the human rights and humanitarian crisis in the conflict.”

Israel announced last Wednesday that it plans to build 3,500 housing units in the E1 area east of Jerusalem, which would link the city to the Israeli settlement of Ma’ale Adumim. Building settlements in the E1 area would effectively cut the territorial continuity between the northern and southern West Bank in two.

Israel also announced plans to build 3,000 housing units in the illegal Israeli settlement of Givat Hamatos in East Jerusalem. This would sever the remaining territorial continuity between Palestinian communities in East Jerusalem and Bethlehem. In addition, last Thursday, the Higher Planning Council of the Civil Administration approved 12 plans in 11 settlements, involving 1,739 housing units, most of which will be located deep in the West Bank.

The UN expert has previously criticised other plans to expand settlements and has shared these concerns with the Israeli Government.

“All Israeli settlements in the occupied Palestinian territory are illegal under international law,” the Special Rapporteur said. “The Security Council in December 2016 stated that they constitute a ‘flagrant violation under international law’. Building more settlement units not only makes the fading possibility of realizing Palestinian self-determination more remote than ever, but it also amounts to a purported war crime under the 1998 Rome Statute.”

The Special Rapporteur also criticised a recent meeting of the US-Israeli joint mapping committee, designed to determine which parts of the Palestinian West Bank will be formally annexed by Israel under the terms of the Trump plan, released in January 2020.

“The work of this mapping committee is entirely unlawful under our international rules-based order,” Lynk said. “Annexation has been outlawed by the international community since 1945 because it instigates political instability, social suffering and economic hardship. The United States

Government's participation in this mapping exercise violates its solemn obligations to uphold international law and to cooperate with other states to isolate perpetrators of illegal acts."

The Special Rapporteur urged the international community to take meaningful steps to oppose the ongoing settlement expansion and the anticipatory steps towards annexation. "More declarations of regret and concern by countries and organizations with the power to make a difference in this perpetual occupation will not suffice. Criticism without consequences guarantees that settlement expansion and annexation will continue," he said.

"I call upon the international community to review its extensive menu of sanctions and countermeasures to stem this march towards further illegality. Settlement products should not enter the international marketplace. Agreements, existing and proposed, with Israel should be reviewed. The current investigations at the International Criminal Court should be supported.

"There has to be a cost to the defiance of international law," the Special Rapporteur said.

## **II. PALESTINIAN RIGHTS COMMITTEE VISITS INDIA**

*On 2 and 3 March, a delegation of the Committee on the Exercise of the Inalienable Rights of the Palestinian People visited India. The [outcome](#) of the visit was summarized as below:*

A Committee delegation visited New Delhi on 2 and 3 March, led by the Chair (Permanent Representative of Senegal), and including the Permanent Representatives of Malaysia, Deputy Permanent Representatives of Indonesia and the Political Coordinator of the Mission of Palestine in New York, who was recently designated as Ambassador to the European Union.

The objective of the visit was to engage India, a member of the Committee and a good friend of Palestine and Israel, to promote a peaceful settlement of the question of Palestine. The delegation met with H.E. Dr. S. Jaishankar, the Minister of External Affairs and was hosted to lunch by the Secretary of the Ministry and other officials. The delegation also met with a representative responsible for external affairs of the ruling BJP party.

The delegation held two seminars – at the Vivekananda International Foundation and the Indian Council of World Affairs – with former diplomats and military officers, concluding the visit with a press conference and a reception for diplomatic community based in Delhi.

India remains committed to resolving the question of Palestine through negotiations, in accordance with international law and UN resolutions. The Committee delegation emphasized its reservations about the US peace plan and expressed the fear that the plan would destine the State of Palestine to perpetual economic dependence and lack of sovereignty.

### **III. UNRWA ACTING COMMISSIONER-GENERAL EXPRESSES CONCERNS OVER “PEACE TO PROSPERITY” PLAN AT ARAB LEAGUE MEETING**

*On 4 March, UNRWA Acting Commissioner-General Christian Saunders delivered a statement at the meeting of Foreign Ministers of the League of Arab States in Cairo. His [statement](#) is excerpted below:*

...

The membership of the Arab League has consistently shown firm leadership in defending the human rights of the Palestine refugees.

Events in the region keep us guessing. The election in Israel adds new uncertainty about what happens next. Stakeholders are still assessing where the US plan, “From Peace to Prosperity”, will take the region.

The strong position emanating from the extraordinary session of the Council of the League of Arab States is that only a two-State solution can be accepted in the region, in line with international law including resolutions of the UN Security Council, and supported by annual resolutions of the General Assembly.

We have concerns that the US plan may already be encouraging political challenges to the Agency.

One of those concerns is a new round of questions about our mandate and role. This is nothing new in itself, and we have developed strong messaging for entities targeting our mandate, but the intensity and the number of actors engaging is growing day by day and they are increasingly targeting decision makers and parliamentarians across the political spectrum in donor capitals with the intent to have UNRWA defunded. We are engaging with capitals and hope support will be maintained, but would appreciate your support and the support of your teams in continuing to advocate strongly at every opportunity on our behalf.

Another concern is the effort being made to terminate UNRWA’s presence in East Jerusalem. In 2018 municipal officials began interfering with UNRWA activities and made repeated threats indicating the intent to close UNRWA installations and our ability to provide services in East Jerusalem. It remained a local campaign by the mayor of Jerusalem at the time, until the end of last year when he introduced a draft bill or law in Israel’s parliament that would terminate UNRWA’s presence and activities in the city.

The legislation has yet to be tabled in the Knesset, but we are proactively raising this matter in interactions and meetings such as this, as it is crucial that the international community engage the government of Israel and other governments in support of our activities and of our mandate in East Jerusalem, so as to try to avert any unilateral action taken against the agency. On multiple occasions we have made clear to the Israel Ministry of Foreign Affairs that the standing agreement between UNRWA and Israel signed in 1967 remains in force and also the UN Convention on Privileges and Immunities protects UN facilities and assets from interference. It is also fundamentally important to recall that the agency’s mandate emanates from the UN General Assembly and UNRWA needs to continue to provide protection and essential services in

conformance to that mandate until there is a just and lasting solution and / or the UN General Assembly determines otherwise.

Mr. Nickolay Mladenov, the UN Special Coordinator for the Middle East Peace Process, also spoke about this issue in briefings to the UN Security Council.

Our office based in East Jerusalem is monitoring the situation closely.

Pressures on UNRWA are closing in from all sides. As we engage and counter mandate antagonists – which consumes considerable amounts of time and energy – our financial situation continues to deteriorate and the current funding arrangements for the Agency have fallen very much below our minimum requirements.

Commitments to our mandate and its renewal in December – for a further three years until 30 June 2023 – by the vast, overwhelming majority of the members of the United Nations General Assembly, sent a crucial message to the international community and to the Palestine refugees themselves.

However, this global political backing for our mandate comes with responsibilities and part of those responsibilities is to adequately fund UNRWA to implement that mandate.

There can be no understating the generosity shown to UNRWA. I do not for a moment mean to imply that the donor community is indifferent to the needs of the Palestine refugees. Far from it, our regional partners have dramatically increased their overall contributions to the Agency over the last decade and many of the Gulf states have set an example of good donorship. I cannot put into words how much we appreciate this support.

However, the financial constraints placed on us since mid 2019 have become truly unsustainable and the Palestine refugees are feeling the consequences. .

In 2019 we were forced to secure emergency financing from the Central Emergency Response Fund to stay operational – not once but twice, including a loan of \$30 million. Without these loans we would have been unable to pay the salaries of our staff. We also had no choice but to delay paying vendors for goods and services in the last quarter of the year.

As a result we started 2020 with debts of US\$ 55 million dollars. So far we have received pledges of only \$299 million out of the total requirement of \$1.4. Billion. If we do not receive additional pledges or those who have pledged do not make good on existing pledges then we will run out of money at the end of next month. At this point I do not see how the needs of the Palestine refugees can be met this year if support remains stagnant at 2019 levels and our core programmes implemented in Gaza, Jordan, Lebanon, Syria, and the West Bank including East Jerusalem will grind to a halt.

I would also like to recall that years of painful restrictions on expenditure are being felt in all our fields, such a recruitment freeze and non replacement of vehicles and other essential equipment. Much of our vehicle fleet is 10 years old and much of the equipment in our schools is obsolete or broken.

The refugee community has also been shaken by the measures we have been forced to take, from near suspension of our education programme, to reductions in emergency assistance delivered in the occupied Palestinian territory and Syria. I have so far resisted pressures to suspend core services, but in the end it comes down to available resources and I will have no choice.

I appeal for partners to strengthen support, and ensure new pledges and existing pledges are transferred as early as possible so that we are able to sustain the essential services and dignity of the Palestine refugee communities . I also appeal to all partners to commit to the funding levels they provided in 2018 or if possible to be even more generous than you were in that year.

Allow me to remind you, as our close partners sensitive to the pressures facing UNRWA, that parties challenging our mandate are already encouraged by recent political developments. The perception that commitments to meet refugee needs may be reaching its limits will undoubtedly give momentum to those challenges. A significant reduction or indeed absence of the critical services being provided by UNRWA will also have an as yet unknown impact on stability in the region

...

#### **IV. US SECRETARY OF STATE POMPEO MEETS WITH THE UN SECRETARY-GENERAL**

*On 6 March, US Secretary of State Michael R. Pompeo met with the United Nations Secretary-General Antonio Guterres. The [readout](#) of the meeting is excerpted below:*

...

Secretary Pompeo also reiterated his outrage at the decision by UN High Commissioner for Human Rights Michelle Bachelet to publish a database of companies operating in Israeli-controlled territories. The Secretary made clear that the United States will continue to engage UN officials and member states on this matter, will not tolerate the reckless mistreatment of U.S. companies, and will respond to actions harmful to our business community.

#### **V. COMMITTEE ON THE RIGHTS OF THE CHILD PUBLISHES CONCLUDING OBSERVATIONS ON THE INITIAL REPORT OF PALESTINE**

*On 6 March, Committee on Rights of the Child published Concluding observations on the [initial report](#) of the State of Palestine. Excerpts are reproduced below:*

...

#### **IV. Main areas of concern and recommendations**

5. The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography throughout the process of implementing the 2030 Agenda for Sustainable Development. It also urges the State party to ensure the meaningful participation of children in the design and

implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.

#### **A. General measures of implementation (arts. 4, 42 and 44 (6))**

##### **Legal status of the Convention**

7. The Committee recommends that the State party:

(a) Expedite the implementation of the ministerial decision of 13 January 2020 to publish the Convention in the official gazette and to equally do so for other international human rights treaties;

(b) Take all other steps necessary for the incorporation of international human rights treaties into national law and their full application in the State party;

(c) Ensure that the interpretation of the Supreme Constitutional Court in its decisions No. 4 (2017) and No. 5 (2017) does not prevent the enjoyment of children of all rights enshrined in the Convention and in other international human rights treaties, ensuring primacy of the Convention over national legislation.

##### **Legislation**

...

9. The Committee urges the State party to:

(a) Expeditiously schedule and organize national elections, including for the Palestinian Legislative Council, and ensure the recognition, harmonization and enforcement of child-related national legislation in all parts of the State party;

(b) Conduct a comprehensive review to fully harmonize its existing legislation with the principles and provisions of the Convention;

(c) Expedite the adoption of pending child-related legislation.

##### **Comprehensive policy and strategy**

...

11. The Committee recommends that the State party:

(a) Prepare a comprehensive policy on children that encompasses all areas covered by the Convention and continue its efforts to revise existing policies and strategies;

(b) Develop a comprehensive implementation strategy for an overall policy and sectoral strategies, and a mechanism for monitoring and evaluation, supported by sufficient human, technical and financial resources.



## **Allocation of resources**

...

13. Recalling its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recommends that the State party:

(a) Utilize a child-rights approach in the budgeting process by including specific indicators and a tracking system for the allocation and use of resources for children throughout the budget and in relevant sectors and agencies;

(b) Use this tracking system for assessment of how investments in any sector could serve the best interests of the child, ensuring the full participation of civil society and children in budget-related processes.

## **Data collection**

...

15. The Committee recommends that the State party ensure that statistical data and indicators cover all areas of the Convention, are disaggregated by age, sex, ethnic and national origin, urban or rural area, geographic location, and disability, refugee and socioeconomic status, and that they are used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention.

## **Cooperation with civil society**

...

17. The Committee reminds the State party of the important role of independent civil society organizations and human rights defenders in promoting the human rights of children, and urges the State party to promptly and thoroughly investigate any cases of violence committed against human rights defenders and civil society representatives working on children's rights.

## **B. Definition of the child (art. 1)**

...

19. The Committee urges the State party to amend and harmonize its legislation to remove all exceptions that allow marriage under the age of 18 years.

## **C. General Principles (arts. 2, 3, 6 and 12)**

### **Non-discrimination**

...

21. The Committee recommends that the State party enact comprehensive anti-discrimination legislation; review its legislation and practices, with a view to prohibiting all forms of discrimination, particularly against girls; and strengthen the effectiveness of its social protection system for all children in disadvantaged or vulnerable situations, without discrimination.

### **Best interests of the child**

...

23. Recalling its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party ensure that this right is consistently applied in all judicial proceedings and decisions, and develop procedures and criteria to provide guidance to all relevant persons in authority for determining the best interests of the child in every area and for giving it due weight as a primary consideration.

### **Right to life, survival and development**

...

25. The Committee urges the State party to:

(a) Prevent children's participation in violence and apply all feasible measures to ensure their protection from the effects of hostilities and to care for child victims, which should include:

(i) The implementation of the code of conduct signed by all Palestinian parties and factions, which prohibits the use of children in any conflict-related activities, as stated by the State party's delegation in the dialogue;

(ii) The offer of guidance to children on safety and protection measures;

(iii) The provision of rehabilitation and psychological and medical health care;

(b) Fully implement the Palestinian Security Forces Military Service Act No. 8 of 2005 and article 46 (1) of the Palestinian Children's Act, which prohibit the recruitment and involvement of children in hostilities, and take prompt measures to investigate, prosecute and sanction the perpetrators in cases of child recruitment;

(c) Strengthen measures to address trauma experienced by children as a result of armed conflict and violence and its harmful impact into adulthood;

(d) Increase its investment in poverty-reduction measures and social welfare policies, including by strengthening the Palestinian Cash Transfer Programme and by improving its methods to assess multidimensional poverty, and to ensure that children living in poverty receive adequate financial support and have access to affordable food and safe drinking water.

### **Respect for the views of the child**

...

27. The Committee recommends that the State party establish a consultative mechanism or structure to involve children in all affairs affecting them, including in the design of laws, policies, programmes and services.

## **D. Civil rights and freedoms (arts. 7, 8 and 13-17)**

### **Birth registration and name**

...

29. Taking note of target 16.9 of the Sustainable Development Goals, the Committee urges the State party to:

(a) Consider waving fees for late birth registration, in particular for families living outside of the State party, and continue its measures to promote birth registration;

(b) Adopt regulations to ensure that children born to unmarried parents have the right to take on the name of at least one of their parents and that children born of incest are afforded the same opportunity, where it is in their best interest;

(c) Continue its efforts to facilitate family reunification and to provide services, including education and health-care services, to children who lack identification.

### **Freedom of expression, association and peaceful assembly**

...

31. The Committee urges the State party to ensure full respect for the right of all children to freedom of expression, association and peaceful assembly as guaranteed by the Convention, including by repealing all laws and regulations that restrict that right, by allowing children to set up associations and by ensuring children's access to information and material from a diversity of national and international sources.

### **Rights to privacy**

...

33. The Committee recommends that the State party expedite its work on a national policy to ensure the right to privacy of children in the field of media and the digital environment.

## **Freedom of thought, conscience and religion**

...

35. The Committee recommends that the State party respect the right of the child to freedom of thought, conscience and religion, and respect the rights and duties of parents to provide direction in a manner consistent with the evolving capacities of the child.

## **E. Violence against children (arts. 19, 24(3), 28(2), 34, 37 (a) and 39)**

### **Corporal punishment**

...

37. Bearing in mind its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the Committee urges the State party to:

(a) Amend article 62 of the Penal Code No. 16 of 1960 and the Law on Education (2017) to explicitly and fully prohibit all corporal punishment, however light, in law, in all settings, particularly in the home, educational and residential settings, and in all parts of the State party, and fully implement and enforce article 29 (4) of the Basic Law (2003) that prohibits corporal punishment of children;

(b) Strengthen its measures to develop awareness-raising and education campaigns that promote positive, non-violent and participatory forms of child rearing and discipline, and that underscore the adverse consequences of corporal punishment, targeting in particular children, parents, teachers and social protection professionals.

### **Abuse and neglect**

...

39. Recalling its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and taking note of target 16.2 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Effectively enforce article 29 of the Basic Law and articles 1 and 42 of the Palestinian Child Act concerning the protection of children against abuse and strengthen its measures to implement the policy on school violence (2013);

(b) Establish mechanisms, procedures and guidelines to ensure mandatory reporting of cases of child abuse and neglect, and continue training the professionals concerned to identify and adequately respond;

(c) Allocate adequate human, technical and financial resources to the national child protection system and other measures to protect children from abuse and neglect in order to ensure a comprehensive and effective child protection infrastructure;

(d) Further strengthen awareness-raising and education programmes, including campaigns, with the involvement of children in order to formulate a comprehensive strategy for preventing and combating violence against children, including a gender perspective.

### **Sexual exploitation and abuse**

...

41. Taking note of target 5.2 of the Sustainable Development Goals, the Committee urges the State party to:

(a) Establish a national database of cases of sexual exploitation and abuse with a view to formulating evidence-based national policy;

(b) Develop programmes and policies, including awareness-raising activities, for the prevention of sexual exploitation and abuse, including in schools;

(c) Ensure access to justice for child victims of sexual abuse, including by combating impunity of abusers;

(d) Establish a child-friendly and multisectoral investigation and prosecution with the aim of avoiding the retraumatization of child victims, and ensure their recovery, psychological assistance and social reintegration, including protection from stigmatization.

### **Harmful practices**

...

43. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices and taking note of target 5.3 of the Sustainable Development Goals, the Committee urges the State party to take active measures to put an end to child marriage and develop awareness-raising campaigns and programmes on the harmful effects of child marriage on the physical and mental health and well-being of girls and boys.

## **F. Family environment and alternative care (arts. 5, 9-11, 18(1) and (2), 20, 21, 25 and 27 (4))**

### **Family environment**

...

45. The Committee recommends that the State party:

(a) Harmonize national legislation concerning family and personal status matters and bring national legislation into line with the Convention and international standards, particularly concerning guardianship and maintenance of children;

(b) Increase the duration of paid maternity leave to at least 14 weeks, in line with international standards, and undertake all other measures to facilitate the equal sharing of parenting responsibilities between mothers and fathers;

(c) Take all possible measures to ensure that children are cared for by both parents.

### **Children deprived of a family environment**

...

47. Drawing the State party's attention to the Guidelines for the Alternative Care of Children, the Committee urges the State party to:

(a) Collect data on children who are deprived of a family environment and the support they receive, including by finalizing the foster care database (CRC/C/PSE/1, para. 261), in order to facilitate regular monitoring of their situation;

(b) Ensure that all orphaned children receive social assistance, in line with article 31 of the Palestinian Children's Act;

(c) Ensure that removal of children from their families is based on a court order;

(d) Further support and prioritize family-based care for all children under the age of 18 years who cannot stay with their families, with a view to reducing the institutionalization of children, and ensure that children in residential care are housed and provided with services according to their needs;

(e) Allocate the human, technical and financial resources necessary to fully implement the Foster System Regulations (2013) and ensure periodic review of the placement of children in foster care and alternative care institutions, and monitor the quality of care therein.

### **G. Children with disabilities (art. 23)**

...

49. Recalling its general comment No. 9 (2006) on the rights of children with disabilities and recalling also the commitment made by the State party on the occasion of the thirtieth anniversary of the Convention to draft a law on the rights of persons with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability, establish a comprehensive strategy for the inclusion of children with disabilities in society that incorporates, inter alia, the development of accessible services, including health, education, social protection and support services, and:

(a) Expedite the adoption of the draft Decree-Law on the rights of persons with disabilities, the revision of relevant national policies and strategies and any other measures necessary, in cooperation with the council on persons with disabilities, to ensure that children with disabilities are guaranteed equal rights;

(b) Undertake awareness-raising campaigns in order to combat stigmatization, prejudice and multiple forms of discrimination against children with disabilities, promote a positive image of such children and their recognition as rights-holders, with respect for their dignity and evolving capacities on an equal basis with other children;

(c) Promptly investigate all cases of abuse and neglect committed against children with disabilities, paying special attention to those committed against girls and adolescents with disabilities, adequately sanction the perpetrators, and strengthen its efforts to protect girls with disabilities from abuse and neglect.

## **H. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)-(3) and 33)**

### **Health and health services**

...

51. Recalling its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, the Committee recommends that the State party:

(a) Ensure sufficient budgetary allocations to health services and establish clear budget lines for children's health, and ensure access to antenatal, delivery and postnatal care;

(b) Take all steps possible to restore health services, where disrupted by the hostilities and the Israeli blockade of the Gaza Strip, and continue efforts to provide safe childbirth and emergency health services through the establishment of local clinics and health centres, particularly in areas where restrictions of movement are imposed by Israel.

### **Adolescent health**

...

53. Recalling its general comment No. 4 (2003) on adolescent health and development in the context of the Convention and its general comment No. 20 (2016) on the implementation of the rights of the child during adolescence, the Committee recommends that the State party:

(a) Decriminalize abortion in all circumstances and ensure access to safe abortion and post-abortion care services for adolescent girls, making sure that their views are always heard and given due consideration as a part of the decision-making process;

(b) Continue its efforts to ensure access to sexual and reproductive health information and services countrywide for girls and boys, including in schools, in particular access to modern contraception methods;

(c) Ensure an approach to sexual and reproductive health education that encompasses emotional, physical and psychological aspects.

## **H. Education, leisure and cultural activities (arts. 28-31)**

### **Education, including vocational training and guidance**

...

55. The Committee urges the State party:

(a) Strengthen its efforts to improve the quality of education, ensure an adequate number of qualified teachers, develop a strategy on early childhood education and implement its national strategy for vocational and technical education;

(b) Provide inclusive education for all children with disabilities, including by finalizing the policy on inclusive education, and ensuring the training of teachers, the elaboration of adapted curricula and the reasonable accommodation of school infrastructure, paying particular attention to children with psychosocial and intellectual disabilities;

(c) Take all possible measures to protect students and teachers from the negative impact of the armed conflict on education, including preventive measures by the Palestinian security forces when undertaking law enforcement operations around schools, and by implementing its pledges under the Safe Schools Declaration, and ensure that non-State armed groups operating in the State party respect international humanitarian and human rights law and respect schools as protected objects;

(d) Provide children who cannot attend school owing to a lack of safety, whether at school or on the way to and from school, with continued learning opportunities and repeal the rule of the Ministry of Education and Higher Education that obliges such students to repeat a class;

(e) Ensure that the contents of school curricula are aligned with the aims of education as set out in article 29 of the Convention, in particular the promotion of peace and tolerance.

## **I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37(b)-(d) and 38-40)**

### **Asylum-seeking and refugee children**

...

57. The Committee urges the State party to increase the allocation of human, technical and financial resources to support refugee and internally displaced children, particularly measures aimed at ensuring their physical and psychological well-being, including food security, and at facilitating the reintegration of their parents into the job market.



## **Administration of child justice**

...

59. Recalling its general comment No. 24 (2019) on children's rights in the child justice system, the Committee urges the State party to:

(a) Bring its child justice system fully into line with the Convention and other relevant standards in all parts of the State party, including by providing the necessary human, technical and financial resources to fully implement the Decree-Law on the protection of Palestinian juveniles in all parts of the State party;

(b) Raise the minimum age of criminal responsibility to an internationally acceptable level of at least 14 years;

(c) Promote non-custodial and non-judicial measures, such as diversion, probation, mediation, counselling or community service, wherever possible, for all child offenders, and in cases where detention is unavoidable, ensure that detention conditions for children are compliant with international standards;

(d) Ensure that ill-treatment of children in places of deprivation of liberty does not occur, provide qualified and independent legal aid free of charge to children in conflict with the law and offer child-friendly and accessible complaint mechanisms;

(e) Continue to ensure the provision of legal support and other services to children detained by Israel and assist them through the provision of psychological support, rehabilitation, education and other measures, after their release.

## **J. Ratification of international human rights instruments**

60. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instruments:

(a) The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

(b) The International Convention for the Protection of All Persons from Enforced Disappearance.

61. The Committee urges the State party to fulfil its reporting obligations under the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, as the related reports have been overdue since 7 May 2016 and 29 December 2019, respectively.

...

## **VI. UN COUNTRY TEAM IN PALESTINE COMMEMORATES INTERNATIONAL WOMEN'S DAY**

*On 8 March, United Nations Resident Coordinator Jamie McGoldrick issued the following [statement](#) on the occasion of the International Women's Day:*

On this International Women's Day, the United Nations acknowledges and celebrates the contributions of Palestinian women to the development of their communities. In this context, we commend and support the ongoing efforts of civil society actors and the Government of Palestine to promote gender equality and women's empowerment.

Today is also a day to reflect and to agree on joint action. The United Nations stands ready to assist the Palestinian people in the implementation and monitoring of its State obligations and to continue to support and assist Palestinian women and girls across a broad range of areas in line with the Sustainable Development Goals, with specific focus on implementing Goal 5 on "Gender Equality".

While we celebrate progress and achievements, we must also recognize the continued challenges that Palestinian women face, including in the context of the continued Israeli military occupation. Across the West Bank and Gaza Strip, we continue to work with all stakeholders to improve women's safety and security, livelihoods, employment opportunities, political participation, access to education, health care and other services.

Finally, this year, the global community marks twenty-five years since the adoption of Beijing Declaration and Platform for Action and ten years since the adoption of Security Council Resolutions 1325(2000) on women peace and security. The year 2020 is a pivotal year for joint accelerated efforts for the promotion, protection and full realization of women and girls' rights.

## **VII. UNRWA LAUNCHES \$14 MILLION COVID-19 FLASH APPEAL**

*On 17 March, UNRWA launched [a flash appeal](#) outlining the immediate priorities and financial requirements for health and other services related to the COVID-19 pandemic in the West Bank, including East Jerusalem, Gaza, Jordan, Lebanon and Syria. [The press release](#) is reproduced below:*

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) urgently needs US\$ 14 million to prepare and respond to the COVID-19 outbreak over an initial three-month period. The Flash Appeal that the Agency launched today outlines the immediate priorities and financial requirements for health and other services related to the pandemic in the West Bank, including East Jerusalem, Gaza, Jordan, Lebanon and Syria. This Flash Appeal is in addition to the regular UNRWA Programme Budget needs.

"Overcrowded living conditions, physical and mental stress and years of protracted conflict all make the vulnerable population of over 5.6 million Palestine refugees particularly susceptible to the ongoing threats of COVID-19," said UNRWA Acting Commissioner-General Christian Saunders. "All of the Agency's five fields' host governments and authorities have announced a

series of robust measures to cope with the spread of COVID-19, which UNRWA will follow and factor into its operations.”

As of today, all UNRWA schools and other educational institutions across the five fields are temporarily closed; yet, all 144 UNRWA clinics remain fully operational and continue to provide essential primary health services, which today are more crucial than ever, to contain and address the spread of the ongoing pandemic.

“Countless individuals and every government are involved in the massive global efforts to contain the spread and mitigate the impact of COVID-19, and UNRWA, our staff and the Palestine refugee community we serve, are no different,” said Mr. Saunders. “I humbly call on donors, whether governments, foundations or individuals, to help UNRWA face what could become a disaster of unconscionable proportions in places like Gaza and Syria. COVID-19 has illustrated that no population is exempt and for a densely populated area like Gaza, already weakened by years of blockade, this could be disastrous. Gaza simply does not have the resources and means to weather such a story. Any contribution is gratefully received, every penny will make a difference.”

...

#### **VIII. UN SPECIAL RAPPORTEUR STATES ISRAEL HAS LEGAL DUTY TO ENSURE THAT PALESTINIANS RECEIVE ESSENTIAL HEALTH SERVICES**

*On 19 March, the Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967, Michael Lynk, issued a statement reflected in the following [press release](#):*

A UN human rights expert has urged Israel, the Palestinian Authority and Hamas to live up to their international legal responsibilities by ensuring that the right to health is fully provided to Palestinians in Gaza and the West Bank, including East Jerusalem, during the COVID-19 pandemic.

“The legal duty, anchored in Article 56 of the Fourth Geneva Convention, requires that Israel, the occupying power, must ensure that all the necessary preventive means available to it are utilized to ‘combat the spread of contagious diseases and epidemics,’” said Michael Lynk, UN Special Rapporteur for the situation of human rights in the Palestinian Territory occupied since 1967.

All of the responsible authorities – Israel, the Palestinian Authority and Hamas – bear the duty to provide essential health services and apply public health measures throughout this pandemic in a non-discriminatory fashion, the expert said.

“At the heart of the efforts to contain and roll back this pandemic by Israel, the Palestinian Authority and Hamas must apply an approach centered on human rights. The right to dignity requires that all persons under their authority should enjoy equality of access to health services and equality of treatment,” Lynk said.

The Special Rapporteur observed with concern that the initial publications to increase awareness about the spread of COVID-19 issued by the Israeli Ministry of Health were almost exclusively in Hebrew, with virtually no information posted in Arabic. This serious imbalance is apparently being addressed after protests, but it highlights the importance of ensuring equality of treatment.

As well, Lynk stated: “Any restrictions on human rights – such as access to health services or freedom of movement – must be strictly justified, proportionate and should only be curtailed for a length of time no longer than necessary and in a non-discriminatory manner.”

The Special Rapporteur has previously noted that Israel is in “profound breach” of its international obligations with regards the right to health of Palestinians living under occupation. Significant movement restrictions on patients and health workers already compromise Palestinians’ access to healthcare services. In the context of COVID-19, where patients’ conditions deteriorate rapidly as symptoms become more severe, any delays getting to hospital can be fatal.

“I am particularly worried about the potential impact of COVID-19 on Gaza. Its health care system was collapsing even before the pandemic. Its stocks of essential drugs are chronically low. Its natural sources of drinkable water are largely contaminated. Its electrical system provides sporadic power. Deep poverty amid appalling socio-economic conditions is prevalent throughout the Strip,” Lynk said.

“Gaza’s population is also a physically more vulnerable population, with malnutrition on the rise, poorly controlled non-communicable diseases, dense living and housing conditions, an elderly population without access to proper nursing care and high smoking rates.

“A potential large-scale outbreak will also constitute another enormous strain on Gaza’s beleaguered health workers who have had to respond, with inadequate resources, to three large-scale military offensives in just over a decade and have had to treat thousands of casualties from the ‘Great March of Return’ protests.”

Finally, respective authorities must speedily address any evidence of racism, xenophobia and bigotry during this pandemic, the expert said.

“Whether it occurs in the differential treatment by authorities during health care delivery, through the imposition of restrictions, through attacks in social media and other forums towards individuals accused of being infected, or through other means, discrimination and racism must be combated by reliable public information and by strong statements opposing it.”

The Special Rapporteur noted that Israel, the Palestinian Authority and Hamas have taken wide-ranging protective measures to combat the spread of COVID-19. This has included significant restrictions on movement and travel, cancellation of public gatherings, creation of quarantine areas, and closure of educational and religious institutions.

“These steps can be supported if they interfere as little as possible with human rights during this emergency,” the UN expert concluded.

## **IX. PHILIPPE LAZZARINI IS APPOINTED AS NEW UNRWA COMMISSIONER-GENERAL**

*On 19 March, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) issued the following [press release](#):*

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) is pleased to announce that, following official communication by the office of UN Secretary-General Antonio Guterres and consultations with the Agency's Advisory Commission, Mr. Philippe Lazzarini has been appointed as its new Commissioner-General (CG).

Mr. Lazzarini will assume the position that Mr. Christian Saunders has been acting in since November 2019, when the former UNRWA Commissioner-General resigned.

Mr. Lazzarini brings to the position more than thirty years of experience in humanitarian assistance and international coordination in conflict and post-conflict areas, including in Gaza and East Jerusalem, in the United Nations, the International Committee of the Red Cross (ICRC) and the private sector.

Mr. Lazzarini joined the United Nations in 2003 and has served the organization in various capacities. The last post he held prior to his appointment as UNRWA CG was the position of Deputy Special Coordinator, Resident and Humanitarian Coordinator for Lebanon in the Office of the United Nations Special Coordinator for Lebanon (UNSCOL).

UNRWA would like to express its deep appreciation and gratitude to Mr. Saunders for having lead the Agency through some of the most challenging months of its 70 years of existence, politically, financially and managerially.

## **X. OHCHR, ICHR AND MINISTRY OF INTERIOR ISSUE A JOINT NOTE ON THE DEPRIVATION OF LIBERTY AMID COVID-19**

*On 26 March, the Office of the United Nations High Commissioner for Human Rights (OHCHR) in the Occupied Palestinian Territory, the Independent Commission for Human Rights (ICHR) and the Ministry of Interior of the State of Palestine issued the following [joint note](#) regarding the deprivation of liberty and the outbreak of COVID-19:*

Amid the outbreak of coronavirus COVID-19 in the State of Palestine, on 5 March 2020 Palestinian President Mahmoud Abbas declared a state of emergency for 30 days, which entailed several preventive and precautionary measures. The state of emergency is regulated by the Palestinian Basic Law, and International Human Rights Treaties the State of Palestine has acceded to and is obliged by. In addition to the general obligations, specific focus should be drawn concerning detention and the treatment of detainees to ensure their enjoyment of basic human rights, and specific preventive and responsive measures related to the outbreak of COVID-19. Hence, the following note briefly outlines specific obligations and recommendations on detention and the treatment of detainees amid the state of emergency following the outbreak of COVID-19 in the State of Palestine

**State of Emergency under IHRL and Palestinian basic law.** The State of Emergency is regulated under articles 110-114 of the Palestinian Basic Law. Article 111 prohibits restrictions on fundamental rights and freedoms during a state of emergency, except to the extent necessary to fulfill the purpose stated in the decree declaring the state of emergency. Article 112 provides specific guarantees on arrests resulting from the state of emergency. In addition to the Palestinian Basic Law, International Human Rights Treaties, particularly article 4 of the International Covenant on Civil and Political Rights, which Palestine has acceded to and is bound by since 2014 also regulate the state of emergency and its impact on rights and freedoms. The State of Emergency is regulated under article 4 of the International Covenant on Civil and Political Rights, which Palestine has acceded to and is bound by since 2014. Article 4 articulates that although some derogations may be possible during a state of emergency, any derogation must be of an exceptional and temporary nature, and limited to the extent strictly required by the exigencies of the situation. The State must act within its constitutional and other provisions of law that govern such proclamation and the exercise of emergency powers under international obligations. Moreover, the restriction must be non-discriminatory, and with specific attention to vulnerable and marginalized groups, taking into account the disproportionate impact it may have on vulnerable groups, including women and children in particular.

In accordance with article 4 of ICCPR, nonderogable rights include:

- The right to life (Article 6 of the Covenant);
- The obligation not to subject individuals to torture or cruel or degrading treatment (Articles 6, 7);
- Prohibiting all forms of slavery and servitude (Article 8, Paragraphs 1 and 2);
- The prohibition against imprisoning anyone merely for failing to fulfill a contractual obligation (Article 11);
- The principle of non-retroactivity of laws (Article 15);
- Recognition of every individual as a person before the law (Article 16); and
- Freedom of thought, conscience, and belief (Article 18).

Furthermore, the Human Rights Committee expanded the interpretation of non-derogable rights during states of emergencies in General Comment no. 29 to include, inter alia, article 10 on the human treatment of persons deprived of liberty.

**Prohibition of torture and Ill-treatment.** The prohibition of torture and ill-treatment can in no circumstance be derogated during a state of emergency. The treatment of all persons deprived of their liberty, including those quarantined, must be humane and respectful of their dignity, a fundamental and universally applicable basis in all circumstances. The right to file complaints of ill-treatment must be recognized in domestic law and the competent authorities must urgently and impartially investigate complaints and hold perpetrators accountable.

**Fair trial guarantees.** The prohibition of torture and ill-treatment can in no circumstance be derogated during a state of emergency. The treatment of all persons deprived of their liberty, including those quarantined, must be humane and respectful of their dignity, a fundamental and universally applicable basis in all circumstances. The right to file complaints of ill-treatment must be recognized in domestic law and the competent authorities must urgently and impartially investigate complaints and hold perpetrators accountable.

Fair trial guarantees including inter alia, the right to be brought before a judge; and the right of anyone deprived of liberty to take proceedings before a court, in order that the court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful, must be effectively enforced at all times. Such guarantees also include that detainees should be presented without delay to the competent judicial authority regarding the lawfulness and extension of their detention, where means such as technology could be used to ensure no delays. Such guarantee is further stipulated under the Palestinian Criminal Procedure Code (2001) particularly articles 119-120 which specify the duration under which individuals should be presented before the public prosecution (within 24 hours) and competent court (within 48 hours). The current state of emergency and irregularities of courts' functioning have been tailored to ensure proper judicial review on detention and release orders even during such irregularities. According to Decision no. (194/2020) issued by Interim Chief of Justice Issa Abu Sharar, during the period between 11 March – 26 March 2020 courts will only consider, inter alia, postponing cases, urgent requests that cannot be postponed, and detention and release requests. Other guarantees such as being informed of the reasons for arrest and the charges; habeas corpus; and the right not to be tried in absentia also apply during this state.

Special health considerations should be taken into account while ensuring fair trial guarantees to ensure the protection of detainees from COVID-19. This includes protecting detainees during the transfer to and from courts, and during their presence in court, e.g. ensuring that means of transportation is clean and disinfected; that detainees, officers, and judges abide by hygiene standards and regularly wash their hands; and that detainees are not placed in overcrowded courtrooms which might increase their exposure to the virus. Alternatives such as the use of technology such as video hearings could be applied when warranted.

**The right to universal health care.** The right to the highest attainable standard of physical and mental health, and the right not to be subjected to medical or scientific experimentation without one's free consent, apply similarly to persons deprived of liberty. In light of the outbreak of COVID-19, authorities should conduct extensive regular medical examinations whether through prison doctors or a doctor of one's own choice; ensure that detention facilities are clean, disinfected and well ventilated; provide personal preventive items (masks, gloves, personal hygiene items, and medical kits) to detainees; ensure the availability of adequate medicine and medical supplements; ensure the availability of adequate healthy food; review constantly health conditions; provide detainees with health education and knowledge about the virus, symptoms, transmission methods and risks, and health prevention measures; follow mandatory procedures such as quarantine of suspected or infected person, while emphasizing the prohibition of quarantining detainees or transferring them as a form of punishment, or justified by punishment; ensure the availability of well-equipped health facilities including quarantine spaces which should include assigned health personnel. Detainees should be protected against any form of discrimination or stigmatization deriving from their infection or presumed infection.

**Right to legal counsel.** Detainees have the right to obtain independent legal assistance from lawyers and to communicate with them since the beginning of their detention. If the lawyer cannot reach the detainee, alternatives must be made available such as affordable or free, as well as available, means of communication so that detainees can communicate with a lawyer and obtain legal advice. The right to legal counsel should be applied also during the state of emergency. To ensure the protection of detainees while maintaining their right to legal counsel, counsels could be

screened for symptoms before meeting detainees, and alternatives could be applied in cases of strict necessity to facilitate virtual communication or longer phone calls between attorneys and detainees.

**Alternatives to detention.** The pretrial detention should not be the general rule, and alternatives must be sought and applied wherever possible. In any case, detention and its continuation must be justified, and its extension must be done through the legally authorized authority. The search for alternatives is necessary, particularly during the current health emergency, to also avoid overcrowding thus avoiding exposing detainees to diseases. Alternatives should be sought before detention, and the release of certain detainees should be considered particularly in cases of minor fiscal crimes and any case of failure to fulfill a contractual obligation including failure to pay civil debt; for persons with underlying health conditions, for persons above 60, minors; pregnant women; in addition to any other cases where alternatives could be provided. In cases where detention is necessary, health examinations including specific prior testing of the virus should be conducted, and those who might be infected should be quarantined accordingly to ensure isolation from other detainees until recovery or clearance. Additionally, those who are to be released should also be tested before their release.

**Conditions in detention facilities.** The conditions in detention facilities must be fair and fully prepared in all aspects to ensure that they do not result in exposing detainees to COVID-19, and more generally to avoid any form of ill-treatment. Facilities should have sufficient space, and each detainee should have his/her bed and supplies, the detention facilities should be well ventilated, and detainees should also be allowed time outdoors.

Additionally, sanitation should be prioritized during this period, where facilities should be clean and disinfected. Sanitary and hygiene products including hand sanitizers should be provided; common areas, lavatories, and sinks should be cleaned and disinfected regularly; and more time should be allowed for showers. Moreover, it is advised that guards and officers wear masks and gloves when near detainees, and should regularly wash hands.

The separation between convicts and non-convicts should be maintained, as well as adults separated from juveniles, moreover it is necessary to isolate those who might be infected from the rest of the detainees in isolation rooms that are well equipped and health services should be provided and maintained accordingly.

**Access to information.** Detainees, similar to the general public, should have access to accurate and comprehensive information on the prevention, early diagnosis, and treatment of COVID-19, as well as the status of efforts to contain it. Detainees should also be informed on procedures applied inside detention facilities to prevent and contain COVID-19. In this regard, establishing a prevention plan through information sharing between relevant institutions and organizations, in addition to regular evaluation and follow-up on the medical conditions of the public and individuals, is essential. It is further important to communicate the prevention plan and efforts inside detention facilities with the detainees, who should also be able to participate in planning and efforts taken to prevent and contain the virus. While access to information is key, the right to privacy for detainees should be respected at all times. Hence, detainees' private information and data including their medical files shall not be shared with any party without their prior consent.



**Communicating with the outside world.** Detainees should be allowed to communicate with the outside world, including lawyers, relatives, and persons of their choice. This communication is essential and necessary in light of the current health situation in Palestine given that detainees could be more concerned about the health conditions of their relatives. However, given the health safety considerations associated with visits, visitors should be subjected to prior screening and should wash their hands prior and following each visit. Masks should be provided accordingly if requested. Limited exposure to visits could be imposed if strictly necessary, however, alternatives should be applied in such instances such as longer free phone calls and virtual communication with relatives and family members.

**Detention visits by internal oversight bodies, human rights organizations and international partners.** Human rights organizations and international partners should be allowed visits at all times including during the state of emergency. Objection to a visit to a particular place of detention may be made only on urgent and compelling grounds of national defense, public safety, natural disaster or serious disorder in the place to be visited that temporarily prevents the carrying out of such a visit. The existence of a declared state of emergency as such shall not be invoked by a State Party as a reason to object to a visit. Visiting organizations must be mindful of the ‘do no harm’ principle when exercising their mandate. This may require adaptations to normal working practices, in the interests of those in detention, those undertaking the visit, and the general interest in halting the spread of the virus. Additionally, oversight visits by the public prosecution and judges as stipulated by law should be intensified to ensure the proper response to COVID-19 and the health conditions of detainees inside detention facilities.

**Special rules: Treatment of juveniles and women.** Juveniles: Juveniles should only be deprived of their liberty in accordance with international human rights law including the principles set forth in the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules). According to article 37 of the Convention on the Rights of the Child, deprivation of the liberty of a juvenile should be a measure of last resort and for the shortest appropriate period of time and should be limited to exceptional cases. The length of the sanction should be determined by the judicial authority, without precluding the possibility of his or her early release.

Persons with disabilities: Specific considerations should be given to persons with disabilities, including ensuring their access to proper health care and ensuring that they are placed in facilities appropriate for their conditions each as their case requires; any measure taken should be consistent with the obligations stipulated under the Convention on the Rights of Persons with Disabilities.

Women: Ensure that women deprived of liberty are treated in a manner that ensures that they are considered one of the vulnerable groups with special needs and requirements. In addition to the general rules, the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) must be taken into account.

**Quarantines.** Quarantines may be imposed due to necessity, though such measures should be proportionate to the risk, time-bound, safe and legitimate under international human rights law and the Palestinian domestic law including the Public Health Law no. 20 (2004). The rights of those under quarantine must be protected, including rights to food and clean water, the right to be treated humanely, access to health care including a doctor to conduct check-ups and medical

examinations, the right to be informed, right to freedom of expression, and the right to privacy including preserving personal belongings. Although quarantine is imposed for the public benefit, it remains a place of deprivation of liberty, and accordingly, it should not result in mistreatment of detainees and should take into consideration the cultural, religious and social values and beliefs of those quarantined. Additionally, quarantines should be suitable for persons with disabilities including those with hearing disabilities who would use sign language. It is also required to uphold all basic guarantees, including the right to receive information about their health status, and the notification of a third party, in addition to the right to obtain independent legal advice and referral to a doctor of his / her choice. Furthermore, adequate and appropriate measures must be established to prevent abuses related to ill-treatment, including discriminatory practices that may lead to stigmatization or marginalization of certain groups of people who have been subjected to compulsory quarantine, and which may include individuals and groups that are considered to be at risk or potential virus carriers. Quarantined persons have the right to file a complaint against any of the persons responsible, which requires follow up by the competent authority. In all cases, the Ministry of Health or any competent authority may not detain, investigate or exercise powers other than those granted to them by law, or exceed the objectives for which the quarantine was established.

## **XI. SPECIAL COORDINATOR BRIEFS THE QUARTET ON THE UN COVID-19 RESPONSE PLAN**

*On 28 March, the Special Coordinator on the Middle East Peace Process, Nickolay Mladenov, briefed on the UN COVID-19 response plan during a telephone conversation with the other members of the Quartet. The [summary](#) of the call was reported in a UN News article as below:*

Mr. Mladenov's comments were made during a telephone conversation with the other members of the Middle East Quartet, a body set up to mediate the Israeli-Palestinian peace process. It is made up of representatives of the European Union, Russia, the USA, and the United Nations.

During the call, which took place on Thursday, Mr. Mladenov gave a detailed briefing on the UN COVID-19 response plan, focusing mainly on Gaza, where there is a substantial risk of the disease spreading.

In a statement released on Friday, the coordination and cooperation established between Israel and Palestine, with regard to tackling COVID-19, was described as “excellent”.

The Israeli and Palestinian authorities are continuing to coordinate their responses closely and constructively, the statement said, which is a major factor in the level of disease containment achieved so far.

The Israeli government has reportedly approved measures to limit the movement of people and trade, including closing schools and banning mass gatherings, whilst the Palestinian Prime Minister is reported to have ordered a lockdown on Sunday night.

Latest World Health Organization (WHO) figures show more than 3,300 confirmed cases in Israel, and more than 80 in the occupied Palestinian territories.

Since the beginning of the crisis, Israel has allowed the entry of critical supplies and equipment into Gaza: examples of critical supplies include swabs for collection of samples and other laboratory supplies required for COVID-19 testing, and Personal Protective Equipment to protect health workers.

The statement also noted Israel's cooperation in allowing health workers and other personnel involved in the COVID-19 response to move in and out of the West Bank and Gaza.

## **XII. SPECIAL COORDINATOR BRIEFS SECURITY COUNCIL ON IMPLEMENTATION OF RESOLUTION 2334**

*On 30 March, the Special Coordinator on the Middle East Peace Process, Mr. Nikolay Mladenov, briefed to the Security Council on the Situation in the Middle East, including the Palestinian question, reporting on the implementation of Security Council Resolution 2334 (2016). His [briefing](#) is reproduced below:*

On behalf of the Secretary-General, I will devote this briefing to presenting the thirteenth report on the implementation of Security Council resolution 2334, covering the period from 18 December 2019 to 20 March of this year.

Let me begin however by praising the far-reaching measures that both Israel and the Palestinian Authority have taken to try and contain the spread of the COVID-19 virus. The coordination that has been put in place and the joint commitment to tackle the threat to both populations is exemplary. Their efforts have been supported by the UN. The UN Country Team, led by the Deputy Special Coordinator and the World Health Organization, is working closely with all partners and the authorities to ensure coordinated assistance to the health networks dealing with the spread of the virus in the West Bank and to support preparedness in Gaza.

I am grateful to all those who have pledged assistance to our efforts as well.

Returning to the report, let me reiterate that developments during this reporting period cannot be divorced from the broader context: Israel's continued military occupation of Palestinian territory, illegal settlement activity and the threat of annexation; Hamas' continuing hold over Gaza and its militant activity; Israeli closures on Gaza; unilateral actions that undermine peace efforts; severe challenges to the fiscal viability of the Palestinian Authority; and the persistent risk of military escalation. All of these developments collectively erode the prospects of achieving a viable twoState solution.

In today's briefing, I will focus on developments on the ground in accordance with the provisions of the resolution, including on regional and international efforts to advance peace.

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

Israeli authorities advanced or approved plans for some 3,800 housing units in West Bank settlements, including about 100 in East Jerusalem. Tenders for a total of some 3,200 housing units were announced, including 1,077 in Givat Hamatos, an area strategically located between the East Jerusalem Palestinian neighborhood of Beit Safafa and Bethlehem. About thirty per cent of the units advanced, approved or tendered are to be built in outlying locations, deep inside the occupied West Bank.

On 25 February, the Israeli government announced it would advance two plans for a total of 3,500 units in the E1 area in the West Bank. If constructed, these units would expand the settlement of Ma'ale Adumim towards Jerusalem, severing the connection between the northern and southern West Bank, thereby further undermining the possibility of a viable and contiguous Palestinian state.

On 9 March, Israel's Defense Minister advanced a plan for a so-called "sovereignty road" between the southern and northern West Bank, bypassing the Ma'ale Adumim settlement and areas around it, and stated that its construction would enable settlement construction in E1. Settlement expansion in E1 has long been considered controversial due to the area's importance for the territorial contiguity of a future Palestinian state

On 15 January, following a ruling by Israel's High Court of Justice, Israeli authorities demolished two houses in the outpost of Kumi Ori, in Area B of the West Bank. Structures were reportedly also demolished during the reporting period in the outposts of Ma'ale Shlomo and Ma'ale Pinhas. In all of these cases, clashes were reported between settlers and security forces.

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

Citing the absence of Israeli-issued building permits, which remain very difficult for Palestinians to obtain, the Israeli authorities demolished or seized 96 Palestinian-owned structures, including 50 in East Jerusalem, in addition to 29 structures self-demolished by their owners, resulting in the displacement of 227 people, including 53 women and 122 children.

During the reporting period, the Jerusalem Magistrate's Court ordered the eviction of several Palestinian families from their homes in the Silwan neighborhood of East Jerusalem, pursuant to lawsuits brought by an Israeli settler-related organization citing pre-1948 ownership of the properties. The families intend to appeal the cases. However, if upheld, the rulings could put hundreds of Palestinians living in the area at risk of forced eviction.

Security Council resolution 2334 (2016) calls for "immediate steps to prevent all acts of violence against civilians, including all acts of terror, as well as all acts of provocation and destruction." Unfortunately, sporadic violence continued during the reporting period.

Between 18 December and 20 March in the occupied West Bank, including East Jerusalem, 9 Palestinians, including 2 children were killed and some 30 injured, while some 30 Israelis, including 4 children and 19 security personnel, were injured in various incidents.

On 5 February, during clashes in Hebron, ISF shot and killed a 17-year-old Palestinian boy, as he was allegedly throwing Molotov cocktails.

On 6 February, a Palestinian man was shot and killed during clashes in Jenin, while in a separate incident, a Palestinian Authority policeman was killed after being hit by a live bullet shot by ISF while he was inside a police station. ISF have opened an investigation into the second incident.

On the same day, a Palestinian man shot and wounded a soldier near the entrance of Jerusalem's Old City. He was killed by ISF. 12 Israeli soldiers were injured in a car ramming attack in Jerusalem, carried out by a Palestinian, who was later arrested.

On 6 January an Israeli girl and a man were reportedly injured, and at least eight vehicles owned by Israelis were damaged, following throwing of stones, and in one case a Molotov cocktail, by Palestinians on West Bank roads.

On 18 January, an Israeli man was wounded in a stabbing attack carried out by a Palestinian youth in Hebron. The perpetrator was arrested.

On 7 February, another Palestinian succumbed to his wounds after having been shot during clashes in the village of Qaffin in the northern West Bank.

On 18 February, during clashes between police and local residents, a Palestinian security forces shot and killed a 15-year old Palestinian boy in Qabatia, Jenin.

On 22 February, Israeli forces shot and killed a Palestinian man near Lions Gate at the entrance to the Old City of Jerusalem, reportedly as he attempted to stab them. On 11 March, during clashes with local residents trying to block Israelis from entering a historical site, the ISF shot and killed a 15-year old Palestinian boy in Jabal al-'Arma in Beita, Nablus.

In March, there have been a number of incursions by settlers in Palestinian towns particularly in Ramallah and Nablus Governorates.

In Gaza, despite several days of renewed hostilities in late February, the understandings brokered by Egypt and the United Nations continue to be largely upheld and a fragile calm currently prevails.

On 26 December, the organizers of the protests along the Gaza perimeter fence announced that they would be put on hold until 30 March, leading to a period of relative calm along the fence, despite occasional violent incidents.

On 21 January, three Palestinians, including a 17-year-old boy, crossed the fence into Israel from Gaza and were shot by ISF after they threw explosive devices towards them.

On 31 January, a 14-year-old Palestinian boy was pronounced dead from tear gas canister wounds he sustained during demonstrations held on 11 October 2019.

Rocket fire from Gaza towards Israel, the launching of balloons carrying explosive devices, and Israeli retaliatory strikes have also continued. On 23 February, two Palestinian Islamic Jihad (PIJ) militants attempted to place an explosive device along the fence. One of them was killed by the IDF who retrieved his body using a bulldozer inside Gaza in an incident that caused outrage and a serious escalation.

In the following two days, PIJ launched over 100 rockets and mortar shells towards Israel, including one that landed in a playground. Israel responded by firing at PIJ targets in the Strip. Overall, 18 Palestinians and 16 Israelis were injured in the exchanges before UN and Egyptian-led efforts succeeded in restoring calm on 24 February.

Despite the call in Security Council resolution 2334 for the parties to refrain from acts of provocation, incitement, and inflammatory rhetoric, such statements continued.

Palestinian leaders continued to make inciteful and provocative statements. Fatah's official social media pages glorified perpetrators of previous terror attacks against Israelis, and displayed content encouraging children to carry out violence against Jews. PA officials also delivered speeches praising perpetrators of attacks, denying Israel's existence, and denying the Jewish historic connection to Jerusalem. Hamas officials encouraged attacks against Israelis in the West Bank and the launching of explosive devices using balloons from Gaza.

Israeli officials continued to make dangerous and discriminatory statements. Senior officials have repeatedly called for annexation of Israeli settlements and other parts of the occupied West Bank. An Israeli minister called for the toppling of the PA if it did not withdraw its claims against Israel at the International Criminal Court (ICC). Some Israeli politicians also made a series of discriminatory statements against Israeli Arabs.

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 imperiling the two-State solution." Over the past months, Israel has removed restrictions and monitoring requirements on a number of materials entering Gaza, including some that previously entered through the Gaza Reconstruction Mechanism. These materials included equipment needed for the construction of critical water and sanitation infrastructure as well as tires, and certain types of cement.

During January 2020, the number of people exiting Gaza via Erez Crossing was around 27,000, of whom 78 per cent were businesspersons and merchants. This is the highest number of exits recorded since 2007. In a related development, in mid-February, Israel raised the number of business permits for entry from Gaza into Israel to 7,000, the highest it has been since 2007.

Progress has also continued on the reconstruction of damage incurred during the 2014 escalation. To date, 9,000 out of 11,000 totally destroyed houses have been rebuilt, and work on another 800 houses is underway. There remains a funding gap of some USD 35 million needed to complete the reconstruction of 1,000 destroyed homes and USD75 million for the repair of just over 56,000 partially damaged homes. Over 1,000 families remain internally displaced.

Despite continued progress on the implementation of critical interventions in support of the economy, and Gaza's water, energy and health sectors, the humanitarian and socio-economic situations remain dire. Gaza's health system continues to be on the brink of collapse, overstretched and burdened by chronic shortages of drugs and supplies. In January and February 2020, the percentage of medical-related exit permit requests that were delayed or denied by Israeli authorities was 30 and 31 per cent, respectively. As of February 2020, stock levels for 39 per cent of essential medicines have been completely depleted.

Gaza's failing healthcare system is particularly worrying in the context of the spread of the COVID19 virus in the region. Gaza is one of the most densely populated areas in the world – this coupled with its already fragile health care system makes it a particularly high-risk case for the COVID-19 outbreak. In early March, the phased introduction of measures to stem COVID-19 led UNRWA to close down schools throughout the oPt indefinitely, though essential medical and other operations continue.

We were informed today by UNRWA that in Gaza they will provide primary health services also to Palestinians who do not have a refugee status in order to assist with the efforts to prevent a COVID-19 outbreak in Gaza.

The UN is working to increase its support for Gaza's health system, including in the context of the COVID-19 response.

On the positive side, according to data compiled by OCHA in January, the increased energy supply since October 2018 has contributed to significantly reduced amounts of pollution into the sea alongside increased availability of piped and desalinated water for Gaza's population. It is imperative that sustainable solutions are found to Gaza's energy deficit.

There has been no progress during the reporting period towards intra-Palestinian reconciliation or Palestinian presidential and legislative elections, which have not taken place since 2006. Between 27 February and 17 March, the Russian Federation hosted a series of bilateral discussions with representatives of various Palestinian factions. Discussions focused on the need to advance intra-Palestinian unity and convene an inclusive dialogue to further prospects of reconciliation.

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

On 12 February, the UN Human Rights Office issued its report on businesses involved in activities related to settlements in the occupied Palestinian territory, as requested by the Human Rights Council in its Resolution 31/36, adopted on 24 March 2016. As noted in paragraph 19 of the report it "does not purport to constitute a judicial or quasi-judicial process of any kind or legal characterization of the listed activities or business enterprises involvement therein".

Resolution 2334 also called upon "all parties to continue, inter alia, to exert collective efforts to launch credible negotiations".

On 28 January, the United States released its "Peace to Prosperity" vision for peace between Israelis and Palestinians. As stated by the Secretary-General in his 11 February briefing to this Council, the position of the United Nations in this regard has been defined, throughout the years, by resolutions of the Security Council and General Assembly, by which the Secretariat is bound. The United Nations remains committed to supporting Palestinians and Israelis to resolve the conflict on the basis of relevant UN resolutions, international law and bilateral agreements and realizing the vision of two States –Israel and Palestine –living side by side in peace and security within recognized borders, on the basis of the pre-1967 lines.

In closing, I would like to share some broad observations concerning the implementation of the provisions of resolution 2334 during the reporting period.

The expansion of Israeli settlements continues to pose a significant obstacle to achieving a viable two-State solution. Their establishment has no legal validity and constitutes a flagrant violation of international law, as stated in Security Council resolution 2334 (2016). They should stop immediately and completely. Potential settlement advancement in the E1 area of the occupied West Bank, or in East Jerusalem neighborhoods that are crucial to the contiguity of a future Palestinian state, are particularly concerning. The existence and expansion of settlements further entrench the occupation and systematically erode the possibility of establishing a contiguous and viable Palestinian state, and fuel anger and resentment among the Palestinian population.

Unilateral steps are detrimental to peace. In recent months, Israeli officials have repeatedly stated their intention to annex Israeli settlements and other parts of the occupied West Bank. If implemented, such steps would not only constitute a serious violation of international law, but they would also effectively end the prospect of the two-State solution and close the door to negotiations between Israelis and Palestinians.

The demolition and seizure of Palestinian structures, including internationally funded humanitarian projects must stop. This practice violates international humanitarian law and must cease. Affected populations must be duly compensated for damages.

There is no justification for violence against civilians, including children, and I call upon all members of the international community to join the United Nations in condemning it unequivocally and calling for all perpetrators to be held accountable.

The indiscriminate launching of rockets and mortars towards civilian population centres is prohibited by international humanitarian law and Palestinian militants must cease this practice immediately. Israeli security forces must exercise maximum restraint and only intentionally use lethal force when strictly unavoidable in order to protect life, in accordance with international law. All incidents must be thoroughly investigated.

Incitement to violence and provocative rhetoric continue to sow fear and deepen mistrust between both sides, eroding hopes for a peaceful solution. All sides must unequivocally condemn attacks when they occur. All perpetrators must be held accountable. Settler-related violence in the occupied West Bank, including East Jerusalem also remains a serious concern.

Despite the fragile calm in Gaza, and the limited improvements the situation remains a major concern. I reiterate that the only sustainable solution to Gaza's challenges is political and requires concrete steps to ensure that Gaza and the occupied West Bank are reunited under a single legitimate Palestinian national authority, in accordance with the recommendations of the 2016 Middle East Quartet Report. It is critical to end the militant build-up of Hamas and Palestinian Islamic Jihad in Gaza and the constant threat of rocket fire from the Strip. At the same time, while taking into consideration its legitimate security concerns, Israel must continue to implement additional measures to significantly improve the movement and access of goods and people to and from Gaza, with the goal of ultimately lifting the closures, in line with Security Council resolution 1860 (2009).

The reconstruction effort in Gaza continues to make important progress and it is important that the remaining projects receive funding and are completed. The United Nations and its partners continue to support this effort as well as other projects aimed at the revival and strengthening of



Gaza's industrial and agricultural sectors. At the same time, the Palestinian Authority must do much more to support Gaza's health system, particularly in relation to COVID-19 preparedness, but also in light of systemic difficulties and chronic drug shortages. I encourage the Palestinian Government and donors to work with the UN to this end.

Efforts to improve the situation in Gaza are vital to bolstering the ongoing conflict prevention efforts of Egypt and the United Nations.

It is highly regrettable that there has been no progress made towards the holding of long overdue Palestinian presidential and legislative elections. The Palestinian people must be allowed to exercise their democratic right to vote and elect their leaders and representatives. It is critical that the important Egyptian-led intra-Palestinian reconciliation efforts also continue. Palestinian leaders must engage positively with Egypt, reverse the negative trajectory, take concrete steps to end division and schedule elections.

On 8 March, the UN Country Team celebrated International Women's Day and took the opportunity to acknowledge and celebrate the contributions of Palestinian women to the development of their communities. This is happening alongside tremendous efforts by UN Agencies and partners to support civil society actors and the Government to promote gender equality and women's empowerment in line with the Sustainable Development Goals. Notwithstanding the continued challenges posed by Israel's military occupation, Palestinian women remain concerned about safety and security, livelihoods, employment opportunities, lack of political participation, access to education, health care and other services. I will report in greater detail over the coming months on UN efforts to support more gender focused programming as well as to promote greater engagement of women.

The Security Council's 24 February press elements reiterating support for a negotiated two-State solution in accordance with UN resolutions and international law was an encouraging sign. Thank you for that. Now is the time to find a way to move the process forward, and to advance proposals to bring the parties back into a mutually agreed framework that allows for meaningful negotiations to commence. The United Nations remains committed to supporting Palestinians and Israelis to resolve the conflict on the basis of relevant United Nations resolutions, multilateral agreements and international law, and realizing the vision of two states -- Israel and Palestine -- with Jerusalem as the shared capital living side by side in peace and security within recognized borders, on the basis of the pre-1967 lines.

As the region continues to confront the enormity of the challenges posed by the COVID-19 pandemic and the broader geopolitical tensions, the situation on the ground remains fragile. Credible negotiations have yet to be launched that will end the occupation and realize a negotiated two-State solution. In the absence of a renewed commitment of the parties to pursue concrete measures that will lead to genuine political progress, the situation I'm afraid will continue to deteriorate.

### **XIII. PALESTINIAN RIGHTS COMMITTEE PUBLISHES A NEWSLETTER ON ITS ACTIVITIES (JANUARY TO MARCH 2020)**

*On 31 March, the UN Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP) published online the following [newsletter](#).*

**1. Committee participates in Security Council debate on the situation in the Middle East.**

On 21 and 22 January, the Security Council held its first open debate of 2020 on the situation in the Middle East, including the Palestinian Question. UN Under-Secretary-General for Political Affairs Rosemary DiCarlo, Assistant Secretary-General for Humanitarian Affairs Ursula Mueller and Vice-Chair of the Palestinian Rights Committee, Ambassador Adela Raz, addressed the Security Council meeting, among others. For the Palestinian Rights Committee's statement, click [here](#).

**2. Committee elects its Bureau and adopts the Programme of Work for 2020.** On 4 February, the Palestinian Rights Committee held its first meeting of 2020 to elect its Bureau and adopt [the Programme of Work](#) for the year. Secretary-General António Guterres, accompanied by the Chef de Cabinet and the Assistant Secretary-General for Political and Peacebuilding Affairs, presided over the election and delivered a statement. For more details and documents, click [here](#).

**3. Briefing to new diplomats.** On 14 February, the Division for Palestinian Rights organized its annual "Briefing session for delegates" on the mandate and work methods of the Committee and the work of the Division. Some 30 diplomats joined the meeting. For more details, click [here](#).

**4. International Conference on the Question of Palestine, Kuala Lumpur.** On 28-29 February, the Committee, in cooperation with the Government of Malaysia and Perdana Global Peace Foundation (PGPF), convened an international conference under the theme "Southeast Asian Support for the Rights of the Palestinian People" at the Kuala Lumpur Convention Centre. The event brought together Palestinian and international experts – practitioners, academics, civil society – to address the difficulties of life of Palestinians under Israeli occupation and highlight the need for aimed at halting negative trends on the ground and in the international arena. For more details, click [here](#).

**5. Committee delegation's visit to Delhi.** A Committee delegation visited New Delhi on 2 and 3 March, led by the Chair (Permanent Representative of Senegal), to engage India, a member of the Committee and a good friend of Palestine and Israel, to promote a peaceful settlement of the question of Palestine. The delegation met with H.E. Mr. S. Jaishankar, the Minister of External Affairs, and other officials of the Ministry and the ruling Bharatiya Janata Party. For more details, click [here](#).