



OFFICE FOR THE COORDINATION OF HUMANITARIAN AFFAIRS

HUMANITARIAN MONITORING REPORT**JANUARY - MARCH 2003****Commitments made by the Government of Israel to Ms Catherine Bertini, Personal Humanitarian Envoy to the Middle East for the Secretary-General**

This is the first Humanitarian Monitoring Report to be issued by the Office for the Coordination of Humanitarian Affairs (OCHA). It is based on the monthly performance matrices provided to the Task Force on Project Implementation (TFPI) that has provided for discussions with the Government of Israel in relation to the commitments that it took to the Bertini mission. The Humanitarian Monitoring Report draws on information from the Access, Closure and Information System (ACIS) among other data sources, that humanitarian agencies have submitted to OCHA on the incident reporting format. This report will be compiled and distributed on a monthly basis and be available on website.

I) Introduction/ Background

On August 7 2002, the Secretary-General appointed Ms Catherine Bertini as his Personal Humanitarian Envoy to address the emerging humanitarian needs arising from the ongoing Israeli-Palestinian conflict since September 2000. Ms Bertini was requested to assess the nature and scale of the humanitarian crisis, review needs in light of the ongoing situation, identify appropriate action to address these needs while preventing further deterioration, and to clarify the respective responsibilities of all actors with regard to humanitarian needs.

Ms Bertini visited the region from August 12-19, 2002 travelling to both the West Bank and Gaza and meeting with representatives from both the Government of Israel (GoI) and the Palestinian Authority along with UN agencies, NGOs, the ICRC and donors. The mission concluded that there is a serious humanitarian crisis that is inextricably linked to the ongoing conflict and specifically to the measures implemented by the GoI to safeguard its citizens from Palestinian attacks.

The introduction of associated security measures including curfews, closures and roadblocks has led to a crisis of access and mobility, instigating a near-collapse of the Palestinian economy while also preventing large swathes of the Palestinian population from accessing basic services such as health and education. Similarly, Palestinian humanitarian service providers UNRWA and PRCS experienced considerable difficulties in reaching their places of work and were unable to provide assistance and services to beneficiaries.

The Bertini Commitments represent a minimum and specific set of humanitarian standards agreed to by the GoI. The Bertini Commitments are not a substitute for compliance with International Humanitarian Law as laid down in the Fourth Geneva Convention. The maximum waiting period of 30 minutes for an ambulance at a checkpoint, while an improvement on the situation in August 2002, for example, falls short of the intent of provisions of International Humanitarian Law.

II) Commitments

Ms. Bertini obtained several commitments from the GoI during the period of the mission that were aimed at improving humanitarian access. The commitments were delivered in the context of health, water, immunities commonly enjoyed by international organisations and fishing rights and were accompanied by quantifiable “benchmarks” allowing for the commitments to be monitored. Specifically:

Health:

- 1.1 Ambulances will wait no more than 30 minutes at checkpoints
- 1.2 Mechanisms will be set in place to ensure patients seeking critical medical services eg. delivery, dialysis, chemotherapy can quickly pass all checkpoints

Water:

- 2.1 Problems relating to water deliveries in Palestinian towns and villages will be addressed to ensure daily provision of adequate volume can be supplied by Palestinian water tankers

International Organisations:

- 3.1 GoI will fully facilitate the activities of international organisations with particular reference to UNRWA
- 3.2 GoI agreed to review and strengthen the liason arrangements between international agencies and the IDF
- 3.3 GoI will improve the situation at checkpoints including the deployment of more experienced IDF personnel. *(Prior commitment reconfirmed to Bertini Mission).*

Fishing:

- 4.2 The fishing zone for Palestinian boats off the Gaza coast will be extended to 12 nautical miles. *(Prior commitment by Foreign Minister Peres July 25, 2002 reconfirmed to Bertini Mission).*

III) Reporting Period: January – March 2003

The following trends and analysis have been compiled on the basis of information supplied by a number of sources including UNRWA, the Palestine Red Crescent Society (PRCS), international NGOs and Palestinian Ministries. It is important to emphasise that **there is widespread under reporting** not least, because of the definition of an “incident”. For the purposes of the tracking format an “incident” can be defined as one of the following and may combine two or more features:

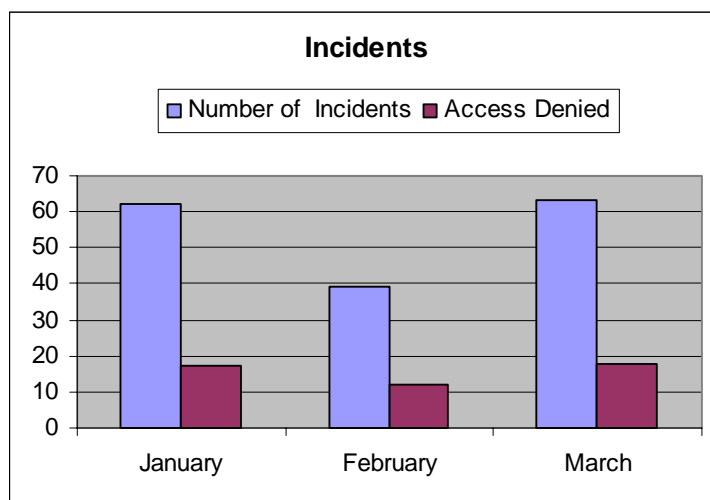
- ambulances experiencing checkpoint delays in excess of 30 minutes
- denial of access to ambulances trying to reach a patient
- denial of access to ambulances with patients in a critical medical condition
- physical and/or verbal assault against staff
- damage and destruction of vehicles and property

With regard to the reporting period, clear trends are evident with an increase in the number of incidents being recorded in March 2003.

Health

The figures submitted by the participating agencies shows a consistency between January and March with a drop in overall reported incidents in the month of February. In January, 62 incidents were logged by the PRCS in which **45 ambulances were delayed for over 30 minutes** at checkpoints while **outright denial of access was recorded in 17 further instances**. In March, the figures are almost identical with 63 reported incidents throughout the West Bank and Gaza of which 18 involved complete denial of access. The January and March figures compare to a total figure of 39 incidents recorded for February although in one of these cases a PRCS ambulance was delayed for 4 hours at Gilo. Another ambulance was attacked by settlers.

What is consistent between the monthly reports is that roughly **half of all incidents taking place in the West Bank are in and around Nablus at the checkpoints of Huwwara, Beit Iba, Deir Sharaf, Za'atara and Shafi Shamron.**



Of greater concern for the figures available for March is the number of “grave” security incidents recorded in March. **In 15 of the 63 recorded incidents, PRCS ambulances and staff were fired upon by the IDF in Gaza** resulting in injury to five PRCS staff and damage to two vehicles. In February, shots were fired at PRCS staff on February 19 and 23 during incursions into Beit Hanoun and Khan Younis respectively. These incidents show that in the context of ongoing military operations in Gaza **there is little apparent respect, and indeed disregard, for the Red Crescent emblem and the protection it should offer to its staff.**

In spite of the Bertini commitments aimed at facilitating Palestinian patients who needed critical medical services through checkpoints, the data shows this is not the case. At its most extreme this manifested itself in Al Mawasi-Rafah on January 2 when a woman delivered a baby at the checkpoint after being refused leave the enclave by the IDF to reach Rafah hospital. One week later on January 9 an ambulance from the Union of Palestinian Medical Relief Committees (UPMRC) with an eight-year old child with cancer was turned back at the Hizma checkpoint on its way from Ramallah to Bethlehem hospital.

During February, a total of 14 patients requiring specialised medical care were delayed for a duration varying from 45 minutes to 2.5 hours, while in March the IDF significantly delayed or denied access to ambulances with critical case patients on 9 occasions, including:

- detention and blindfolding of kidney patient. March 13. Tulkarm-Netanya checkpoint
- access denial to unconscious cancer patient. March 18. Al Zayim checkpoint
- access denial to pregnant woman. March 22. Huwarra
- newborn with respiratory problems delayed for 45 minutes. March 24. Quseen.

Water

The Bertini mission highlighted the severe water shortages experienced in many rural areas throughout the West Bank especially during the summer months when tanks run dry and localities depend largely on water delivered by private and municipal water tankers. **Of 615 Palestinian communities regularly monitored by the EWASH/PHG, 178 (both village and urban areas) do not have water distribution networks,** with an almost total reliance on tanked water and rainfall.

Given the high levels of rainfall in January and early February, large scale water deliveries did not take place. In, 39 communities in Nablus, Tubas, Salfit and Hebron with **a total population of over 35,000 experienced water shortages in February and March** as a result of closures and recurrent curfews which prevented the physical movement of tankers into the communities.

International Organisations

Operational agencies and INGOs have generally welcomed the expansion of the District Coordination and Liason offices throughout the West Bank and southern Gaza, (although overall coordination with the IDF in Gaza is still deemed poor). At the same time however, UNRWA to whom particular reference was addressed by the GoI in its commitments to Ms Bertini, reported via its West Bank Field Office that March was the worst month for access in the last year. According to UNRWA records Hamra checkpoint in Nablus and the Tunnel Road south of Jerusalem account for more than 50% of reported incidents.

UNRWA logged 124 access incidents in March, 13 of which involved complete denial with the remainder consisting of **delays averaging 90 minutes.** This figure was a considerable increase on the February figure although even in this month over 800 UNRWA staff members could not report to their duty station on account of tight closures and curfews in Hebron, Al Fawwar and Nablus Old City.

Improvement, albeit marginal has been recorded during the first quarter of the year on the ability of international NGOs and UN agencies to access Al Mawasi. While access was denied in February to MSF, UNRWA and WFP it was possible by March for agencies to enter the enclave albeit with prior coordination with the IDF Liason Office. In late March, UNRWA vehicles (except for trucks), with food supplies were granted access to Al Mawasi for the first time in nearly two years with further visits following by UNRWA social workers and a medical team. International agencies however still do not have free and unhindered access and numerous delays were reported by the agencies thus only conditional access to Al Mawasi was possible by the end of March.

Fishing

The commitment by the GoI to the Bertini mission to allow for a 12 nautical mile fishing zone has not been met. Throughout the reporting period, the fishing zone was subject to shifting regulations. In January there were severe restrictions on the ability to fish with both Rafah and Khan Younis ports

closed since April 2002. By March, fishing up to a limit of 6 nautical miles was possible from Gaza city, northern and middle Gaza; fishing out of Al Mawasi/Khan Younis was prohibited while the Fishermen's Association in Al Mawasi/Rafah reported that their members were being limited to 3-4 nautical miles by shots from Israeli gun boats contrary to the 6 nautical miles they should have been accorded.

IV) Conclusions

On the basis of the information submitted by the noted sources for the period January – March 2003, the following trends can be determined in terms of the GoI's ongoing adherence and compliance to the commitments submitted to the Bertini mission:

- consistent delays continue to be experienced by ambulances at checkpoints particularly in the Nablus area;
- critical case patients face denial of access at checkpoints on a regular basis;
- during military incursions, ambulances and medical staff have regularly come under fire in complete violation of the Fourth Geneva Convention;
- localities experience difficulties in receiving water tankers when faced with curfew;
- a favourable response has been encountered from international organisations to the recent initiatives by COGAT to de-centralise the DCL system throughout the West Bank;
- international NGOs report that there is increased acceptance of organisational ID cards at checkpoints with far fewer requests for passports and national ID cards;
- UNRWA staff in particular continue to experience access difficulties;
- improved access into the Al Mawasi enclave is evident, although conditional;
- a failure on the part of the GoI to extend the fishing zone up to 12 nautical miles.