



Home Office

Country Information and Guidance

Occupied Palestinian Territories (OPTs): Security and Humanitarian Situation

Version 1.0

June 2015

Preface

This document provides guidance to Home Office decision makers on handling claims based on – as well as country of origin information (COI) about – the general security and humanitarian situation in – the Occupied Palestinian Territories (OPTs). This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the guidance contained with this document; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Country Information

The COI within this document has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the Common EU [European Union] Guidelines for Processing Country of Origin Information (COI), dated April 2008, and the European Asylum Support Office’s research guidelines, Country of Origin Information report methodology, dated July 2012.

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

It is not the function of the IAGCI to endorse any Home Office material, procedures or policy.

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Guidance

Date Updated: 19 June 2015

1. Introduction

1.1 Basis of Claim

- 1.1.1 That the general humanitarian situation in the Occupied Palestinian Territories (OPTs) is so severe as to make removal a breach of Article 3 of the European Convention on Human Rights (ECHR); and/or
- 1.1.2 That the security situation in the OPTs presents a real risk which threatens life or person such that removal would be in breach of Article 15(c) of European Council Directive 2004/83/EC of 29 April 2004 ('the Qualification Directive'), which applies where there is a serious and individual threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict).

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1.2 Summary of Issues to Consider

- ▶ Does the person come from the OPTs?
- ▶ Is the person's account a credible one?
- ▶ Does the person have a well-founded fear of persecution?
- ▶ Does the person fall to be excluded from a grant of protection?
- ▶ Is the humanitarian situation in the OPTs so severe as to make removal a breach of Article 3 of the ECHR?
- ▶ Is there indiscriminate violence in the OPTs which is at such a level that substantial grounds exist for believing that the person, solely by being present there, faces a real risk of harm which threatens their life or person?
- ▶ Are those at risk able to internally relocate within the OPTs?

For further information on how to consider claims based on Article 15 of the Qualification Directive, see the [Asylum Instruction on Humanitarian Protection](#).

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2. Consideration of Issues

Does the person come from the OPTs?

- 2.1.1 The Palestinian population of around 10 or 11 million people is divided between historic Palestine and a diaspora, mainly in neighbouring Arab countries. Decision makers must therefore take steps to establish that the person is from the OPT.
- 2.1.2 Decision makers should ensure that each asylum application has been checked against previous UK visa applications. Where an asylum application has been biometrically matched to a previous visa application, details should already be in the Home Office file. In all other cases, the decision maker

should satisfy themselves through CRS database checks that there is no match to a non-biometric visa. Asylum applications matches to visas should be investigated prior to the asylum interview, including obtaining the Visa Application Form (VAF) from the visa post that processed the application. For further information on this see [Visa matches, asylum claims from UK visa applicants: instruction](#).

- 2.1.3 Following completion of standard actions, decision makers should if necessary consider the need to conduct language analysis testing. For further guidance on this see the Asylum Instruction on [Language Analysis](#).

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Is the person's account a credible one?

- 2.1.4 Decision makers must consider whether the material facts relating to the person's account of their experiences in the OPTs are reasonably detailed, internally consistent (e.g. oral testimony, written statements) as well as being externally credible (i.e. consistent with generally known facts and the [country information](#)). Decision makers should take into account the possible underlying factors as to why a person may be inconsistent or unable to provide details of material facts.
- 2.1.5 For further information on these and assessing credibility more generally, see Section 5 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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Does the person have a well-founded fear of persecution?

- 2.1.6 A state of civil instability and/or where law and order has broken down does not of itself give rise to a well-founded fear of persecution for a Convention reason.
- 2.1.7 However, even where a person comes from a place where there is a state of civil instability and/or where law and order has broken down, they may have a well-founded fear of persecution. If so, the person will, unless excluded, qualify for asylum under the Refugee Convention and decision makers do not need to go on to make an assessment of the need for [humanitarian protection](#).

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Does the person fall to be excluded from a grant of protection?

- 2.1.8 Where a person originates from a state of civil instability and/or where law and order has broken, decision makers must consider if there are serious reasons for considering that a person was involved in or associated with such acts, or with the groups concerned.
- 2.1.9 If so, decision makers must consider whether one of the exclusion clauses is applicable, seeking advice from a Senior Caseworker if necessary.
- 2.1.10 Where a person is excluded from protection under the Refugee Convention they are also excluded from humanitarian protection but, they may be entitled to Discretionary Leave or Restricted Leave.

- 2.1.11 For further information on the exclusion clauses, discretionary leave and restricted leave, see the [Asylum Instruction on Exclusion: Article 1F of the Refugee Convention](#), the [Asylum Instruction on Discretionary Leave](#) and the [Asylum Instruction on Restricted Leave](#).

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Is the general humanitarian situation in the OPTs so severe as to make removal a breach of Article 3 of the ECHR?

- 2.1.12 The seven-year blockade by Israel, coupled with the access-restricted areas along its border forces the Palestinian people living in Gaza to live in a perpetual state of humanitarian crisis. The humanitarian situation in Gaza deteriorated significantly during 2014. Israel's 'Protective Edge' military offensive in the summer of 2014, which resulted in the deaths of more than 2,000 inhabitants of Gaza, of which over 1,400 were civilians, damaged or destroyed thousands of civilian homes, as well as severing power generation and water supplies, and damaging other civil infrastructure (see [Humanitarian Situation in the Gaza Strip](#)).
- 2.1.13 At the height of the hostilities, almost 500,000 people, 28% of the population, were displaced, and as of the end of December 2014, an estimated 100,000 remained displaced in Gaza. Unemployment is estimated at around 44.5% and 80% of the population are chronically dependent on aid. Frequent power shortages and periodic winter flooding have further exacerbated living conditions for Palestinians in Gaza. Many inhabitants just have six hours of electricity a day and are without running water.
- 2.1.14 At least 1,000 persons injured in the 2014 war will suffer permanent disability. In addition to their particular health and psychological needs, those people remain in need of specific equipment that is unavailable in Gaza owing to the continued blockade. The health system is in disarray. Damage inflicted on health institutions, the prevailing shortage in essential drugs and the lack of spare parts for certain medical equipment have reduced the availability and accessibility of health services. In November 2014, over 1,000 patients were waiting to exit Gaza, including those with advanced cancer, renal and heart diseases and orthopaedic and ophthalmological requirements.
- 2.1.15 The long-term ceasefire agreement signed in August 2014 included the easing of Israel's blockade of Gaza crossings and a gradual lifting of restrictions on fishing off the coast. The agreement facilitates the import and use of construction materials to rebuild Gaza, but progress to date has been insufficient to meet the needs of all inhabitants of the Gaza Strip. However, the reconstruction of Gaza has been so inadequate that at current rates, aid agencies calculate it will take 100 years just to import enough construction materials and as of May 2015 not a single destroyed home has been rebuilt in the Gaza Strip.
- 2.1.16 In the West Bank, forced displacement is triggered by multiple factors, including the demolition of homes and property lacking Israeli-issued building permits, due to the discriminatory planning regime in Area C and East Jerusalem; evictions; the lack of secure residency status; access restrictions;

settler violence; or any combination of these factors. Between 1 November 2013 and 27 October 2014, 207 Palestinians were recorded as injured in settler-related incidents, including 88 by settlers themselves and 119 by Israeli security forces and five Palestinian fatalities were recorded in settler-related incidents, including three killed by Israeli security forces and two by Israeli settlers.

- 2.1.17 In the West Bank there have been incidences of where the Israeli government is reported to punitively demolish Palestinian homes in response to alleged acts of violence by Palestinians in Israel and the OPTs. Throughout the West Bank, Israeli forces maintain restrictions on the free movement of Palestinians by using military checkpoints and restricting access to certain areas by preventing Palestinians using bypass roads constructed for the use of Israeli settlers and cutting off villagers from their lands. These restrictions hinder Palestinians' access to hospitals, schools and workplaces, and impede essential agricultural activities and production (see [Humanitarian Situation in West Bank](#)).
- 2.1.18 The humanitarian situation in both the Gaza Strip and the West Bank is not such that it represents, in general, a risk of harm contrary to Article 3 of the ECHR. However decision makers must consider on the facts of the case whether a returnee, by reason of his or her individual vulnerability, may face a real risk of harm contrary to Article 3 of the ECHR as a result of the humanitarian situation. Factors to be taken into account include age, gender, medical conditions, ill-health, disability, the effect on children, other family circumstances, housing opportunities, the ability to sustain themselves and available support structures.

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Is there indiscriminate violence in the OPTs which is at such a level that substantial grounds exist for believing that the person, solely by being present there, faces a real risk of harm which threatens their life or person?

- 2.1.19 Unlike Article 3 ECHR, Article 15(c) of the Qualification Directive applies only to civilians, who must be genuine non-combatants and not those who are party to the conflict. This could include former combatants who have genuinely and permanently renounced armed activity.
- 2.1.20 An assessment of protection needs under Article 15(c) should only take place if the person is unable to establish a need for refugee protection or for humanitarian protection.
- 2.1.21 Israel's 'Protective Edge' military offensive in the summer of 2014 killed more than 2,000 inhabitants of Gaza, including more than 1,500 civilians, among them some 539 children. An international commission of inquiry has been set up to investigate all violations of international humanitarian law and international human rights law in the OPT, including East Jerusalem, particularly in the occupied Gaza Strip, in the context of the military operations conducted since 13 June 2014. However, Israel has not provided access to its territory, the Gaza Strip or the West Bank. The reporting of the Commission has been delayed until June 2015. Following the signing of the

long-term ceasefire agreement in August 2014 (see [Security Situation in the Gaza Strip](#)) the level of indiscriminate violence in the Gaza Strip is not at such a level that, within the meaning of Article 15(c), a civilian, faces a real risk of indiscriminate violence which threatens his life or person solely by being present in the Gaza Strip.

- 2.1.22 Similarly, the level of indiscriminate violence in the West Bank (see [Security Situation in the West Bank](#)) does not amount to a sufficient risk to ordinary civilians such as to represent a general Article 15(c) risk. In 2014 there were 58 Palestinian fatalities involving Israeli security forces and 6,028 injuries in the West Bank. These are reported to be part of an increasing pattern whereby Palestinian civilians (often children) who pose no serious threat to Israeli security forces are deliberately shot and injured with rubber-coated steel bullets, or increasingly killed with live ammunition with impunity.
- 2.1.23 Even where there is no general Article 15(c) risk, the decision maker must consider whether there are particular factors relevant to the person's individual circumstances which might nevertheless place them at risk. Such factors might include – but are not limited to – the person's age, gender, health, disability, profession etc.
- 2.1.24 For further information see the [Asylum Instruction on Humanitarian Protection](#)

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[Are those at risk able to internally relocate within the OPTs?](#)

- 2.1.25 Israel limits the passage of Palestinians through the Erez crossing into Israel to “exceptional humanitarian cases” and is unpredictable. As a result, Palestinians in the Gaza Strip are unable to go to the West Bank, including East Jerusalem, or further afield. Heavy reliance is therefore placed on the Rafah crossing between Gaza and Egypt which is subject to frequent closures. In 2014, Rafah was closed for 207 days or 57% of the year. By the end of 2014, there were around 17,000 registered people, including medical patients, waiting to exit Gaza. Hundreds of patients who were in urgent need for treatment abroad were prohibited from leaving to seek medical treatment in the West Bank. Israeli forces policed the blockade using live fire against Palestinians who entered or approached a 500m-wide buffer zone that they imposed inside Gaza's land border with Israel, and against fishermen who entered or approached the “exclusion zone” that Israel maintains along the full length of Gaza's coast. Between 25 May 2013 and 6 July 2014, a total of seven people were shot and killed and 131 were injured in the access-restricted areas on the Gaza side of the fence (see [Freedom of Movement](#)).
- 2.1.26 Throughout the West Bank, Israeli forces maintain restrictions on the free movement of Palestinians between the West Bank and Gaza by using military checkpoints and restricting access to certain areas. Palestinian movement throughout the West Bank, including into East Jerusalem, remains restricted by a complex system of physical and administrative measures – the Barrier, checkpoints, roadblocks and a permit system – undermining livelihoods and access to basic services, as well as hindering the ability of humanitarian organisations to deliver assistance (see [Freedom of Movement](#)).

- 2.1.27 The current severe restrictions on the movement of Palestinians in the Gaza Strip and the West Bank will make internal relocation extremely difficult for many. Decision makers must therefore give careful consideration to the relevance and reasonableness of internal relocation on a case-by-case basis taking full account of the individual circumstances of the particular person.
- 2.1.28 Decision makers must consider the application of internal relocation on the facts of the case at the time of the decision taking into full account the general circumstances prevailing in the intended place of relocation and the circumstances of the person. Where internal relocation is suggested, decision makers must also consider accessibility of the intended place of relocation.
- 2.1.29 For further information on considering internal relocation, see Section 8.2 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#) and the [Asylum Instruction on Internal Relocation](#).

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3. Policy Summary

- **The humanitarian situation in the Gaza Strip deteriorated significantly during 2014 and is severe. However, the humanitarian situation in both the Gaza Strip and the West Bank is not such that it represents a general risk of Article 3 harm for all returnees. Whether a returnee, by reason of his or her individual vulnerability, may face a real risk of Article 3 harm as a result of the humanitarian situation needs to be assessed on the facts of the case.**
- **Following the signing of the long-term ceasefire agreement in August 2014 the level of indiscriminate violence in the Gaza Strip is not now at such a level as to mean that, within the meaning of Article 15(c), a civilian, solely by being present in the Gaza Strip, faces a real risk from indiscriminate violence which threatens his life or person.**
- **Similarly the level of indiscriminate violence in the West Bank does not amount to a sufficient risk to civilians such as to represent a general Article 15(c) risk.**
- **Even where there is no general Article 15(c) risk, the decision maker must consider whether there are particular factors relevant to the person's individual circumstances which might nevertheless place them at risk. Such factors might include – but not limited to – the person's age, gender, health, disability, profession etc. Decision makers must consider carefully whether the existence of such factors means that the harm they fear is not in fact indiscriminate, but targeted, if not at them personally, at a Refugee Convention defined population to which they belong.**
- **The current severe restrictions on the movement of Palestinians in the Gaza Strip and the West Bank will make internal relocation extremely difficult for many. The relevance and reasonableness of internal**

relocation must be assessed on a case-by-case basis taking full account of the individual circumstances of the particular person.

- **Where a claim falls to be refused, it is unlikely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.**

For further information on making asylum decisions, see section 9 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#), the [Asylum Instruction on Humanitarian Protection](#) and the [Asylum Instruction on Discretionary Leave](#).

For further information on certification, see the [Asylum Instruction on Non-Suspensive Appeals: Certification Under Section 94 of the NIA Act 2002](#).

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Country Information

Date Updated: 19 June 2015

4. Background

4.1 The BBC notes that:

‘The Palestinian population of around ten or eleven million people is divided between historic Palestine and a diaspora, mainly in neighbouring Arab countries.’

‘Efforts to create a Palestinian state on the West Bank of the River Jordan and Gaza on the Mediterranean coast have been frustrated by the continuing conflict with Israel and disputes over the status of diaspora Palestinians.’

‘The war that followed Israel’s declaration of independence in 1948 saw the former British mandate of Palestine partitioned between Israel, Trans-Jordan and Egypt. Hundreds of thousands of Palestinians fled or were forced out of their native land during the war, in what they call the ‘Nakba’ or ‘Catastrophe.’ The demand of these refugees and their descendants to return to their former homes remains one of the most fiercely debated aspects of the dispute with Israel.’

‘The Palestinian national movement gradually regrouped in the West Bank and Gaza, run respectively by Jordan and Egypt, and in refugee camps in neighbouring Arab states. The Palestine Liberation Organisation (PLO) emerged as its leading umbrella group shortly before the Six-Day War of 1967, during which Israel captured the West Bank, Gaza and East Jerusalem, and conducted a protracted campaign of violence against Israel.’

‘The PLO under Yasser Arafat gradually won international recognition as the representative of the Palestinian people, culminating in the Oslo Accords with Israel in 1993. These accords established a Palestinian National Authority (PNA – also referred to as the Palestinian Authority, or PA) as an interim body to run parts of Gaza and the West Bank (but not East Jerusalem) pending an agreed solution to the conflict.’

‘The PNA functions as an agency of the PLO, which represents Palestinians at international bodies. It is led by a directly-elected president, who appoints a Prime Minister and government which must have the support of the elected Legislative Council. Its civilian and security writ runs in urban areas (Area A) under the Oslo Accords, with civilian but not security control over rural areas (Area B).’

‘The Israeli occupation of the West Bank, with its continuing settlement building and military checkpoints, and Palestinian attacks, have slowed progress towards a final agreement and led many on both sides to dispute the worth of the Accords. Israel retains full control over bypass roads,

settlements and the Jordan Valley, and makes incursions into urban areas against armed groups.'

'In 2005, Israel completed the withdrawal of all its troops and settlers from the Gaza Strip but it retains control of the airspace, seafront and access – including deliveries of food and other goods – apart from the crossing with Egypt. The Islamist Hamas movement, which runs Gaza, explicitly rejects Oslo and its charter calls for Israel's 'nullification'.'

'The Fatah faction of the PLO ran the PNA until 2006, when Hamas won a majority in Legislative Council elections. Uneasy co-existence between PNA President Mahmoud Abbas and a Hamas-led government led to violence between armed wings of Fatah and Hamas, culminating in Hamas seizing power in Gaza in June 2007 and President Abbas dismissing the government.'

'The two PNA areas have since been run by the separate factions – the West Bank by Fatah, and Gaza by Hamas. Egyptian-mediated efforts to bring the two factions together met with little success.'

'Local elections on the West Bank in October 2012 undermined Fatah's position, as it won only two-fifths of the seats contested on a turnout of 55%. Lists led by Fatah rebels won four of the 11 major towns and cities, and independents and leftists took control of a fifth. Hamas boycotted the poll, and allowed no elections at all in Gaza.'

'In 2014 Fatah and Hamas announced a reconciliation deal and formed a unity government, in an attempt to end seven years of sometimes violent division.'

- 4.2 For further background see [UN Office for the Coordination of Humanitarian Affairs \(UN OCHA\) Occupied Palestinian Territory²](#) and [BBC News. Palestinian territories profile - Overview³](#)

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5. Security Situation in the Gaza Strip

- 5.1 During 2014 the conflict over the creation of a Palestinian state between Hamas and other Islamist militant groups operating from Gaza and the

¹ BBC News. Palestinian territories profile – Overview. 10 December 2014.

<http://www.bbc.co.uk/news/world-middle-east-14630174> [Date accessed: 21 April 2015]

² United Nations Office for the Coordination of Humanitarian Affairs (UN OCHA). Occupied Palestinian Territory. December 2011.

http://www.ochaopt.org/documents/ochaopt_atlas_opt_general_december2011.pdf [Date accessed: 7 May 2015]

³ BBC News. Palestinian territories profile – Overview. 10 December 2014.

<http://www.bbc.co.uk/news/world-middle-east-14630174> [Date accessed: 21 April 2015]

Israeli government escalated to a war.⁴ The Heidelberg Institute for International Conflict Research recorded:

'In the first half of 2014, 27 Palestinians and three Israelis were killed. On 19 January, Israel Air Force (IAF) killed leading Islamic Jihad operative Ahmad Saad. On 31 January, Gazan militants fired a rocket from the Sinai Peninsula into Israel's Southern District. The IAF killed three militants in an airstrike on 11 March, after the latter had fired a mortar at patrolling soldiers. On 23 April, Hamas and Fatah announced the creation of a unity government. Additionally, the deadline imposed by US Secretary of State, John Kerry, for a framework agreement between Israel and the Palestinian Authority expired on 29 April without progress.'

'On 12 June, three Israeli teenagers from the settlements were abducted near Hebron, West Bank, with no group immediately claiming responsibility. Israel accused Hamas of the kidnapping and started a search mission, raiding various cities across the West Bank and arresting about 400 Palestinians, among them nearly all of Hamas's leadership in the West Bank. Later in August, an autonomous Hamas cell from the West Bank claimed responsibility. Following the kidnapping, rocket fire exchanges between the Israeli Defence Forces (IDF) and militants in Gaza increased. On 30 June, the teenagers were found dead near Hebron. The following day, IAF launched 34 airstrikes in Gaza after militants had fired 20 rockets into Israel.'

'Following these events, IDF launched "Operation Protective Edge" in July, which lasted until 26 August. The IDF aimed at preventing rocket fire from Gaza and destroying the military infrastructure of Hamas and other militant groups. The operation included a ground invasion, starting on 17 July. In sum, IDF killed about 2,100 Palestinians in Gaza, more than 1,400 civilians. Militant groups killed 66 Israeli soldiers and five civilians in clashes and by firing rockets into Israel's Southern District. The escalating conflict left more than 500,000 Gazans internally displaced. Moreover, infrastructure including hospitals, mosques, UN shelters, university buildings and the only power plant in the Gaza Strip were heavily damaged.'

'On 15 July, Hamas fired a rocket at the village of Erez, Southern District, killing one civilian. On 19 and 20 July, IDF killed more than 130 and wounded another 250 Gazans. Meanwhile, Hamas killed 16 Israeli soldiers in Gaza. In air strikes and ground combat on the 21 July, 120 Gazans and three Israeli soldiers were killed. The same day, a rocket fired from Gaza hit near Ben Gurion International Airport, which led major airlines to suspend their flights from and to Israel. On 25 July, IDF airstrikes and ground attacks left 68 Palestinians dead and caused about 10,000 to seek shelter in UN buildings in Gaza. Hamas targeted an infantry unit with anti-tank missiles

⁴ Heidelberg Institute for International Conflict Research. Conflict Barometer 2014. Page 160 -162. 4 March 2015 http://hiik.de/en/konfliktbarometer/pdf/ConflictBarometer_2014.pdf [[Date accessed: 21 April 2015]

and rocket-propelled grenades in Beit Hanoun, Gaza, killing 10 Israeli soldiers. On 30 July, more than 20 Gazans died when IAF shelled a UN school, suspecting militants hiding among the refugees. On 2 August, IDF killed at least 120 Palestinians and damaged a University. On 10 August, an initial 72 hours ceasefire agreement was reached, which was mostly observed and later gradually extended for a total of six days. On 19 August, following rocket fire from Gaza, Israel recalled its negotiators from truce talks in Cairo. Two days later, an Israeli airstrike killed three high-ranking Hamas commanders in southern Gaza. On 22 August, Hamas executed 18 Gazans suspected of collaborating with Israel. Following several failed ceasefires, a long-term ceasefire agreement was reached under the mediation of Egypt on 26 August. The deal included the easing of Israel's blockade of Gaza crossings and a gradual lifting of restrictions on fishing off the coast.'

'On 23 September, IDF fatally shot the two Palestinians suspected of killing the three abducted teenagers in a gunfight in Hebron. A man who allegedly commissioned and funded the abduction was arrested and charged by a Military Court. On 21 October, UN Secretary-General, Ban Ki-moon, announced an investigation of possible war crimes during the Gazan war.'

'On 10 November, IDF shot at a fishing boat off the Gazan coast allegedly located outside of the designated fishing zone, injuring three. On 20 November and 4 December, Hamas tested several rockets, firing them offshore. On 19 December, a rocket fired from Gaza hit Eshkol, Southern District, causing no damage. Shortly after, the IDF carried out an air strike on Hamas's infrastructure. On 24 December, one militant was killed and an Israeli soldier was injured in a gunfight between militants and Israeli troops during a routine border control.'⁵

5.2 The Foreign and Commonwealth Office (FCO) reported in March 2015:

'We remained seriously concerned about the human rights situation in Israel and the OPTs in 2014. Our principal concerns related to the Israeli government's violation of international human rights and humanitarian law in the context of Israel's occupation of the OPTs. And we continued to have concerns about serious human rights abuses by Hamas.'

'Three Israeli teenagers were kidnapped in the West Bank on 13 June, and their bodies found near Hebron on 30 June. On 2 July, a Palestinian teen was kidnapped and burnt alive. Following this, there was a significant increase in tensions and a worsening security situation, including intensive and indiscriminate rocket attacks on Israel by Hamas militants. Israel launched Operation Protective Edge on 8 July, with subsequent ground operations from 17 July, leading to 51 days of conflict, and a severe

⁵ Heidelberg Institute for International Conflict Research. Conflict Barometer 2014. Page 160 -162. 4 March 2015. http://hiik.de/en/konfliktbarometer/pdf/ConflictBarometer_2014.pdf [Date accessed: 21 April 2015]

humanitarian crisis in Gaza. The UK condemned the rocket attacks and stressed the need for de-escalation.’

‘Throughout the hostilities, the UK was clear that Israel had a right to take action but needed to do so proportionately and minimise civilian casualties, in line with international humanitarian law. The Foreign Secretary, Philip Hammond, raised concerns about the number of casualties and humanitarian impact with Israeli Prime Minister Binyamin Netanyahu, Foreign Minister Lieberman and PA President Abbas. Israeli forces initially withdrew from Gaza on 5 August. Following several attempts to negotiate a ceasefire and intermittent resummptions of violence, an open-ended ceasefire supported by all parties was agreed on 26 August.’

‘According to the UN Office for the Coordination of Humanitarian Affairs (UNOCHA), 2,131 Palestinians were killed, of whom 1,473 were identified as civilians, including 501 children and 257 women. There is a disparity between figures regarding the number of Palestinian civilians killed and 74 Israelis were also killed. At the height of the conflict, 292,000 people were sheltering in UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and government schools, set up as emergency shelters. In December, nearly four months after the end of the war, 19,000 internally displaced persons were living in UNRWA schools. The UK provided £19 million of emergency assistance during the conflict.’

‘The UK played its full role and attempted to secure a balanced resolution on Gaza at the emergency session of the UN Human Rights Council in July 2014. However, our view was that the resolution would not help achieve a lasting ceasefire and was fundamentally unbalanced. Whilst we remained deeply concerned by the bloodshed in Gaza, the UK joined other EU nations in abstaining in the vote. However, the UK encouraged all parties to co-operate with the Commission of Inquiry (CoI) mandated by this resolution, which we have said must be independent and balanced in its approach. The Israeli authorities have launched a number of internal processes to investigate specific cases of engagement, which we are following closely.’⁶

5.3 Amnesty International’s Annual Report 2014-2015 reported that:

‘Israel’s Protective Edge military offensive, which Israel said it launched in response to an upsurge in rocket firing into Israel by Palestinian armed groups in Gaza, killed more than 2,000 inhabitants of Gaza, including more than 1,500 civilians, among them some 539 children. Israeli air and ground attacks damaged or destroyed thousands of civilian homes and internally displaced around 110,000 Palestinians, as well as severing power generation and water supplies and damaging other civil infrastructure. In Israel, indiscriminate rockets and other weapons fired by Palestinian armed

⁶ Foreign and Commonwealth Office, 2014 Human Rights and Democracy Report - Israel and the Occupied Palestinian Territories (OPTs), 12 March 2015. <https://www.gov.uk/government/publications/israel-and-the-occupied-palestinian-territories-country-of-concern/israel-and-the-occupied-palestinian-territories-country-of-concern> [Date accessed: 21 April 2015]

groups from Gaza in breach of the laws of war killed six civilians, including one child, injured dozens and damaged civilian property.’⁷

- 5.4 According to Amnesty International, ‘during the 50 days of conflict before a ceasefire took effect on 26 August 2014, Israeli forces committed war crimes, including disproportionate and indiscriminate attacks on Gaza’s densely populated civilian areas as well as targeted attacks on schools sheltering civilians and other civilian buildings that the Israeli forces claimed were used by Hamas as command centres or to store or fire rockets. On the night of 30 July, Israeli artillery fire hit the Jabaliya elementary school where more than 3,000 civilians had taken refuge, killing at least 20 and injuring others. It was the sixth time a school being used by the UN to shelter civilians had been attacked since the conflict began three weeks earlier.’⁸
- 5.5 ‘Israeli forces also attacked hospitals and medical workers, including ambulance staff seeking to assist the wounded or retrieve the bodies of those killed. Dozens of homes were destroyed or damaged by missiles or aerial bombs with families still inside. For example, in eight cases documented by Amnesty International, Israeli strikes on inhabited houses killed at least 104 civilians, including 62 children. Often the Israeli military gave no reason for specific attacks.’⁹
- 5.6 ‘In the days immediately leading up to the ceasefire, Israeli forces launched attacks that destroyed three multi-storey residential buildings in Gaza City and a modern commercial centre in Rafah, amid vague assertions that the residential buildings housed a Hamas command centre and “facilities linked to Palestinian militants” but without providing any compelling evidence or explanation why, if there were legitimate military reasons to justify the attacks, less destructive means were not selected.’¹⁰
- 5.7 In March 2015, Amnesty International published a further report detailing four cases investigated by Amnesty International in which mortar and rocket attacks by Palestinian armed groups resulted in the death of five civilians in southern Israel and injured others. It also analyses the attack on the al-Shati

⁷ Amnesty International Annual Report 2014 – 2015 – Israel and the Occupied Palestinian Territories, 25 February 2015

<https://www.amnesty.org/en/countries/middle-east-and-north-africa/israel-and-occupied-palestinian-territories/> [Date accessed: 21 April 2015]

⁸ Amnesty International Annual Report 2014 – 2015 – Israel and the Occupied Palestinian Territories, 25 February 2015

<https://www.amnesty.org/en/countries/middle-east-and-north-africa/israel-and-occupied-palestinian-territories/> [Date accessed: 21 April 2015]

⁹ Amnesty International Annual Report 2014 – 2015 – Israel and the Occupied Palestinian Territories, 25 February 2015

<https://www.amnesty.org/en/countries/middle-east-and-north-africa/israel-and-occupied-palestinian-territories/> [Date accessed: 21 April 2015]

¹⁰ Amnesty International Annual Report 2014 – 2015 – Israel and the Occupied Palestinian Territories, 25 February 2015

<https://www.amnesty.org/en/countries/middle-east-and-north-africa/israel-and-occupied-palestinian-territories/> [Date accessed: 21 April 2015]

refugee camp on 28 July, and the conduct of Palestinian armed groups within the Gaza Strip in their operations against Israel during the 50-day conflict. The report concluded that 'Palestinian armed groups' flagrant disregard for international humanitarian law during the July/August 2014 conflict is evident from their routine firing of inherently indiscriminate rockets towards Israeli towns and cities, as well as the numerous statements indicating that specific attacks, including the mortar attack that killed four-year-old Daniel Tregerman, were direct attacks on civilians. Direct attacks on civilians, the use of prohibited weapons that are inherently indiscriminate, such as unguided rockets, and indiscriminate attacks that kill or injure civilians are all war crimes. The use of imprecise mortars to attack military objectives located in or near residential areas also constitutes an indiscriminate attack'.¹¹The report further stated that:

'During the 50 days of hostilities referred to in Israel as Operation Protective Edge, between 8 July and 26 August 2014, Palestinian armed groups fired thousands of unguided rockets and mortars towards Israel, in many cases directing them towards Israeli civilians and civilian objects, in violation of international law. These attacks killed six civilians in Israel, wounded others, and damaged civilian property. The conduct of Palestinian armed groups, including firing from residential areas and the use of indiscriminate munitions that cannot be accurately directed at a military target, also endangered civilians in the Gaza Strip. In one case, the available evidence indicates that a rocket fired by a Palestinian armed group on 28 July 2014 killed 11 children and two adults in the al-Shati refugee camp, north-west of Gaza City.'¹²

- 5.8 In its resolution A/HRC/RES/S-21/1 adopted on 23 July 2014, on "ensuring respect for international law in the Occupied Palestinian Territory, including East Jerusalem", the United Nations Human Rights Council requested the UN High Commissioner for Human Rights (OHCHR) "to urgently dispatch an independent, international commission of inquiry, to be appointed by the President of the Human Rights Council, to investigate all violations of international humanitarian law and international human rights law in the Occupied Palestinian Territory, including East Jerusalem, particularly in the occupied Gaza Strip, in the context of the military operations conducted since 13 June 2014, whether before, during or after, to establish the facts and circumstances of such violations and of the crimes perpetrated and to identify those responsible, to make recommendations, in particular on accountability measures, all with a view to avoiding and ending impunity and ensuring that those responsible are held accountable, and on ways and

¹¹ Amnesty International, State of Palestine: Unlawful and deadly: Rocket and mortar attacks by Palestinian armed groups during the 2014 Gaza/Israel conflict, 26 March 2015, Executive Summary p. 4 and Conclusions and recommendations p.60

<https://www.amnesty.org/en/documents/mde21/1178/2015/en/> [Date accessed: 21 April 2015]

¹² Amnesty International, State of Palestine: Unlawful and deadly: Rocket and mortar attacks by Palestinian armed groups during the 2014 Gaza/Israel conflict, 26 March 2015, Executive Summary <https://www.amnesty.org/en/documents/mde21/1178/2015/en/> [Date accessed: 21 April 2015]

means to protect civilians against any further assaults, and to report to the Council at its twenty-eighth session.¹³

- 5.9 The Commission has interpreted its mandate as including investigation of the activities of Palestinian armed groups in Gaza, including attacks on Israel, as well as the Israeli military operation in the Gaza Strip and Israeli actions in the West Bank, including East Jerusalem. The Commission is looking at a broad range of alleged violations committed by all parties and is considering the full range of human rights including economic, social and cultural rights. ... The Commission has done its utmost to obtain access to Israel and the Gaza Strip, as well as to the West Bank, including East Jerusalem. We would very much have liked to meet face to face with victims and the authorities in these places. In October and November 2014 the Commission wrote to the Government of Israel requesting access. We wrote again in January and February 2015, but to date we have received no response to our letters. In November 2014 the Commission wrote to the Government of Egypt requesting access to Gaza via the Rafah crossing. Egypt indicated it was ready to facilitate our travel to Gaza as soon as the security situation permitted travel through its territory. Unfortunately that has not yet been possible, but we remain ready to go should circumstances change.¹⁴
- 5.10 At its 32nd meeting, held on 16 March 2015, the UN Human Rights Council decided by consensus that the Council would consider the report of the Commission at its twenty-ninth session.¹⁵
- 5.11 The January 2015 report of the UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 considers that ‘the most striking aspect of the military operations conducted by Israel was its apparent deliberate targeting of civilian homes and multi-storey apartment blocks, which resulted in entire families being buried under the rubble of their homes.’ In what many witnesses cited as the most egregious example of disproportionality, a multi-storey apartment block known as the “Gaza Twin Towers” was razed to the ground towards the end of Israeli military operations. Other apartment towers flattened by Israeli strikes included the 12-storey al-Zafer Tower 4, the Italian Tower and the al-Basha Tower. Countless reports of schools, mosques and hospitals allegedly targeted during the military operations were also received. An international non-governmental organisation (NGO) reported that 25 ambulances of the

¹³ The United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict, Mandate, undated [date accessed: 12 May 2015]

¹⁴ United Nations, Oral Update by the Chairperson of the Independent Commission of Inquiry on the 2014 Gaza Conflict, 23 March 2015
<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15741&LangID=E> [date accessed: 12 May 2015]

¹⁵ United Nations, Report of the independent international commission of inquiry established pursuant to Human Rights Council resolution S-21/1*, 26 March 2015 paragraphs 2-3
http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/28/79 [date accessed: 12 May 2015]

Palestinian Red Crescent were also hit, including 12 that were either destroyed or rendered inoperable.¹⁶

- 5.12 In a report published in March 2015, the International Federation for Human Rights (FIDH) presents evidence consistent with the commission of war crimes and crimes against humanity by the Israeli military during Operation Protective Edge (July-August 2014)¹⁷. The report was submitted to the International Criminal Court (ICC), three days before Palestine's ratification of the ICC Statute goes into effect on 1 April 2015.¹⁸ In January 2014 Israeli rights group B'Tselem released a report 'Black Flag: The Legal and Moral Implications of the Policy of Attacking Residential Buildings in the Gaza Strip, Summer 2014'. The report focuses on the policy that the Israeli military implemented of strikes on homes.¹⁹
- 5.13 UNOCHA reports that 'a study carried out by UN Gender Based Violence sub-working group and led by United Nations Population Fund (UNFPA) immediately after the ceasefire of August 2014, illustrates how the conflict has had a deep impact on women and girls. Increased cases of violence have been reported against them in emergency shelters, host family situations and other places of refuge. Women were subjected to many types and varying degrees of violence and often responded with silence or by directing violence towards their children, especially girls. Some girls and women also reported discrimination in receipt of aid and services in emergency shelters or with host families.'²⁰
- 5.14 In April 2015 an explosive device was detonated outside the UN agency for Palestinian refugees in Gaza City overnight, without causing any injuries. According to Agence France-Presse, 'such explosions take place on a regular basis in Gaza, often targeting political officials, whether representatives of president Mahmud Abbas's Fatah party or the rival Hamas movement which is still the de facto power in Gaza. They have also targeted both public buildings and private homes and cars. In December 2014, an explosive device went off by the French Cultural Centre in Gaza City, the most visible foreign presence in the tiny enclave, which is home to 1.8 million

¹⁶ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, 22 January 2015, A/HRC/28/78, paragraph 12
<http://www.refworld.org/docid/54feba254.html>

¹⁷ International Federation for Human Rights, Trapped and Punished: The Gaza Civilian Population under Operation Protective Edge, March 2015 [date accessed: 12 May 2015]
https://www.fidh.org/IMG/pdf/report_gaza_fidh_march_2015.pdf

¹⁸ International Federation for Human Rights, Palestine: New report documents international crimes committed during Operation Protective Edge, 27 March 2015, available at:
<http://www.refworld.org/docid/552cd9c934.html> [date accessed: 12 May 2015]

¹⁹ Inter Press Service, Why So Many Palestinian Civilians Were Killed During Gaza War, 30 March 2015
http://www.ipsnews.net/2015/03/why-so-many-palestinian-civilians-were-killed-during-gaza-war/?utm_source=rss&utm_medium=rss&utm_campaign=why-so-many-palestinian-civilians-were-killed-during-gaza-war [date accessed: 12 May 2015]

²⁰ UN Office for the Coordination of Humanitarian Affairs (OCHA). Humanitarian Bulletin. Monthly Report. February 2015, 23 March 2015
http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2014_03_23_english.pdf [date accessed 13 May 2015]

people. Such incidents, which have increased since last summer's deadly conflict with Israel which left some 2,200 Palestinians dead, are never claimed.'²¹

- 5.15 The Palestinian Centre for Human Rights²² reports that between 23 – 28 April 2015 'Israeli forces continued to open fire at border areas in the Gaza Strip. Two Palestinian civilians, including a child and a farmer, were wounded in the south and north of the Gaza Strip.'²³ It notes that between 29 April and 6 May 2015 'Israeli forces continued to open fire at border areas in the Gaza Strip and chase fishermen in the sea.'²⁴
- 5.16 In addition, UNOCHA publishes a 'Protection of Civilians Weekly Report' which provides a summary of incidents related to the protection of civilians, namely events related to the ongoing Israeli occupation or to the conduct of hostilities in the OPTs.²⁵ Amongst its weekly highlights for 28 April – 4 May 2015 it notes that 'at least 25 incidents involving Israeli forces' opening fire at Palestinian civilians in the Access Restricted Areas (ARA) at land and sea in the Gaza Strip were recorded this week, resulting in no casualties. ... Also, nine Palestinians were arrested by Israeli forces in the Gaza Strip while attempting to cross into Israel without a permit.'²⁶

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6. Security Situation in the West Bank

- 6.1. The UN Secretary General reports that 'Palestinian fatalities in incidents involving the Israeli security forces in the West Bank, including East Jerusalem, soared during the reporting period [26 May 2013- 31 October 2014]. There were 67 Palestinian fatalities, compared to 22 in the same period in 2012/13. During 2014, as at 31 October, there had been 48 fatalities. The Secretary-General and the High Commissioner have

²¹ Agence France-Presse, Blast outside UN refugee agency HQ in Gaza, 19 April 2015 <http://reliefweb.int/report/occupied-palestinian-territory/blast-outside-un-refugee-agency-hq-gaza> [date accessed: 12 May 2015]

²² Palestinian Centre for Human Rights, Weekly Reports 2009-2015, regularly updated http://www.pchrgaza.org/portal/en/index.php?option=com_content&view=category&id=84&Itemid=183 [date accessed: 12 May 2015]

²³ Palestinian Centre for Human Rights, Weekly Report On Israeli Human Rights Violations in the Occupied Palestinian Territory (23 – 28 April 2015), 29 April 2015 http://www.pchrgaza.org/portal/en/index.php?option=com_content&view=article&id=10999:weekly-report-on-israeli-human-rights-violations-in-the-occupied-palestinian-territory-23--28-april-2015&catid=84:weekly-2009&Itemid=183 [date accessed: 12 May 2015]

²⁴ Palestinian Centre for Human Rights, Weekly Report On Israeli Human Rights Violations in the Occupied Palestinian Territory (29 April – 06 May 2015), 7 May 2015 http://www.pchrgaza.org/portal/en/index.php?option=com_content&view=article&id=11007:weekly-report-on-israeli-human-rights-violations-in-the-occupied-palestinian-territory-29-april--06-may-2015&catid=84:weekly-2009&Itemid=183 [date accessed: 12 May 2015]

²⁵ UNOCHA, Protection of Civilians (Weekly), regularly updated <http://www.ochaopt.org/reports.aspx?id=104&page=1> [date accessed 12 May 2015]

²⁶ UNOCHA, Protection of Civilians Weekly Report | 28 April - 4 May 2015, 7 May 2015 <http://www.ochaopt.org/poc28april-4may.aspx> [date accessed 12 May 2015]

frequently raised concerns about the excessive use of force by Israeli authorities, particularly as casualties have spiked. Concerns that the rules of engagement are either not compliant with international human rights law, or are not being respected or enforced, are heightened by the dramatic increase in injuries from live ammunition. During the reporting period, 1,276 Palestinians were injured by live ammunition out of 5,799 injured in total, compared with 175 out of a total of 4,884 in the equivalent period for 2012/13.²⁷

- 6.2. The January 2015 report of the UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 similarly reports that 'according to OHCHR, in 2014 alone there were at least 50 Palestinian fatalities in incidents involving Israeli security forces in the West Bank, including East Jerusalem, a figure almost double the 27 Palestinian fatalities reported in 2013 in similar circumstances. Most worryingly, information available to the Special Rapporteur suggests that these incidents are not isolated, but part of an increasing pattern whereby Palestinian civilians (often children) who pose no serious threat to Israeli security forces are deliberately shot and injured with rubber-coated steel bullets, or increasingly killed with live ammunition by "trigger-happy" soldiers'.²⁸
- 6.3. Reporting on conflict in the West Bank during 2014, the Heidelberg Institute for International Conflict Research stated:

'The violent conflict over the creation of a sovereign Palestinian state between the PNA, led by President Mahmoud Abbas of the al-Fatah party, and the government continued. Following the announcement of a unity government by al-Fatah and Hamas on 23 April, Israel suspended peace talks with the PNA that had started mid-2013. Moreover, a framework agreement scheduled for 29 April was not reached, marking the end of the negotiations mediated by US Secretary of State John Kerry. The framework paper was meant to deal with core issues such as security arrangements, settlers, and the status of Jerusalem.'

'Throughout 2014, Palestinians increasingly attacked security personnel and civilians and staged demonstrations in Israel, the West Bank, and around checkpoints. In addition, IDF increasingly conducted raids, searches, and arrests in the West Bank and East Jerusalem. According to the UN, IDF killed over 50 Palestinians and injured over 5,600 in the West Bank and Jerusalem, while Palestinians killed 17 Israelis in the West Bank and Israel. A series of reprisal attacks in the West Bank continued on a nearly daily basis. For instance, on 12 March, Israeli settlers slashed car tyres and

²⁷ UN Secretary General, Human rights situation in the Occupied Palestinian Territory, including East Jerusalem*, 5 March 2015 Paragraphs 21-22
http://www.ecoi.net/file_upload/1930_1427804484_a-hrc-28-45-en.doc [date accessed 12 May 2015]

²⁸ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, 22 January 2015, A/HRC/28/78, paragraph 41
<http://www.refworld.org/docid/54feba254.html> [date accessed 12 May 2015]

sprayed anti-Arab graffiti on walls in the village of Jaljulya. In addition, on 23 and 24 May Palestinians attacked Israelis with stones and firebombs in the West Bank.'

'On 12 June, two Palestinians kidnapped and later killed three Israeli youths in the West Bank, which was followed by protests in Israel and around the world as well as an increase of violence especially in Jerusalem and the West Bank.'

'IDF launched "Operation Brother's Keeper" in search of the missing Israelis. They searched at least 2,200 houses in the West Bank, raiding some and arresting nearly 2,200 people between 12 June and 31 August, and they demolished 82 Palestinian-owned buildings. These events preceded Israel's military operation in Gaza Strip. On 2 July, two days after the bodies of the youths were found outside Hebron, three Israelis abducted and killed one Palestinian teenager in the Jerusalem Forest.'

'After a soldier had shot dead a Palestinian during a riot in Wadi Joz, East Jerusalem on 31 August, hundreds of Palestinians protested Israeli forces in Jerusalem. The IDF injured several protesters using tear gas and rubber bullets. Furthermore, IDF killed a Palestinian and injured several others during a clash in a refugee camp near Ramallah on 10 September. The soldiers carried out an operation to arrest a wanted Hamas operative, raided the camp, and were attacked by 50 Palestinians with explosives, burning tyres and stones.'

'On 30 September, settlers bought homes in the East Jerusalem Arab neighbourhood of Silwan, the largest Jewish purchase of homes in Silwan since the process began in 1986, which further raised tensions in Jerusalem. On 22 October, a Palestinian from Silwan crashed his car into a crowd of people in Jerusalem, killing an infant and one woman. Another Palestinian shot and injured a right-wing activist during a rally in Jerusalem on 29 October, in which protesters demanded more access and rights to the Temple Mount for Jews. Police killed the assailant on 30 October in a shootout in Jerusalem. The same day, security forces ordered the closing of the Al-Aqsa compound to all visitors. Reopening the mosque the next day, government imposed strict restrictions on Palestinians seeking to enter it, which further triggered large protests in Jerusalem. Palestinians continued assaults on civilians and frequently attacked and damaged the light rail in Jerusalem.'

'On 10 November, a Palestinian stabbed a soldier to death in Tel Aviv. Consequently, the IDF increased patrols along roads in the West Bank on 11 November. Israelis repeatedly protested against the increased violence by Arabs and demanded more security in Jerusalem.'

'The Central Bureau of Statistics found that Israeli settlement construction dropped by 62.4% by October 2014. However, the government approved 243 new houses in the West Bank on 25 December 2014.'²⁹

- 6.4. The FCO reports that 'increased tensions during the reporting period (1 October-31 December 2014) have led to further clashes and violence between Palestinian youths and the Israeli police in a wide range of Palestinian neighbourhoods in East Jerusalem. On 10 December 2014, a Palestinian Minister, Ziad Abu Ayn, died following an incident between the IDF and Palestinians at a protest and tree-planting ceremony for Human Rights Day in the West Bank. The IDF had attempted to disperse the protest and video footage showed that the Minister was pushed in the chest and grasped around the throat by an Israeli soldier. Mr Hammond issued a statement expressing his shock at the death and calling for a swift and transparent investigation. The circumstances of the incident continue to be investigated by the IDF.'³⁰
- 6.5. UNOCHA reports that during 2014 'the West Bank witnessed the highest number of Palestinian fatalities in incidents involving Israeli forces since 2007 and the highest number of Palestinian injuries since 2005, when UNOCHA began collecting data [58 fatalities and 6,028 injuries]. Violence peaked in the second part of the year, following the abduction and killing of three Israeli youths and the reported retaliatory killing of a Palestinian youth in East Jerusalem in July; in protests against the July-August 2014 hostilities in the Gaza Strip; and in confrontations during October and November 2014 regarding perceived changes to the status quo of the Al Aqsa Mosque compound. Also of concern is the sharp increase in the percentage of child casualties by Israeli forces; 13 were killed, compared to four in 2013, the highest number recorded in the West Bank since 2006. Palestinian attacks against Israeli civilians (mostly settlers) and security forces also rose in 2014, with Israeli fatalities increasing from four to 12. ... Of particular concern during 2014 was the sharp increase in the Israeli forces' use of live ammunition which, in addition to almost all the fatalities, accounted for 1,112, or nearly 18% of Palestinian injuries, up from 4% in 2013 and 2% in 2012. Rubber-coated metal bullets accounted for 43% of injuries, up from 39% in 2013.'³¹

²⁹ Heidelberg Institute for International Conflict Research. Conflict Barometer 2014. Page 160 -162. 4 March 2015. http://hiik.de/en/konfliktbarometer/pdf/ConflictBarometer_2014.pdf [Date accessed: 21 April 2015]

³⁰ The Foreign and Commonwealth Office. Israel and the Occupied Palestinian Territories (OPTs) - Country of Concern: latest update 31 December 2014, 21 January 2015 <https://www.gov.uk/government/publications/israel-and-the-occupied-palestinian-territories-opts-country-of-concern/israel-and-the-occupied-palestinian-territories-opts-country-of-concern-latest-update-31-december-2014> [Date accessed: 12 May 2015]

³¹ UNOCHA, Fragmented Lives: Humanitarian Overview 2014, March 2015, Main trends in life, liberty and security in 2014, West Bank, including East Jerusalem p.7 http://www.ochaopt.org/documents/annual_humanitarian_overview_2014_english_final.pdf [date accessed 12 May 2015]

- 6.6. The same source further notes that ‘the rise in the number of Palestinian fatalities and serious injuries in the West Bank highlights longstanding concerns over the use of excessive force by Israeli forces, particularly in crowd control contexts. Criminal investigations by the Israeli authorities into the circumstances of 32 of this year’s killings have led to the indictment of only one suspect, while the results of the other cases are still pending. The failure by the Israeli authorities to adequately enforce the rule of law in relation to Israeli settler violence against Palestinians is also a longstanding concern, despite special measures implemented by the Israeli authorities to address this. From 2005 to August 2014, only 7.4% of a sample of 970 Israeli police investigations monitored by the Israeli human rights organisation, Yesh Din, into suspected offences committed by Israeli settlers against Palestinians led to an indictment.’³²
- 6.7. Amnesty International’s Annual Report 2014-2015 reported that:
- ‘in the West Bank, Israeli forces carried out unlawful killings of Palestinian protesters, including children and maintained an array of oppressive restrictions on Palestinians’ freedom of movement while continuing to promote illegal settlements and allow Israeli settlers to attack Palestinians and destroy their property with near total impunity. Israeli forces detained thousands of Palestinians, some of whom reported being tortured and held around 500 administrative detainees without trial. Within Israel, the authorities continued to demolish homes of Palestinian Bedouin in “unrecognized villages” in the Negev/Naqab region and commit forcible evictions. They also detained and summarily expelled thousands of foreign migrants, including asylum-seekers and imprisoned Israeli conscientious objectors.’³³
- 6.8. According to Amnesty International, Israeli soldiers and border guards unlawfully killed at least 50 Palestinian civilians in the West Bank and continued to use excessive force, including live fire, during protests against Israel’s continued military occupation, when arresting political activists and during Israel’s 50-day military offensive against Gaza. Some killings may have amounted to extrajudicial executions. In September 2014, the UNOCHA reported that the number of Palestinians wounded by Israeli forces in the West Bank – more than 4,200 since the start of 2014 – already exceeded the 2013 total, and that many of those wounded, including children, had been hit by rubber-coated metal bullets fired by Israeli forces. As in previous years, soldiers and border guards used live fire against

³² UNOCHA, *Fragmented Lives: Humanitarian Overview 2014*, March 2015, Main trends in life, liberty and security in 2014, West Bank, including East Jerusalem p.7
http://www.ochaopt.org/documents/annual_humanitarian_overview_2014_english_final.pdf [date accessed 12 May 2015]

³³ Amnesty International Annual Report 2014 – 2015 – Israel and the Occupied Palestinian Territories, 25 February 2015
<https://www.amnesty.org/en/countries/middle-east-and-north-africa/israel-and-occupied-palestinian-territories/> [Date accessed: 21 April 2015]

protesters, including those who threw stones and other projectiles, who posed no serious threat to their lives.³⁴

- 6.9. In August 2014, Israeli authorities partially demolished the homes of two Palestinians suspected, but not convicted, of the murders of three Israeli youth in June 2014. Numerous petitions have been filed against punitive house demolitions on the basis that they violate the rights of people, including children, who are not accused of a crime, and therefore constitute collective punishment, prohibited under international law. However, Israel's High Court of Justice has repeatedly sanctioned this practice.³⁵
- 6.10. In November 2014 the UN Special Rapporteur on the OPT, called on the Government of Israel to end its punitive demolition of Palestinian homes in response to alleged acts of violence by Palestinians in Israel and the Occupied Palestinian Territory. On 19 November 2014, Israeli security forces demolished the East Jerusalem home of Abd al-Rahman al-Shaludi, the Palestinian who allegedly committed a car attack in Jerusalem that claimed the lives of a 22 year-old woman and a three-month old Israeli infant. The demolition resulted in structural damage to several nearby apartments. Israeli security forces also reportedly raided seven other units in the same residential building.³⁶
- 6.11. The UN Special Rapporteur stated that:

'All acts of violence require a firm response from the Israeli authorities, and those responsible should be tried before a court of law and sentenced for their crimes, but the State cannot go beyond what is sanctioned by international law.' "In the case of Mr. Al-Shaludi, who was shot and killed by Israeli police at the scene of the attack, the demolition of his home in the middle of the night served no other purpose than to punish his innocent parents and five siblings, rendering them homeless." Ms. Farha noted. "Simply put: the use of house demolition as a punitive measure is a form of collective punishment contrary to international law. Israel must immediately end its use of this devastating practice". At least six other homes of Palestinian suspects located in occupied East Jerusalem, Askar refugee camp near Nablus and Hebron have reportedly been slated for demolition or sealing, which involves the complete or partial closing off of the rooms of a

³⁴ Amnesty International Annual Report 2014-2015 Israel and the Occupied Palestinian Territories, 25 February 2015

<https://www.amnesty.org/en/countries/middle-east-and-north-africa/israel-and-occupied-palestinian-territories/report-israel-and-occupied-palestinian-territories/> [Date accessed: 21 April 2015]

³⁵ Special Rapporteur on the situation of human rights in the OPT' – Palestinian Homes Must Cease To Be A Target, United Nations Human Rights Experts Say – 25 November 2014
<http://unispal.un.org/UNISPAL.NSF/0/6385FA9253F3B41B85257D9B00569C0A> [Date accessed: 21 April 2015]

³⁶ Special Rapporteur on the situation of human rights in the OPT' – Palestinian Homes Must Cease To Be A Target, United Nations Human Rights Experts Say – 25 November 2014
<http://unispal.un.org/UNISPAL.NSF/0/6385FA9253F3B41B85257D9B00569C0A>
[Date accessed: 21 April 2015]

home with concrete or metal sheeting, prohibiting family members from accessing their homes, at times indefinitely. Israel has apparently ordered more house demolitions following the latest attack in a Jerusalem synagogue that killed five Israelis on 18 November 2014.’

‘Amid rising tensions and repeated clashes between Palestinians and Israeli security forces across the Occupied Palestinian Territory, the Rapporteur warned that such demolitions only add to the frustration and despair felt by people living under prolonged military occupation, and sow the seeds of more hatred and violence for the future.’³⁷

- 6.12. Reporting on the situation in the West Bank, including East Jerusalem the UK FCO cited the UNOCHA as reporting that 11 Palestinians were killed, and a further 1,578 injured by the IDF between 1 October and 31 December 2014, including during arrest raids, demonstrations, and in search and arrest operations.³⁸
- 6.13. UNOCHA also expressed concern at the ongoing levels of tension and violence in Jerusalem. In the gravest incident in November 2014, two Palestinians attacked a synagogue in West Jerusalem, killing four Israelis and a policeman. Clashes with Israeli forces continued across Jerusalem governorate and resulted in the injury of nearly 800 Palestinians during November 2014. The frequency and intensity of clashes declined towards the end of November 2014 following the lifting of some of the access restrictions to Al Aqsa Mosque compound, along with a halt to visits by Israeli politicians to the site.³⁹
- 6.14. In December 2014 the FCO reported that Israeli demolitions of Palestinian structures continued during the reporting period [October – December 2014], with 135 structures demolished in East Jerusalem and the West Bank, resulting in the displacement of 251 Palestinians. This included four punitive demolitions of the houses of Palestinians suspected of killing Israelis, sanctioned by the Israeli High Court. The UK is seriously concerned by this revival of the policy of punitive demolitions, which was suspended by the Israeli authorities in 2005. The Geneva Convention stipulates that

³⁷ Special Rapporteur on the situation of human rights in the OPT’ – Palestinian Homes Must Cease To Be A Target, United Nations Human Rights Experts Say – 25 November 2014

<http://unispal.un.org/UNISPAL.NSF/0/6385FA9253F3B41B85257D9B00569C0A>

[Date accessed: 21 April 2015]

³⁸ The Foreign and Commonwealth Office. Israel and the Occupied Palestinian Territories (OPTs) - Country of Concern: latest update 31 December 2014, 21 January 2015

<https://www.gov.uk/government/publications/israel-and-the-occupied-palestinian-territories-opts-country-of-concern/israel-and-the-occupied-palestinian-territories-opts-country-of-concern-latest-update-31-december-2014> [Date accessed: 21 April 2015]

³⁹ UNOCHA – Humanitarian Bulletin Monthly Report – November 2014, 24 December 2014

http://www.ecoi.net/file_upload/1788_1419619547_ocha-opt-the-humanitarian-monitor-2014-12-24-english.pdf [Date accessed: 21 April 2015]

demolitions are only legal in the context of military necessity. In addition, collective punishment is prohibited under the Geneva Convention.⁴⁰

- 6.15. In its annual report covering 2014, the FCO reported that the Israeli authorities continued with settlement expansion, re-introduced punitive demolitions of Palestinian property and made little progress to ease restrictions on movement and access. Access to the Holy Sites in Jerusalem was restricted on several occasions, including the Haram al Sharif/Temple Mount being closed to all faiths for the first time since 2000. There was also a lack of progress on the rights of minorities.⁴¹
- 6.16. The Palestinian Centre for Human Rights⁴² reports that between 23 – 28 April 2015 'Israeli forces killed three Palestinian civilians, including a child, and wounded 38 others in the West Bank and Jerusalem'.⁴³ Furthermore 'Israeli forces continued to use excessive force against peaceful protests in the West Bank. Eight protestors, including a child, were wounded in Nabi Saleh and Kufor Qaddoum weekly protests. Four protestors, including two children, were wounded during other protests..... Israeli forces conducted 43 incursions into Palestinian communities in the West Bank and 11 others in East Jerusalem. Forty Palestinian civilians, including seven children and eight women, were arrested and 30 of these civilians, including six children and the eight women, were arrested in occupied Jerusalem.'⁴⁴ It reports that between 29 April-6 May 2015 'Israeli forces continued to use excessive force against peaceful protests in the West Bank.'⁴⁵

⁴⁰ The Foreign and Commonwealth Office. Israel and the Occupied Palestinian Territories (OPTs) - Country of Concern: latest update 31 December 2014

<https://www.gov.uk/government/publications/israel-and-the-occupied-palestinian-territories-opts-country-of-concern/israel-and-the-occupied-palestinian-territories-opts-country-of-concern-latest-update-31-december-2014> [Date accessed: 21 April 2015]

⁴¹ Foreign and Commonwealth Office, 2014 Human Rights and Democracy Report - Israel and the Occupied Palestinian Territories (OPTs), 12 March 2015.

<https://www.gov.uk/government/publications/israel-and-the-occupied-palestinian-territories-country-of-concern/israel-and-the-occupied-palestinian-territories-country-of-concern> [Date accessed: 21 April 2015]

⁴² Palestinian Centre for Human Rights, Weekly Reports 2009-2015, regularly updated

http://www.pchrgaza.org/portal/en/index.php?option=com_content&view=category&id=84&Itemid=183 [date accessed: 12 May 2015]

⁴³ Palestinian Centre for Human Rights, Weekly Report On Israeli Human Rights Violations in the Occupied Palestinian Territory (23 – 28 April 2015), 29 April 2015

http://www.pchrgaza.org/portal/en/index.php?option=com_content&view=article&id=10999:weekly-report-on-israeli-human-rights-violations-in-the-occupied-palestinian-territory-23--28-april-2015&catid=84:weekly-2009&Itemid=183 [date accessed: 12 May 2015]

⁴⁴ Palestinian Centre for Human Rights, Weekly Report On Israeli Human Rights Violations in the Occupied Palestinian Territory (23 – 28 April 2015), 29 April 2015

http://www.pchrgaza.org/portal/en/index.php?option=com_content&view=article&id=10999:weekly-report-on-israeli-human-rights-violations-in-the-occupied-palestinian-territory-23--28-april-2015&catid=84:weekly-2009&Itemid=183 [date accessed: 12 May 2015]

⁴⁵ Palestinian Centre for Human Rights, Weekly Report On Israeli Human Rights Violations in the Occupied Palestinian Territory (29 April – 06 May 2015), 7 May 2015

http://www.pchrgaza.org/portal/en/index.php?option=com_content&view=article&id=11007:weekly-report-on-israeli-human-rights-violations-in-the-occupied-palestinian-territory-29-april--06-may-2015&catid=84:weekly-2009&Itemid=183 [date accessed: 12 May 2015]

- 6.17. In addition, UNOCHA⁴⁶ notes that between 28 April – 4 May 2015 ‘13 Palestinians, including two children and five journalists, were injured by Israeli forces during various clashes across the West Bank in the context of demonstrations marking the World Press Freedom Day. ... Israeli forces conducted 95 search and arrest operations and arrested 106 Palestinians in the West Bank; both Nablus and Hebron governorates accounted for the highest proportion of operations (23) while the highest number of arrests (41) was recorded in Jerusalem. ... Four Israeli settler attacks resulting in Palestinian injuries or property damage were reported, including two physical assault incidents leading to the injury of three Palestinian men.’⁴⁷

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7. Humanitarian Situation in the Gaza Strip

- 7.1. The January 2015 report of the UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 notes that ‘as many Palestinians in Gaza reminded the Special Rapporteur, the seven-year blockade by Israel, coupled with the access-restricted areas along its border often imposed with excessive use of force by the IDF, forces the Palestinian people living in Gaza to live in a perpetual state of humanitarian crisis. At the most basic level, this has restricted Palestinian agriculture and fishing, and all too frequently impinged upon the right to life of Palestinian farmers and fishermen. According to information provided by the UNRWA, the severe restrictions on imports and exports have also denied Palestinians in Gaza the right to meaningful economic development and indeed dragged Gaza back towards a state of de-development, leaving 80% of the population chronically dependent on aid. Frequent power shortages and periodic winter flooding have further exacerbated living conditions for Palestinians in Gaza.’⁴⁸
- 7.2. In its 2014 Humanitarian Overview, UNOCHA reported that ‘in 2014, Gaza witnessed the highest rate of internal displacement since 1967, as a result of the July-August 2014 hostilities. From previous hostilities, UNRWA had anticipated sheltering a maximum 50,000 internally displaced persons (IDPs) in its installations, but the eventual peak number was almost six times higher. Almost 500,000 people, 28% of the population, were internally displaced at the height of hostilities in UNRWA schools, government and informal shelters, and with host families. As of the end of December 2014, an estimated 100,000 persons remain displaced throughout Gaza, some renting or still in collective centres or with host families, while others will face

⁴⁶ UNOCHA, Protection of Civilians (Weekly), regularly updated

<http://www.ochaopt.org/reports.aspx?id=104&page=1> [date accessed 12 May 2015]

⁴⁷ UNOCHA, Protection of Civilians Weekly Report | 28 April - 4 May 2015, 7 May 2015
<http://www.ochaopt.org/poc28april-4may.aspx> [date accessed 12 May 2015]

⁴⁸ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, 22 January 2015, A/HRC/28/78, paragraph 10
<http://www.refworld.org/docid/54feba254.html> [date accessed 12 May 2015]

the winter in prefabricated units, winterized tents, makeshift shelters, or in their heavily damaged homes, as they wait to rebuild their lives.⁴⁹

- 7.3. UNOCHA reports in its January 2015 monthly humanitarian bulletin that ‘the longstanding economic crisis in Gaza was further exacerbated in January 2015 by Israel’s decision to freeze the transfer of tax revenues it collects on behalf of the PA, in retaliation for the Palestinian accession to the International Criminal Court. As a result, some 70,000 civil servants on the PA payroll only received a proportion of their December 2014 salaries, while the fate of January 2015 salaries is currently unclear. This exacerbates the ongoing problem of another 40,000 civil servants and security personnel recruited by the Hamas authorities who have received no salary since April 2014, except for a one-off humanitarian payment in September 2014.
- 7.4. The ongoing salary crisis, compounded by one of the highest unemployment rates in the world (nearly 45%), has further undermined the food security of the population and had a direct negative impact on the provision of basic services, including health, water and sanitation and emergency responses.⁵⁰ In its subsequent bulletin it further noted ‘during February 2015, Israel extended the withholding of the tax revenues it collects on behalf of the PA for the third successive month in retaliation for Palestinian accession to the International Criminal Court. The potential destabilizing effect of this decision is a major concern since these revenues constitute some 70% of the PA’s budget.⁵¹
- 7.5. The March 2015 report of the OHCHR notes that ‘import and export restrictions imposed by Israel continue to reduce economic activity in Gaza, thereby stifling the economy. The Kerem Shalom crossing, the only operating commercial crossing between Gaza and Israel, allows a maximum of 500 truckloads of goods to enter Gaza a day, which is insufficient to meet the needs of the population. According to the UNOCHA, the weekly average number of truckloads in 2014, when compared to pre-blockade levels, stood at 32% for imports and less than 1% for exports. Unemployment increased in Gaza from 26.4% in the second quarter of 2007 to 44.5% in the same quarter of 2014.⁵²

⁴⁹ UNOCHA, *Fragmented Lives: Humanitarian Overview 2014*, March 2015, Main trends forced displacement, Gaza Strip p.10
http://www.ochaopt.org/documents/annual_humanitarian_overview_2014_english_final.pdf [date accessed 12 May 2015]

⁵⁰ UN Office for the Coordination of Humanitarian Affairs (OCHA). *Humanitarian Bulletin. Monthly Report. January 2015, 26 February 2015*
https://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2014_02_25_english.pdf [Date accessed: 12 May 2015]

⁵¹ UN Office for the Coordination of Humanitarian Affairs (OCHA). *Humanitarian Bulletin. Monthly Report. February 2015, 23 March 2015*
http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2014_03_23_english.pdf [date accessed 13 May 2015]

⁵² UN Human Rights Council, *Implementation of Human Rights Council resolutions S-9/1 and S-12/1 : Report of the United Nations High Commissioner for Human Rights*, 2 March 2015, paragraph 8
<http://www.refworld.org/docid/550fead44.html> [accessed 12 May 2015]

7.6. The FCO report that the humanitarian situation in Gaza deteriorated significantly during 2014. The summer conflict left over 2,000 people dead and more than 100,000 homeless, with 450,000 lacking access to clean water. To date, reconstruction has been insufficient.⁵³ According to Sarah Leah Whitson, Executive Director, Middle East and North Africa Division at Human Rights Watch (HRW), the reconstruction of Gaza has been so inadequate that at current rates, aid agencies calculate it will take 100 years just to import enough construction materials. In several cases, Whitson said, children have died from hypothermia in winter storms due to lack of shelter and heating.⁵⁴

7.7. The UN Secretary General reported in March 2015 that:

'Humanitarian conditions in Gaza continue to be compounded by the limited availability and accessibility of utilities, including potable water and electricity. Before the 2014 escalation, some 90% of Gaza's water from its coastal aquifer was considered undrinkable without treatment. Most areas experienced power cuts of 12 hours a day and they increased to 18 hours daily after the conflict and the attack by Israel on the Gaza power station. Economic recovery remains stagnant, resulting in high unemployment, food insecurity and reliance on food aid, with 830,000 people receiving food aid from UNRWA. That has consequences for the health of the Gazan population — even prior to the recent escalation, 35.8% of pregnant women and 33.7% of infants were suffering from anaemia.

At least 1,000 persons injured in the 2014 war will suffer permanent disability. In addition to their particular health and psychological needs, those people remain in need of specific equipment that is unavailable in Gaza owing to the continued blockade. Children constitute 30% of those suffering from a disability as a result of injuries sustained during the war. Over 1,500 children have reportedly become orphaned, with thousands of others traumatized by the latest violence.

The health system is in disarray. According to the World Health Organisation (WHO), some 17 hospitals and 56 public health centres were either destroyed or sustained damage during the hostilities. Damage inflicted on health institutions, the prevailing shortage in essential drugs and the lack of spare parts for certain medical equipment have reduced the availability and accessibility of health services. For example, outpatient services decreased

⁵³ Foreign and Commonwealth Office, 2014 Human Rights and Democracy Report - Israel and the Occupied Palestinian Territories (OPTs), 12 March 2015.
<https://www.gov.uk/government/publications/israel-and-the-occupied-palestinian-territories-country-of-concern/israel-and-the-occupied-palestinian-territories-country-of-concern> [Date accessed: 21 April 2015]

⁵⁴ Inter Press Service, Gaza Reconstruction, Hampered by Israeli Blockade, May Take 100 Years, Say Aid Agencies, 3 March 2015
http://www.ipsnews.net/2015/03/gaza-reconstruction-hampered-by-israeli-blockade-may-take-100-years-say-aid-agencies/?utm_source=rss&utm_medium=rss&utm_campaign=gaza-reconstruction-hampered-by-israeli-blockade-may-take-100-years-say-aid-agencies [date accessed 12 May 2015]

by 14.75%, intensive care unit capacity decreased by 21.42% and the availability of basic laboratories was reduced by 12.74%.

Violence during the conflict has forced thousands of women to neglect their own needs to save and support their families, with large numbers of them suffering from post-traumatic stress disorder, anxiety, depression and, in many cases, permanent disabilities. Mental health issues extend to the wider population. Overall, according to the WHO, 20% of the Gazan population, some 360,000 people, are suffering from mental health challenges following the hostilities.⁵⁵

- 7.8. In December 2014 the FCO welcomed the efforts of the international community at the Gaza Reconstruction Conference in Cairo on 12 October 2014, at which the UK pledged £20 million to help kick-start Gaza's recovery. The agreement between Israel, the PA and the UN on a monitoring and verification mechanism, that will facilitate the import and use of construction materials to rebuild Gaza, is an important step forward. Part of the UK's £20 million pledge at the Gaza Reconstruction Conference will go towards funding for the mechanism. The first entry of construction materials into Gaza under the mechanism took place on 14 October 2014, when 75 trucks entered carrying gravel (50), cement (15) and steel (10). On 4 November 2014, UN Special Co-ordinator for the Middle East Peace Process, Robert Serry, announced that 700 beneficiaries are now able to purchase construction material in order to start rebuilding their homes.⁵⁶
- 7.9. The UNOCHA reported in November 2014 that "...the entry of construction materials defined by Israel as "dual use items" (cement, gravel and metal bars) into the Gaza Strip ...fell far short of the amounts required to meet overall repair and reconstruction needs. While the pace of imports of such materials is likely to increase alongside the implementation of the temporary Gaza Reconstruction Mechanism (GRM), the capability of the sole operational crossing, Kerem Shalom, is a significant limiting factor. The fragile humanitarian conditions in the Gaza Strip have been compounded by the almost total closure of the Rafah crossing with Egypt, the longest closure in over six years, following an attack in the Sinai Peninsula in October 2014. The Ministry of Health estimated that by the end of November 2014, there were over 1,000 patients waiting to exit Gaza, including those with advanced cancer, renal and heart diseases and orthopaedic and ophthalmological needs. This raises concerns about deteriorations in their medical conditions.⁵⁷

⁵⁵ UN Secretary General, Human rights situation in the Occupied Palestinian Territory, including East Jerusalem*, 5 March 2015 paragraphs 38-41

http://www.ecoi.net/file_upload/1930_1427804484_a-hrc-28-45-en.doc [date accessed 12 May 2015]

⁵⁶ Foreign and Commonwealth Office – Israel and the Occupied Palestinian Territories – Country of Concern – Latest update 31 December 2014', 21 January 2015

<https://www.gov.uk/government/publications/israel-and-the-occupied-palestinian-territories-opts-country-of-concern/israel-and-the-occupied-palestinian-territories-opts-country-of-concern-latest-update-31-december-2014> [Date accessed: 21 April 2015]

⁵⁷ UNOCHA – Humanitarian Bulletin Monthly Report – November 2014, 24 December 2014

7.10. In January 2015, the UNOCHA reported that:

‘The summer 2014 hostilities resulted in one of the largest waves of internal displacement in the Gaza Strip, with approximately 100,000 people still displaced. The ability of humanitarian actors to respond to emerging needs has been hampered by major gaps in the registration and profiling of IDPs. These activities are critical to establishing the location of IDPs, and subsequently their living conditions, vulnerabilities and specific needs, as well as to assess the impact on host communities.’

‘Over the course of the war, UNRWA and the Ministry of Social Affairs (MoSA) in Gaza conducted an initial registration of IDPs. However, these records became outdated following the entry into force of the ceasefire on 26 August 2014, when the majority of IDPs simultaneously abandoned shelters and host homes without the opportunity to conduct an organised de-registration.’

‘At present, only some 10,500 IDPs hosted in 15 UNRWA Collective Centres, and approximately 1,400 taking shelter in pre-fabricated housing units, are properly registered. Information regarding the remaining IDP population (some 88,000), including those residing in makeshift shelters, with host families, and in rental accommodation, is partial and decentralized.’

‘Various humanitarian partners, including UNRWA, the Norwegian Refugee Council (NRC), MoSA and UNOCHA, have taken initial steps to address this gap, including the formation of an IDP Information Management Working Group. Once operational, the group is expected to identify gaps, share data and develop a suitable tracking mechanism for all IDPs across the Gaza Strip.’

‘The damage assessment of homes conducted by UNRWA for refugee families, and by United Nations Development Programme (UNDP) and the Ministry of Public Work and Housing (MoPWH) for non-refugee families, enabled shelter actors to identify those eligible for shelter assistance, but did not systematically track their current location or needs.’

‘By the end of 2014, damage assessments of over 63,000 individuals (11,232 families) whose homes were totally destroyed or severely damaged and rendered uninhabitable had been completed and validated. However, the Shelter Cluster estimates that the total number of households that had their homes destroyed or severely damaged is as high as 18,000. By early February 2015, UNRWA alone had received around 44,000 appeals to the initial assessments, triggering the resumption of the assessment process.’

‘As of 11 February 2015, approximately 84% of the IDP families whose damage assessment was complete (9,422 families) had received transitional

shelter cash assistance (TSCA) from UNRWA or UNDP, covering part of the period since their displacement. Critical funding gaps remain, hampering the ability of agencies to assist those displaced.'

'On 27 January 2015, UNRWA was forced to suspend its self-help cash assistance programme. UNDP has also not been able to provide cash assistance to all displaced, non-refugee families due to severe shortcomings in funding, leaving some of the most vulnerable families in Gaza with little hope of rebuilding their lives.'⁵⁸ UNRWA noted in April 2015 that 'nearly eight months after the ceasefire that ended the most recent hostilities in the Gaza Strip, not a single destroyed home has been rebuilt in the enclave, according to the United Nations agency mandated with ensuring the well-being of Palestine refugees. "To date 9,161 Palestine refugee houses have been considered totally destroyed and 5,066 have suffered severe, 4,085 major and 124,782 minor damages ... Meanwhile, the agency has only received funding to reconstruct 200 of the 9,161 houses totally destroyed. ... Due to the agency's lack of funding, 685 families still have not received the transitional rental subsidy for the period from September to December 2014. Some 9,000 refugee families are waiting for the first quarter of 2015 payment and 7,400 families have not received their \$500 reintegration grant, he added.'⁵⁹

7.11. For regularly updated information about the humanitarian situation in the Gaza strip see:

- The [Reliefweb, Occupied Palestinian Territory Country page](#)
- [UN OCHA Occupied Palestinian Territories Country page](#)

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8. Humanitarian Situation in the West Bank

8.1. In its 2014 Humanitarian Overview, UNOCHA reported that 'in the West Bank, forced displacement is triggered by multiple factors, including the demolition of homes and property lacking Israeli-issued building permits, due to the discriminatory planning regime in Area C and East Jerusalem; evictions; the lack of secure residency status; access restrictions; settler violence; or any combination of these factors. Overall, the number of people

⁵⁸ UN Office for the Coordination of Humanitarian Affairs (OCHA). Humanitarian Bulletin. Monthly Report. January 2015, 26 February 2015.
https://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2014_02_25_english.pdf
[Date accessed: 21 April 2015]

⁵⁹ UN News Service, Eight months after Gaza war, 'not a single home has been rebuilt' – UN agency, 23 April 2015 <http://www.refworld.org/docid/553a326a4.html> [accessed 12 May 2015]

displaced in 2014 due to demolitions is the highest recorded in a single year since UNOCHA began tracking this indicator in 2008.⁶⁰

- 8.2. In its annual report covering 2014 Amnesty International reports that ‘in the West Bank, Israel continued its construction of the wall/fence with attached guard towers, mostly on Palestinian land, routing it to afford protection to illegal settlements while cutting off Palestinian villagers from their lands. Palestinian farmers were required to obtain special permits to access their lands between the wall and the Green Line demarcating the West Bank’s border with Israel. Throughout the West Bank, Israeli forces maintained other restrictions on the free movement of Palestinians by using military checkpoints and restricting access to certain areas by preventing Palestinians using bypass roads constructed for the use of Israeli settlers. These restrictions hindered Palestinians’ access to hospitals, schools and workplaces. Furthermore, Israel forcibly transferred Palestinians out of occupied East Jerusalem to other areas in the West Bank.⁶¹

‘Restrictions were tightened further during Operation Brother’s Keeper, the Israeli authorities’ crackdown following the abduction of three Israeli teenage hitchhikers in the West Bank in June. Operation Brother’s Keeper saw a heightened Israeli military presence in Palestinian towns and villages, the killing of at least five Palestinians, mass arrests and detentions, the imposition of arbitrary travel restrictions and raids on Palestinian homes. ‘In the West Bank, Israeli forces continued to demolish Palestinian homes and other structures, forcibly evicting hundreds from their homes often without warning or prior consultation. Families of Palestinians who had carried out attacks on Israelis also faced demolition of their homes as a punitive measure.’⁶²

- 8.3. HRW reports in its annual report for 2014 that ‘in September, Israel declared 400 hectares of the West Bank "state land," a move settler leaders praised as paving the way for the construction of a large new settlement in the area. Construction work began on 507 settlement housing units during the first half of 2014, a decrease from the 1,807 begun during the same period in 2013, according to Israel's Central Bureau of Statistics. As of 1 December 2014, Israeli authorities demolished 552 Palestinian homes and other buildings in the West Bank (including East Jerusalem), displacing 1,170 people. Building

⁶⁰ UNOCHA, *Fragmented Lives: Humanitarian Overview 2014*, March 2015, Main trends forced displacement, West Bank, including East Jerusalem p.11
http://www.ochaopt.org/documents/annual_humanitarian_overview_2014_english_final.pdf [date accessed 12 May 2015]

⁶¹ Amnesty International Annual Report 2014-2015 –Israel and the Occupied Palestinian Territories, 25 February 2015
<https://www.amnesty.org/en/countries/middle-east-and-north-africa/israel-and-occupied-palestinian-territories/report-israel-and-occupied-palestinian-territories/> [Date accessed: 21 April 2015]

⁶² Amnesty International Report Annual 2014-2015 –Israel and the Occupied Palestinian Territories, 25 February 2015
<https://www.amnesty.org/en/countries/middle-east-and-north-africa/israel-and-occupied-palestinian-territories/report-israel-and-occupied-palestinian-territories/> [Date accessed: 21 April 2015]

permits are difficult or impossible for Palestinians to obtain in East Jerusalem or in the 61% of the West Bank under exclusive Israeli control (Area C), whereas a separate planning process readily grants settlers new construction permits in those areas.⁶³ Integrated Regional Information Networks (IRIN) reports that 'despite an unofficial freeze on settlement planning, in late December 2014 the Jerusalem Planning and Budget Committee set the stage for approving building permits for some 400 homes on Palestinian land in Jerusalem and approved a plan for 1,850 more homes in a neighbourhood that sits on the border.'⁶⁴

- 8.4. A March 2015 UN Secretary General report on Israeli settlements in the Occupied Palestinian Territory which covers the period from 1 November 2013- 31 October 2014 reports that:

'During the period under review, Israel continued to expand existing settlements in the West Bank, including East Jerusalem, and to approve plans for new ones. According to an Israeli NGOs between 1 November 2013 and 31 October 2014, 4,554 housing units were tendered in Israeli settlements in the West Bank (2,856), including East Jerusalem (1,698), and 10,183 housing units were promoted, 6,042 in the West Bank and 4,141 in East Jerusalem.

'Israeli settlements and acts of violence committed by Israeli settlers against Palestinians continue to underpin a broad spectrum of human rights violations against Palestinians. Settler violence is one of the clearest and most direct negative consequences of the settlements. It affects the enjoyment by Palestinians of their basic rights, including their rights to freedom of movement, an adequate standard of living, work and education, as they face difficulty in having access to schools or their land for fear of attack by settlers (A/68/513, paras. 12-14). Repeated calls by the international community for the Israeli authorities to address the problem have generally not succeeded in prompting positive action to improve the situation (CCPR/C/ISR/CO/4, para.16 and A/69/348, paras. 36-44).'

'Between 1 November 2013 and 27 October 2014, 207 Palestinians were recorded as injured in settler-related incidents, including 88 by settlers themselves and 119 by Israeli security forces. According to information received from OHCHR, five Palestinian fatalities were recorded in settler-related incidents, including three killed by Israeli security forces and two by Israeli settlers. During the same period, six Israelis were reportedly killed and 62 injured by Palestinians in the West Bank, including East Jerusalem. In this context, Israel has repeatedly failed to prevent or halt attacks on Palestinians as it is obliged to do under international law. This failure is

⁶³ Human Rights Watch, World Report 2015 - Israel/Palestine, 29 January 2015 <http://www.hrw.org/world-report/2015/country-chapters/israel-and-palestine> [date accessed 12 May 2015]

⁶⁴ Integrated Regional Information Networks (IRIN), The economics at the heart of Israeli settlements, 5 January 2015 <http://www.refworld.org/docid/54aba47d4.html> [date accessed 12 May 2015]

underpinned by a long-standing lack of accountability in cases involving settlers, whether in relation to physical assaults or attacks on Palestinian property.⁶⁵

8.5. The UNOCHA reported in January 2015 that to contain settler violence against Palestinian farmers, the Israeli authorities have limited Palestinian access to certain areas around 55 settlements and settlement outposts to a few days a year, subject to “prior co-ordination”. On these days, Israeli soldiers are deployed on the ground to prevent confrontations and the access of settlers to these areas is prohibited. While this system has resulted in fewer attacks on farmers, it has proved ineffective in preventing the theft and vandalism of olive trees outside these periods. Additionally, the access restrictions during the remainder of the year impede essential agricultural activities required to plant or replant trees previously uprooted and maintain olive groves, such as ploughing, pruning, fertilizing, and pest and weed management, leading to a negative impact on olive productivity and value. Failure to enforce the rule of law in relation to violent settlers remain a key concern, one which has been repeatedly highlighted by a range of local and international stakeholders, including the UN Secretary-General.⁶⁶

8.6. The Palestinian Centre for Human Rights reports that between 29 April – 06 May 2015 ‘Israeli forces continued to support settlement activities in the West Bank and Israeli settlers continued to attack Palestinian civilians and property.’⁶⁷

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9. Freedom of movement

Gaza Strip

9.1. UNOCHA reports in its Humanitarian Overview for 2014 that ‘fenced in on its land borders with Israel and Egypt, and with no control over its airspace or territorial waters, access from Gaza to the outside world is restricted to three land crossings, controlled by Israel (Erez and Kerem Shalom) and Egypt (Rafah). Israeli restrictions on external trade, including with the West Bank, and on access to agricultural land and fishing waters, discourage investment and perpetuate high levels of unemployment, food insecurity and aid

⁶⁵ Report of the Secretary-General, Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the Occupied Syrian Golan, 9 March 2015, paragraphs 7, 16, 40, 41 http://www.ecoi.net/file_upload/1930_1427803515_a-hrc-28-44-en.doc [date accessed 12 May 2015]

⁶⁶ UN Office for the Coordination of Humanitarian Affairs (OCHA). Humanitarian Bulletin. Monthly Report. January 2015, 26 February 2015. https://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2014_02_25_english.pdf [Date accessed: 21 April 2015]

⁶⁷ Palestinian Centre for Human Rights, Weekly Report On Israeli Human Rights Violations in the Occupied Palestinian Territory (29 April – 06 May 2015), 7 May 2015 http://www.pchrgaza.org/portal/en/index.php?option=com_content&view=article&id=11007:weekly-report-on-israeli-human-rights-violations-in-the-occupied-palestinian-territory-29-april--06-may-2015&catid=84:weekly-2009&Itemid=183 [date accessed: 12 May 2015]

dependency. The vast majority of the smuggling tunnels under the border with Egypt remained inoperative in 2014..... Due to long-standing restrictions on Erez, the Rafah border crossing became the primary access point for Palestinians in Gaza to the outside world. Restrictions introduced by Egypt in July 2013 have drastically reduced access, with the number of exits declining by 29% between 2012 and 2013 and by 36% in 2014, when Rafah was closed for 207 days, or 57% of the year. By the end of 2014, there were around 17,000 registered people, including medical patients, waiting to exit Gaza.⁶⁸

- 9.2. In its annual report covering 2014 Amnesty International reports that 'Israeli forces maintained their land, sea and air blockade of Gaza throughout the year, effectively imposing collective punishment on the territory's approximately 1.8 million, predominantly civilian, inhabitants, with all imports and exports, and any movements of people into or out of Gaza, subject to Israeli approval. Egypt's continued closure of its Rafah border crossing kept Gaza effectively sealed. The already severe humanitarian consequences of the blockade, in force continuously since June 2007, were evidenced by the sizeable proportion of Gaza's population that depended on international humanitarian aid for their survival, and were greatly exacerbated by the devastation and population displacement caused during Israel's Operation Protective Edge.⁶⁹
- 9.3. Israeli forces policed the blockade using live fire against Palestinians who entered or approached a 500m-wide buffer zone that they imposed inside Gaza's land border with Israel, and against fishermen who entered or approached the "exclusion zone" that Israel maintains along the full length of Gaza's coast. Israeli forces shot dead seven Palestinian civilians in or near the buffer zone before Operation Protective Edge and another after the ceasefire, when the buffer zone was to be reduced and the permitted fishing zone extended. Shooting incidents remained frequent and some fishermen were also shot and wounded by Israeli navy forces.⁷⁰
- 9.4. The UN Secretary General reports that 'between 25 May 2013 and 6 July 2014, a total of seven people were shot and killed and 131 were injured in the access-restricted areas on the Gaza side of the fence erected by Israel around the Gaza Strip. In some incidents, shooting occurred in

⁶⁸ UNOCHA, *Fragmented Lives: Humanitarian Overview 2014*, March 2015, Main trends in movement and access restrictions in 2014, Gaza Strip p.14

http://www.ochaopt.org/documents/annual_humanitarian_overview_2014_english_final.pdf [date accessed 12 May 2015]

⁶⁹ Amnesty International Annual Report 2014-2015 –Israel and the Occupied Palestinian Territories, 25 February 2015

<https://www.amnesty.org/en/countries/middle-east-and-north-africa/israel-and-occupied-palestinian-territories/report-israel-and-occupied-palestinian-territories/> [Date accessed: 21 April 2015]

⁷⁰ Amnesty International Annual Report 2014-2015 –Israel and the Occupied Palestinian Territories, 25 February 2015

<https://www.amnesty.org/en/countries/middle-east-and-north-africa/israel-and-occupied-palestinian-territories/report-israel-and-occupied-palestinian-territories/> [Date accessed: 21 April 2015]

circumstances that, according to information available to OHCHR, posed no threat to the soldiers. For example, on 24 January 2014, the IDF shot and killed a 19-year-old Palestinian while he was taking photographs a few hundred metres away from the fence in Beit Lahia, northern Gaza.⁷¹

9.5. Freedom House's annual report, 'Freedom in the World 2015' noted:

'About 35,000 Gaza Palestinians lack identity cards, severely limiting their ability to travel. Human rights groups such as B'Tselem have urged Israel, as the state controlling the Palestinian Population Registry, to rectify the problem.

'The blockade of Gaza's land borders and coastline has greatly reduced economic opportunity in the territory. A dense network of tunnels beneath Gaza's border with Egypt facilitates much economic activity and is also used to transport weapons. The tunnels are routinely bombed by Israel and after the 2013 coup in Egypt, authorities there made a serious attempt to shut them down. By mid-2014, the number of tunnels was thought to have been cut by two-thirds.'

'Israel loosened restrictions on the entry of some construction materials through Gaza border crossings in January 2014, and again in September after the conflict, though shipments remained far short of the total need. Israeli forces reduced the coastal waters open to Gazan fishermen from six to three nautical miles from shore in July, then re-instated the six-mile limit under the terms of the truce that ended the fighting. As of the second quarter of 2014, the unemployment rate in Gaza stood at 45%, up from less than 19% in 2000.'⁷²

9.6. The FCO reported in December 2014 that the closure since October 2014 of the Rafah crossing to Egypt is severely restricting the movement of people to and from Gaza. Whilst intermittent opening has eased some of the pressure, restrictions continue to have severe consequences for the civilian population of Gaza. The FCO has continued to press Egypt to ease their restrictions, in order to allow the movement of travellers.⁷³

9.7. The Palestinian Centre for Human Rights (PCHR) Weekly Report On Israeli Human Rights Violations in the OPT (29 April-6 May 2015) stated that:

⁷¹ UN Secretary General, Human rights situation in the Occupied Palestinian Territory, including East Jerusalem*, 5 March 2015 paragraph 18

http://www.ecoi.net/file_upload/1930_1427804484_a-hrc-28-45-en.doc [date accessed 12 May 2015]

⁷² Freedom House, Freedom in the World 2015 - Gaza Strip, 10 March 2015, <https://freedomhouse.org/report/freedom-world/2015/gaza-strip#.VTTruoG3fIU> [Date accessed: 21 April 2015]

⁷³ 'The Foreign and Commonwealth Office – Israel and the Occupied Palestinian Territories – Country of Concern – Latest update 31 December 2014', 21 January 2015

<https://www.gov.uk/government/publications/israel-and-the-occupied-palestinian-territories-opts-country-of-concern/israel-and-the-occupied-palestinian-territories-opts-country-of-concern-latest-update-31-december-2014> [Date accessed: 21 April 2015]

'The illegal closure of the Gaza Strip, which has been steadily tightened since June 2007 has had a disastrous impact on the humanitarian and economic situation in the Gaza Strip. The Israeli authorities impose measures to undermine the freedom of trade, including the basic needs for the Gaza Strip population and the agricultural and industrial products to be exported. For eight consecutive years, Israel has tightened the land and naval closure to isolate the Gaza Strip from the West Bank, including occupied Jerusalem, and other countries around the world. This resulted in grave violations of the economic, social and cultural rights and a deterioration of living conditions for 1.8 million people. The Israeli authorities have established Karm Abu Salem (Kerem Shaloum) as the sole crossing for imports and exports in order to exercise its control over the Gaza Strip's economy. They also aim at imposing a complete ban on the Gaza Strip's exports. On many occasions lately, Israeli forces arrested Palestinian patients and their companions and traders.'⁷⁴

- 9.8. In its annual report covering 2014, the FCO expressed concern about restrictions on freedom of movement stating that "overall, there was some progress with the number of exits per month via Erez, which was 32% higher than the monthly average in 2013. It remained difficult for Palestinians to enter East Jerusalem for work, education, medical treatment or religious worship.....For the first time since 2007, barring limited exceptions, Israel allowed goods to transit from Gaza for sale in the West Bank in November 2014, with the first shipments of agricultural products and subsequently wood and clothing to the West Bank. But restrictions continued to have severe consequences for Gaza's civilian population, including a record-high unemployment rate.....The agreement between Israel, the PA and the UN on a monitoring and verification mechanism to facilitate the import and use of construction materials to re-build Gaza was an important step in improving the dire humanitarian situation. Part of the UK's £20 million pledge at the Gaza reconstruction conference will go towards funding the mechanism."⁷⁵
- 9.9. In a February 2015 submission to the Human Rights Council, the Palestinian Independent Commission for Human Rights reported that the Rafah crossing between Gaza and Egypt was closed for 241 days throughout 2014 and opened for 124 days intermittently. It further reported that 'hundreds of patients who were in urgent need for treatment abroad were prohibited by the Israeli Occupying Forces (IOF) from leaving to seek medical treatment in

⁷⁴ Palestinian Centre for Human Rights, Weekly Report On Israeli Human Rights Violations in the Occupied Palestinian Territory (29 April – 06 May 2015), 7 May 2015
http://www.pchrgaza.org/portal/en/index.php?option=com_content&view=article&id=11007:weekly-report-on-israeli-human-rights-violations-in-the-occupied-palestinian-territory-29-april--06-may-2015&catid=84:weekly-2009&Itemid=183 [date accessed: 12 May 2015]

⁷⁵ Foreign and Commonwealth Office, 2014 Human Rights and Democracy Report - Israel and the Occupied Palestinian Territories (OPTs), 12 March 2015.
<https://www.gov.uk/government/publications/israel-and-the-occupied-palestinian-territories-country-of-concern/israel-and-the-occupied-palestinian-territories-country-of-concern> [Date accessed: 21 April 2015]

the West Bank. The Palestinian civilians who have residency in other countries, mainly employees and students living in Arab and foreign countries, were also prohibited by Israel from leaving the Gaza Strip. Israeli violations of the Palestinians right to movement and travel further impacted other rights such as the right to education, health, work and participation in sport and cultural activities.’⁷⁶

9.10. Also in March 2015, the OHCHR reported that:

‘Israel continues to limit the passage of Palestinians through the Erez crossing to “exceptional humanitarian cases”. As a result, Palestinians in Gaza were unable to go to the West Bank, including East Jerusalem, or abroad, for educational or professional purposes. They thus relied heavily on the Rafah crossing, between Gaza and Egypt, until its closure in October 2014. Since then, the Erez crossing is the only option for Palestinians to leave Gaza.’

‘The access of Palestinians in Gaza to emergency medical treatment outside Gaza through Erez remained unpredictable and fluctuated. Given the vast number of seriously injured Palestinians requiring medical treatment during and after the escalation of hostilities in July and August 2014, and the damage sustained to the already limited health facilities and capacity in Gaza, the number of permits granted did not meet the needs of the population. With the repeated closure of the Rafah crossing, many people requiring medical treatment unavailable in Gaza were unable to seek medical treatment outside of it.’

‘The restrictions on the freedom of movement of Palestinians from Gaza were further compounded by the frequent closure of the Rafah crossing between Gaza and Egypt. Prior to the escalation, the crossing had operated irregularly, with entry and exit limited to Palestinians with dual citizenship, those with foreign visas and/or Egyptian residency status, and patients requiring emergency medical care. The crossing was open daily between 26 August and 24 October 2014 for the same category of people, but was closed thereafter following an attack on Egyptian military troops in the Sinai. It was still closed at the end of the period under review’.

‘The restricted access of fishermen to fishing waters continued. Israeli Naval Forces arrested approximately 53 fishermen, confiscated 22 boats, damaged one and destroyed two others during the period under review’.

‘The restrictions of Israel on the entry of construction materials into Gaza continued to undermine the reconstruction and economic development in Gaza. The GRM, a temporary agreement between the Government of Palestine and the Government of Israel brokered by the United Nations in September 2014 and launched on 20 October 2014, represents an attempt to ease the crisis and to begin reconstruction. Given the scale of reconstruction

⁷⁶ Palestinian Independent Commission for Human Rights, The Right to Movement and Travel in Light of the Ongoing Blockade of the Gaza Strip, 27 February 2015
http://www.ecoi.net/file_upload/1930_1430385436_g1503833.pdf [date accessed 12 May 2015]

needs, the initial phase of implementation of the Mechanism produced only limited results; and whether it will lead to significant increases in the flow of materials, such as cement, iron bars and gravel, into Gaza remains to be seen. At the end of October 2014, more than 70,000 people remained homeless, their homes having been damaged or destroyed during the hostilities. Although accelerating the Mechanism is critical to addressing the situation of IDPs, it is no substitute for lifting the blockade. The continued imposition of the blockade is contrary to international law and constitutes a form of collective punishment that denies the rights of the population in Gaza.⁷⁷

West Bank

- 9.11. UNOCHA reports in its Humanitarian Overview for 2014 that 'in recent years, the Israeli authorities have eased some long-standing restrictions, improving access to key urban hubs. However, Palestinian movement throughout the West Bank, including into East Jerusalem, remains restricted by a complex system of physical and administrative measures – the Barrier, checkpoints, roadblocks, and a permit system - undermining livelihoods and access to basic services, as well as hindering the ability of humanitarian organisations to deliver assistance.'⁷⁸
- 9.12. HRW reports in its annual report for 2014 that 'Israel maintained onerous restrictions on the movement of Palestinians in the West Bank, including checkpoints and the separation barrier. Settlement-related movement restrictions forced Palestinians to take time-consuming detours and restricted their access to agricultural land. In one week in May 2014, Israeli forces twice evicted all 62 residents of a Bedouin community, Humsaal-Buqai'a, from their homes to allow "military training" exercises lasting several hours, the UN reported. Israeli forces had displaced residents 14 times since 2012. Israel continued construction of the separation barrier around East Jerusalem. Some 85% of the barrier's route falls within the West Bank rather than along the Green Line marking the pre-1967 border. The barrier separates Palestinian farmers in 150 communities on the eastern side of the barrier from their lands on the western side, the UN reported.'⁷⁹

⁷⁷ UN Human Rights Council, Implementation of Human Rights Council resolutions S-9/1 and S-12/1 : Report of the United Nations High Commissioner for Human Rights , 2 March 2015, A/HRC/28/80, paragraphs 9-14 available at: <http://www.refworld.org/docid/550fead44.html> [Date accessed: 21 April 2015]

⁷⁸ UNOCHA, Fragmented Lives: Humanitarian Overview 2014, March 2015, Main trends in movement and access restrictions in 2014, West Bank, including East Jerusalem p.15 http://www.ochaopt.org/documents/annual_humanitarian_overview_2014_english_final.pdf [date accessed 12 May 2015]

⁷⁹ Human Rights Watch, World Report 2015 - Israel/Palestine, 29 January 2015 <http://www.hrw.org/world-report/2015/country-chapters/israel-and-palestine> [date accessed 12 May 2015]

- 9.13. Freedom House reports in its annual report for 2014 that ‘the easing of checkpoints and roadblocks along with PA security force deployment has improved freedom of movement in recent years. B’Tselem cites a UN count of 256 “flying checkpoints” (which are set up unexpectedly) as of December 2013, down from the previous year, and notes that as of February 2014 there were 99 “fixed” checkpoints, including 59 well within the West Bank, and 40 representing the last point before entry into Israel. These obstacles continue to stunt trade and restrict Palestinian access to jobs, hospitals and schools. Israel’s West Bank security barrier, which the International Court of Justice declared illegal in 2004, has meant that 150 Palestinian communities need special permits to access their land. The barrier was about 62% complete by late 2014. Some 11,000 Palestinians currently live in the zone between the barrier and the pre-1967 border, or Green Line. All West Bank residents must have identification cards to obtain entry permits to Israel and East Jerusalem. While most roads are open to both Israelis and Palestinians, 65 kilometres are open only to Israelis.’⁸⁰
- 9.14. The Palestinian Centre for Human Rights reports that between 29 April–6 May 2015 ‘Israeli forces established a number of checkpoints in the West Bank.’⁸¹
- 9.15. For further country information on freedom of movement in the West Bank see [Section 2.5 Humanitarian Situation in West Bank \(above\)](#).

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⁸⁰ Freedom House, Freedom in the World 2015 - West Bank, 28 January 2015
https://freedomhouse.org/report/freedom-world/2015/west-bank#.VVJVG_IViko
[date accessed: 12 May 2015]

⁸¹ Palestinian Centre for Human Rights, Weekly Report On Israeli Human Rights Violations in the Occupied Palestinian Territory (29 April – 06 May 2015), 7 May 2015
http://www.pchrgaza.org/portal/en/index.php?option=com_content&view=article&id=11007:weekly-report-on-israeli-human-rights-violations-in-the-occupied-palestinian-territory-29-april--06-may-2015&catid=84:weekly-2009&Itemid=183 [date accessed: 12 May 2015]

Maps

- ▶ A Satellite view of the Occupied Palestinian territories - using Google Earth Data – can be found at:

<https://www.google.co.uk/maps/place/Palestine/@31.7789733,34.6327045,160260m/data=!3m1!1e3!4m2!3m1!1s0x151cf2d28866bdd9:0xee17a001d166f686>

- ▶ The UN OCHA and [Reliefweb](http://reliefweb.int/country/pse), [Occupied Palestinian Territories \(OPT\) country pages](http://www.ochaopt.org/) contains regularly updated maps and resources on the humanitarian and security situation in the OPTs and can be accessed at:

<http://www.ochaopt.org/>

<http://reliefweb.int/country/pse>

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Version Control and Contacts

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email [the Country Policy and Information Team](#).

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email [the Guidance, Rules and Forms Team](#).

Clearance

Below is information on when this version of the guidance was cleared:

- version **1.0**
- valid from **19 June 2015**
- this version approved by **Sally Weston, Deputy Director, Head of Legal Strategy**
- approved on: **15 June 2015**

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