

# OCHA

## occupied Palestinian territory

---

# humanitarian UPDATE

15 March – 3 April



[www.reliefweb.int/hic-opt](http://www.reliefweb.int/hic-opt) ▪ [ochaopt@un.org](mailto:ochaopt@un.org)  
OCHA oPt, MAC House, PO Box 639, Jerusalem ▪ Tel/fax +972-2-582 9962

---

**INSIDE** Overview of the last two weeks ▪ Curfews & Closures ▪ House & Land Destruction ▪ Labour Mobility ▪ Food Aid ▪ Humanitarian Access ▪

### Overview of the last two weeks

The war in Iraq has had no significant impact on the humanitarian situation in the oPt, yet the humanitarian crisis for over three million Palestinian civilians continues to deepen. In the last month, 91 Palestinian civilians were killed and 375 injured by Israeli security forces. In particular, house destructions intensified in the Gaza Strip, including shelling of civilian homes. The shift of international attention away from the day-to-day crises in the oPt is a worrisome trend for the humanitarian community as many of the Palestinian civilians are vulnerable to a worsening situation.

The senior United Nations envoy for the Middle East peace process, Terje Roed-Larsen, strongly condemned the suicide bombing on 30 March in the Israeli town of Netanya, calling it an "outrageous and cowardly act." The bombing left at least 30 people wounded, some seriously injured. In a direct appeal yesterday to the Palestinian leadership and people, Mr. Roed-Larsen stated that they must "act immediately to completely de-legitimize these murderous acts that produce nothing but misery and fear." As part of the cycle of violence such bombings generate, on 1 April, the IDF demolished the house of the family of the Netanya suicide bomber.

Mr. John Dugard, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied by Israel since 1967, issued his report on the situation in the oPt (document E/CN.4/2003/30). From a human rights perspective, the report states that in the past year the situation in the occupied Palestinian territory (OPT) has deteriorated substantially, with children suffering most from the present conflict. Both Palestinian and Israeli children have been exposed to threats to personal safety, while Palestinian children have, in particular, felt the breakdown of family life, health care and education. In large measure, the deterioration is the result of repeated military operations carried out by the Israeli Defence Forces (IDF) in the West Bank and Gaza. The IDF has justified its actions as self-defence anti-terrorism measures. But the report notes, while Israel has legitimate security concerns, there must be some limits to the extent to which human rights may be

violated in the name of anti-terrorism. The principal balancing factor -- proportionality -- is the main focus of this report. The report concludes that it is difficult to characterize the Israeli response to Palestinian violence as proportional when it has resulted in an excessive use of force that disregards:

- the distinction between civilians and combatants;
- a humanitarian crisis that threatens the livelihood of a whole people;
- the killing and inhuman treatment of children;
- the widespread destruction of property, and
- territorial expansion.

In Gaza, violent clashes between the IDF and Palestinian demonstrators and/or armed elements are almost a daily occurrence. Main flashpoints are Israeli and Palestinian military/police installations, refugee camps, settlements and checkpoints within the Gaza Strip or at the crossing points between Gaza and Israel and the Egyptian border. Between 14 and 27 March 19 Palestinians were killed by the IDF. The people included a 71 year old man beaten to death while he was trying to resist the demolition of his house in Dair El Balah, a 13 year old boy and a two year-old baby girl. Twenty-six injuries have been reported to the MoH on the same period.

International Solidarity Movement's activist Rachel Corrie, 23, was killed by an IDF bulldozer on March 16, as she was attempting to prevent a home demolition in Rafah. Israeli military spokesman Captain Jacob Dallal called her death an accident. State Department spokesman Lou Fintor said the U.S. government had asked Israeli officials for a full investigation.

### Closures and curfews

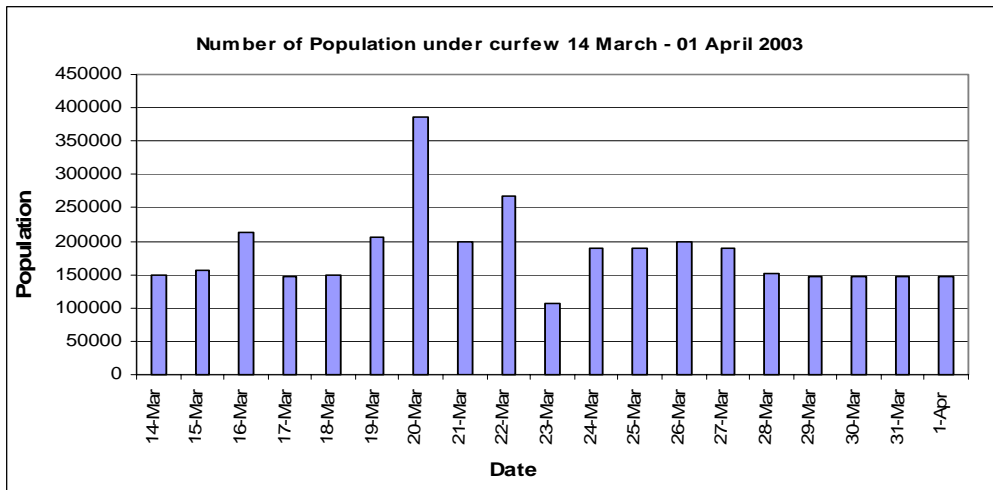
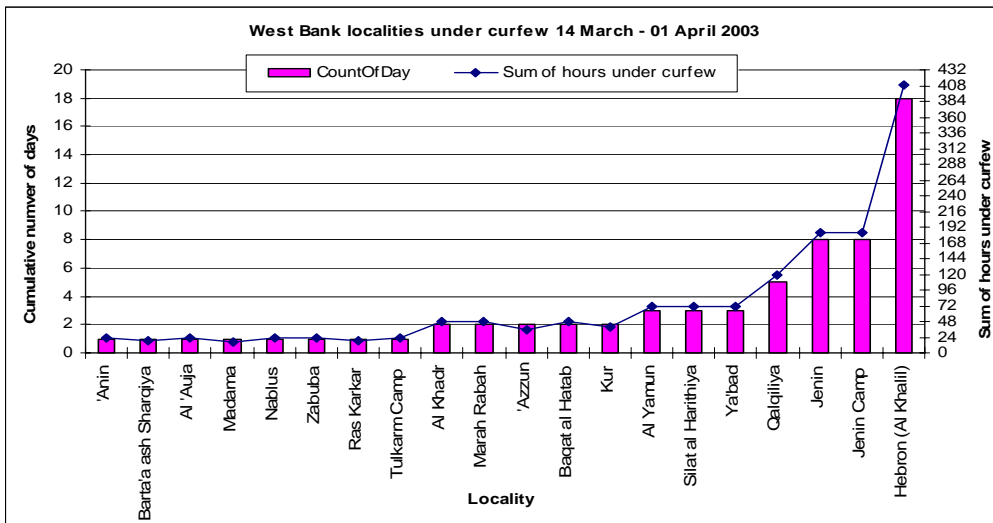
The single largest cause of the deepening humanitarian crises is the closure/curfew policy set up by the Israeli Defense Force (IDF) that has severely restricted the mobility of the civilian population, as well as impeding national and international service providers and economic agents. The IDF has set up approximately 150 military checkpoints and an estimated 400 roadblocks and trenches in the West Bank and Gaza, dividing the areas into more than a hundred clusters. The closure/curfew practice denies or restricts the overwhelming bulk of the Palestinian population's access to work, education and medical care. As a result, approximately half of the Palestinian workforce is unemployed and 60% the Palestinian population is "poor", according to the latest World Bank report. If these restrictions remain, the statistics will steadily worsen.

For the West Bank, during the reporting period 13 March to 01 April 2003, twenty Palestinian towns, villages, camps and /or cities were under curfew varying from 1-18 days. The average of people and localities under curfew for this reporting period was 183,815 and an average of 3 localities. While the number of population and localities under curfew declined, compared to earlier reporting periods, those who remaining under curfew endured particular hardship.

***Qalqiliya:*** Under curfew for 5 consecutive days without any lifting (120 curfew hours).

***Jenin Town & Camp:*** Under curfew for 8 consecutive days. The curfew was lifted on 27 March 2003 at 16:00 (184 curfew hours out of 192 hours).

***Hebron:*** Under curfew for 18 consecutive days. Curfew was lifted on 5 occasions for an average of four hours each time (410 curfew hours out of 432 hours).



## House and land destruction

The house demolitions have showed a sharp increase in 2003 compared with previous years. Some 233 houses have been demolished between 1 January and 24 March in Gaza. In addition, some 1,672 dunums (approx 400 acres) of agricultural land was leveled in Gaza the first two months of 2003. Most affected was the north and middle areas of the Gaza strip. The destruction of land during the two first months of this year amounts to some 25% of the total destruction of land in 2002.

## Labour Mobility

According to COGAT a total of 37,032 permits were issued between March 20<sup>th</sup> and March 26<sup>th</sup> with a number of conditions applying. To work inside Israel a Palestinian male worker must be married and over 35 years while the age requirement falls to 25 years for those employed in Israeli settlements and industrial estates. Palestinian traders and businessmen applying for permits to enter Israel must be 28 and married, or single and over 40 years. A quota of 200 permits allowing traders and businessmen to travel from the West Bank towns of Hebron, Bethlehem and Jericho to Gaza was not actioned by the Israeli authorities.

- 19,257 for employment in Israel (5,076 in the West Bank; 13,842 in Gaza ) out of a quota of 25,000
- 8,258 for Israeli settlements (6,020 in the West Bank; 2,238 in Gaza)
- 4,811 for Erez industrial estate
- 364 for Atarot industrial estate to the south of Ramallah
- 4,342 for traders and businessmen (2,894 in the West Bank; 1448 in Gaza).

A full closure was enforced for Gaza Strip, effective at midnight, March 16, 2003. All border crossings into Israel were closed. IFD turned back more than 10,000 workers early Sunday who were trying to reach their work stations in Israel. Since Saturday, 15 March 2003, Rafah border crossing was closed for male Palestinians between 15 and 35 years old. Erez border crossing was re-opened for Palestinians with permits to enter Israel on 25 March.

## Food Aid

On March 26<sup>th</sup> in Bazarya village in Nablus district, the IDF confiscated food aid rations that were scheduled to be distributed to families as part of the Food for Work project implemented by the Palestinian Agricultural Relief Committees (PARC) and funded by the World Food Programme. The food parcels were taken to Shavei Shomron settlement where they were left in heavy rains for several hours leading to the destruction of flour, sugar and lentils. Four Committee members were arrested and

### **Focus on International Humanitarian Law**

#### ***4th Geneva Convention - Article 33:***

*"No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited.*

*Pillage is prohibited.*

*Reprisals against protected persons and their property are prohibited."*

#### ***Hague Regulations - Article 50:***

*"No general penalty, pecuniary or otherwise, shall be inflicted upon the population on account of the acts of individuals for which they can not be regarded as jointly and severally responsible."*

IDF actions in the oPt reported upon in this update raise humanitarian law concerns regarding the Palestinian civilian population. In particular, several of the measures used by the IDF such as house demolitions, land destruction, curfews and closures impose severe humanitarian hardships on large groups of Palestinian civilians not involved in any offences against the Israeli security forces.

Dr. Jean Pictet, editor of the official commentary to the 4th Geneva Convention commenting on the need to prohibit collective punishment and reprisals in Article 33, notes that: "Far from achieving the desired effect, however, such practices, by reason of their excessive severity and cruelty, kept alive and strengthened the spirit of resistance. They strike at guilty and innocent alike. They are opposed to all principles based on humanity and justice and it is for that reason that the prohibition of collective penalties is followed formally by the prohibition of all measures of intimidation or terrorism with regard to protected persons, wherever they may be."

released after four hours.

## Humanitarian Access

The main concern of all the humanitarian parties involved is to provide much-needed emergency and essential services to the Palestinian population, including water, medicines and food. While the movement of international humanitarian organizations throughout the occupied territories has eased, Palestinian organizations and most importantly the local civilian population, still face severe restrictions. Indeed, in the last three months, the local Palestinian Red Crescent Society reported 139 incidents where its ambulances and crew were delayed, attacked (verbal and physical), damaged or denied access by IDF security forces. These incidents included interference in ambulance passage for women in labour and critical life-death situations.

UNRWA staff and beneficiaries faced continuing problems in accessing their work places as a result of ongoing curfews, closures and lack of permits. Included among the incidents were:

- UNRWA bus transporting staff members from Ramallah to villages north west of Jerusalem on March 27<sup>th</sup> was denied passage across Qalandia checkpoint;
- 26 teachers unable to report for duty on March 25<sup>th</sup> in the Nablus area and two tear gas canisters fired by Border Police into the Camp Service Office and Clinic in Shufat;
- schools did not operate in Qalqilya and Yabad between March 20<sup>th</sup> and March 23<sup>rd</sup>;
- UNRWA staff members from Hebron unable to report to duty in Fawwar and Dura health centres between March 19<sup>th</sup> and March 22<sup>nd</sup>;
- UNRWA vehicle among several damaged by APCs in Hebron on March 18th