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## "Aid in a Pressure Cooker" Humanitarian Action in the Occupied Palestinian Territory

### Humanitarian Agenda 2015 Case Study n.7

By Larissa Fast

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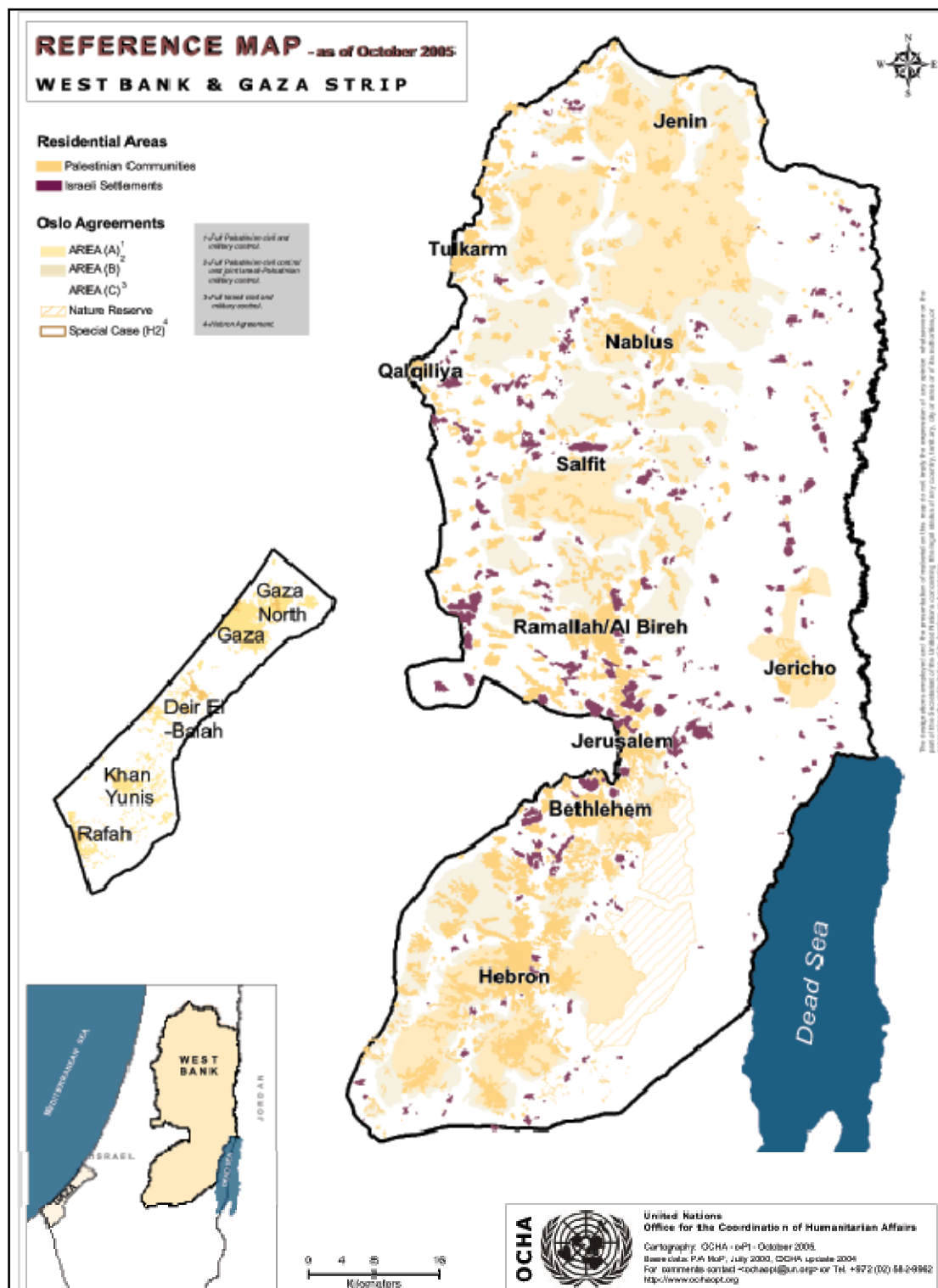
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## “Aid in a pressure cooker: Humanitarian action in the oPt”

### Overview

The Humanitarian Agenda 2015 study (Donini et al. 2006) has examined the effects of four major challenges—universality, terrorism, coherence, and security—to humanitarian action in context-specific situations. This study of the occupied Palestinian territory (oPt) is part of Phase II of HA2015 which includes a larger set of case studies. As with the other case studies, the present report offers insights into the way in which these four major variables—or “petals”—are interrelated and impact on humanitarian action.

In terms of **universality**, the primary questions revolve around solidarity and hidden agendas. The long-term nature of the occupation of the oPt, the lack of a political settlement, and the human rights situation have prompted some agencies to adopt an advocacy agenda or solidarity stance with the Palestinian situation and others to rely more firmly on International Humanitarian Law (IHL) as a mechanism for maintaining neutrality. Palestinians generally accept and are thankful for humanitarian assistance, but are skeptical of those who attempt to “normalize” relations with Israelis.

The **terrorism/counter-terrorism** agenda has had a significant negative impact on humanitarian activities in the oPt. In particular, funding restrictions have made humanitarian actors more cautious and limited in their activities and partnership relationships have suffered as a result. The discourse of the “war on terror” and resulting tensions between the west and Islam have created a more difficult security environment for humanitarian actors.

Examination of the **coherence** petal raises the question of how humanitarian actors can and should operate in the context of a long-term occupation and without a comprehensive political settlement to the conflict. The lack of a political settlement to the Israeli-Palestinian conflict, combined with current western foreign and Israeli military policies, is exacerbating the humanitarian situation for Palestinians in the oPt. In other words, the disconnect between the political, military, and humanitarian strategies means that humanitarian assistance is a band-aid on an increasingly severe wound.

Finally, the **security** petal discussion identifies two major types of security threats—institutionalized movement restrictions and unpredictable violence—that constrain humanitarian actors. The lack

of a political settlement between Israelis and Palestinians that would address freedom of movement issues, Israeli military action, intra-Palestinian violence, the war in Lebanon, and other global events linked to the war on terror all negatively impact the ability of humanitarians to carry out their work.

### Methodology

To complete this research, the author spent three weeks in Israel (primarily Jerusalem), the West Bank and Gaza in August 2006.<sup>1</sup> A portion of the time was spent on separate but related research. Data collection involved four sources: individual interviews, focus group discussions, field site visits, and literature review. The individual interviews included 19 face-to-face interviews and one telephone interview with individuals from international (European and American) and national (Israeli and Palestinian) NGOs, various United Nations (UN) agencies, and the Red Cross movement. The author conducted two focus group discussions in the Bethlehem area with refugees from the Deheishe camp and students at Bethlehem University. The 14 focus group participants were both male and female, primarily in their 20s. In both the interviews and focus group discussions, the researcher used a standardized set of questions from the larger HA2015 research project to facilitate comparisons across contexts.

Field site visits included trips to Beit Ummar, Hebron (H1 and H2) and Al-Tuwaini (south of Hebron), Bethlehem, Beit Jala, and Beit Sahour, the Ramallah area, as well as Gaza (to Gaza City only). In all of these locations, the researcher engaged in informal conversations (some using translators) with residents about their situations. Although these conversations and site visits were not all officially part of this research process, they contributed significantly to the author's understanding of the humanitarian situation in the West Bank and Gaza. The literature review sources include news stories, materials from NGOs and the UN about their work and programs, scholarly and praxis-oriented sources on the oPt and the humanitarian situation, many of which are noted in the Works Cited section at the end of the report. Unless otherwise noted, all quotations in the text are from interviews conducted between 1 August and 19 August 2006.

#### *A note on terminology in the report*

Terminology in this part of the world is inherently political and the use of a specific term usually offers clues about one's political stand on an issue. For example, the West Bank and Gaza are referred to alternatively as "Judea and Samaria," as the "occupied Palestinian territory/territories," and "Palestine," among others. The author has chosen to use the term "occupied Palestinian territory" (oPt) for this

research, following United Nations terminology. The oPt refers to the West Bank, Gaza Strip, and East Jerusalem. These areas are controlled by Israel and/or the Palestinians to varying degrees but are part of the pre-1967 borders as affirmed in UN Security Council Resolution 242 and reaffirmed in UN Security Council Resolution 338 (see below in “Context” for more on these resolutions).

The other terminological lightning rod is the structure that Israel is building around the West Bank. Supporters of the structure refer to it as a “fence” or a “separation barrier.” They emphasize that its purpose is to ensure Israel’s security and point to the decrease in the number of suicide bombing attacks since its construction as evidence of its effectiveness. Critics, on the other hand, refer to it as the “wall” or the “apartheid wall.” Some critics object to the route of the wall, which in numerous places juts into Palestinian territory as affirmed in UN Resolutions 242 and 338, while others vehemently reject the wall outright. The International Court of Justice, in its advisory opinion, declared the “wall” illegal under international law. UN documents mostly refer to it as a “barrier.” In reality, the barrier takes different forms: in some places it is a chain link fence topped with barbed wire and surrounded on both sides with an access road, while in others it is an eight-meter-high concrete wall. This report refers to a “barrier,” again following UN terminology.

This particular case study is a compelling part of the HA2015 project given the protracted nature of the conflict and the humanitarian response. The duration of the Israeli occupation and of foreign assistance, including NGO involvement, make it somewhat unique. The oPt is one of the most aided regions per capita in the world, with donors providing over USD 1 billion to programs in the oPt every year. Many agencies (e.g., UNRWA, the ICRC, and numerous NGOs) have operated in the area for more than 50 years and have created and nurtured extensive contacts and networks among the population. The humanitarian situation in the oPt since 2000 is exceptionally well documented, particularly in OCHA’s extensive on-line reports and databases.

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## Context

The history of the conflict between Jewish-Israelis and Palestinians is complex. It is well documented in an abundant scholarly literature and a full description is beyond the scope and purpose of this report. Nevertheless, a short description of the historical context is necessary to understand the current humanitarian and legal situation and its challenges.

United Nations General Assembly Resolution 181, passed on 29 November 1947, called for the creation of a Jewish state (Israel) as well as an Arab state, thereby dividing British-mandate Palestine into two lands. Fighting erupted immediately thereafter. When the fighting ended several years later, approximately 700,000 Palestinians had fled their homes and become refugees in what they refer to as *al nakba* (“the catastrophe”), Israel controlled far more land than its original allotment in UN Resolution 181, Jordan controlled the West Bank and East Jerusalem, and Egypt controlled the Gaza Strip.

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) is the largest and one of the oldest of the UN relief agencies. It was established by UN Resolution 302 in December 1949 to respond to the refugee crisis following the 1948 war and is the only UN agency charged specifically with the welfare of only one group of refugees. UNRWA serves approximately 1,649,000 registered refugees in the West Bank and Gaza and 4.3 million Palestinians in the surrounding countries of Lebanon, Syria, and Jordan. It employs approximately 27,000 staff in the region and 14,000 staff in the oPt, the vast majority of whom are Palestinians.<sup>2</sup> It still runs schools and other services for refugees in those locations. However, it does not serve the Palestinian population in the oPt as a whole.

Further wars in 1967 and 1973 changed the territorial configuration of the region even further. The June 1967 Six-Day War, in which Israel gained control of East Jerusalem, the West Bank, the Gaza Strip, the Golan Heights and the Sinai Peninsula, marked the beginning of the Israeli occupation of the West Bank and Gaza Strip. The legal ramifications of this occupation, which are discussed further below, are multiple. As a signatory to the Geneva Conventions, Israel is legally

obligated to provide for the welfare of the Palestinian population under occupation. UN Security Council Resolution 242 of 22 November 1967 called for an Israeli withdrawal from these territories, while UN Security Council Resolution 388, which followed the outbreak of hostilities in 1973, called for an immediate cessation of military activity and for the full implementation of Resolution 242. Israel signed a peace accord with Egypt in 1978 (the Camp David accords) in which Egypt regained the Sinai Peninsula in exchange for peace with Israel, and with Jordan in 1994.<sup>3</sup> East Jerusalem, the West Bank, and the Gaza Strip remained under Israeli occupation.

The first Palestinian *Intifada* (uprising) broke out in December 1987. It was a widespread protest against Israel's long-term occupation of Palestinian land. Arrests and detention and frequent clashes between Palestinians with stones and Israeli soldiers with rubber bullets characterized the first *Intifada*. A period of high hopes for peace occurred in the 1990s, with the historic handshake between Yitzhak Rabin, Prime Minister of Israel, and Yasser Arafat, Chairman of the PLO, and the signing of the Oslo Peace Accords in 1993. The Oslo Accords left many of the issues for "final status negotiations" five years later, but established the formula for a two-state solution for the conflict between Israelis and Palestinians. Hopes dimmed and frustration grew with the subsequent collapse of the Oslo accords as the decade wore on.

In September 2000, Ariel Sharon, then the leader of the Israeli opposition, visited the Temple Mount/Haram Al-Sharif in the Old City of Jerusalem with a Likud party delegation. The violence that erupted after this event marked the beginning of the *Second Intifada*, also known as the *Al-Aqsa Intifada*, which continues to the present day. According to *B'tselem*, an Israeli human rights organization focused on the oPt, 3,898 Palestinians and 1,011 Israelis have died in the six years of the 2<sup>nd</sup> *Intifada*.<sup>4</sup>

The violence has affected both sides. For Israelis, the fear of Palestinian suicide bombings within Israel is acute and pervasive, even though these attacks have decreased in recent years. Some claim the barrier deserves credit for this decrease. Palestinians have experienced increased movement restrictions, house demolitions, arrest and detention, and the construction of the barrier that often divides families, separates farmers from their fields and individuals from their jobs. Ordinary Palestinians catalogue the negative impacts of the occupation and the barrier. In most cases, the occupation is the defining fact of their daily lives. According to one local Palestinian official, "*They are not just taking our land, they are taking our hope and*

our future.” Palestinian freedom of movement, even within the West Bank, is restricted by various mechanisms: earthen barriers, ditches, trenches, gates and terminals between Israel and the West Bank.<sup>5</sup> In



**Closed Palestinian stores in H2, the Israeli-controlled area of Hebron.**  
Photo: John Filson

addition, Palestinians face regular identity card checks at checkpoints and terminals, as well as sporadic ID checks within Israel (e.g., for passengers on Arab buses in Jerusalem) in what are known as “flying” checkpoints (i.e., police or military erect a random barrier of some kind to stop individuals and check their IDs). At times, Israel implements a complete closure, thereby preventing all Palestinians from crossing into Israel and from moving within the West Bank. Closures and the increased violence since 2000 have decimated the tourist industry in the West Bank, especially in Bethlehem. One Palestinian focus group participant remarked: *“People don’t stay here [Bethlehem]. They come but don’t stay for more than a few hours. Before 2000, there was direct communication, but not anymore. They don’t come to the Palestinian territory.”*

In November 2004, David Shearer presciently wrote: Although the peace process collapsed with the start of the 2000 *Intifada*, aid has continued to prop up structures such as the Palestinian Authority (PA) while the search for a new political settlement goes on. Aid today,

therefore, lacks the political framework of a peace agreement. But without it the Palestinian economy would almost certainly collapse. That would provoke a calamity in terms of human suffering, further inflame violence and increase instability (Shearer 2004, 2).



Unfortunately, his dire predictions have largely come to fruition. In August 2005, Israel unilaterally withdrew from the Gaza Strip, which it had occupied since June 1967. After an initial period of optimism, the humanitarian situation there has worsened, not improved, as Israel still controls access to and from Gaza. The economy remains stagnant, and people struggle to cope. Elections in early 2006 dramatically affected the humanitarian situation for Palestinians living in the West Bank and Gaza. On 28 January 2006, the Palestinian population elected Hamas to the majority in the Palestinian Legislature, giving them the right to form the government. The United States (US) government and the European Union (EU) view Hamas as a terrorist organization because Hamas has not renounced violence nor recognized Israel's right to exist. In response to the Palestinian elections, the Quartet<sup>6</sup> (as well as Canada) decided to suspend aid to the Hamas-controlled PA; its resumption is conditional on Hamas' acceptance of Israel's right to exist, a commitment to nonviolence, and acceptance of previous agreements. The EU, with the approval of the Quartet, has set up a "Temporary International Mechanism" to support some basic services and salaries for some PA employees, and the World Bank continues to fund some projects through the PA. In addition, Israel is withholding between \$50 and \$60 million in VAT customs and duties that it collects on behalf of the PA every month. This sudden and complete interruption of the financial pipeline for Palestinians and the PA has caused severe hardship among Palestinians.<sup>7</sup> Many civil servants have not been paid or been paid only minimally since the suspension of funding to the cash-strapped PA in May 2006.

On 25 June 2006, Palestinian militants (Hamas and other groups) kidnapped Cpl. Gilad Shalit at the Karem Shalom crossing into Gaza. On 12 July 2006, Hezbollah kidnapped two Israeli soldiers and sparked a war between Hezbollah and Israel that continued for 34 days to 14 August 2006. While the war in Lebanon and the north of Israel captured headlines, the IDF launched "Operation Summer Rains" in Gaza in retaliation for Cpl. Shalit's kidnapping. Three days after the kidnapping, the Israeli military bombed the electrical supply in Gaza. While Gaza still receives some power via the electric grid in Israel, the power supply remains unstable and sporadic. The human rights group *B'tselem* has declared the action a war crime.<sup>8</sup> The UN and other humanitarian agencies have issued repeated warnings about the humanitarian situation in Gaza as well as the West Bank.

Since the end of August 2006, when this research took place, the humanitarian situation has continued to deteriorate and the violence has escalated. The Israeli military has entered the Gaza Strip multiple times to conduct military operations. The purported reason for the

military operations is to secure the release of Cpl Shalit and as a response to Palestinian Qassam rocket attacks on nearby Israeli towns. Various news sources have reported continuing negotiations to secure the release of Cpl Shalit and the two other soldiers captured by Hezbollah in July, but as of the end of November 2006 they have not been released.

Stop-and-start negotiations have continued between the PA President, Mahmoud Abbas, and Hamas and Fatah leaders about a unity government that would include members of Hamas as well as Fatah and other parties, or a government not affiliated with any particular party that would break the sanctions deadlock and pave the way to easing the humanitarian situation. The Hamas Prime Minister Ismail Haniya has offered to resign to break the economic boycott and end the suffering of the Palestinians (BBC News 2006). In principle, the Quartet has reacted favorably to a unity government. These negotiations have been all the more difficult because of the escalating violence between Palestinian political and security factions; indeed, several news reports have referred to a state of “civil war” in Gaza. Teachers, health workers, and other PA civil servants have participated in partial or comprehensive strikes of varying length to protest the non-payment of salaries.<sup>9</sup>

As of early November 2006, the situation between Israel and Palestinians had reached a new crisis point. An incursion into Beit Hanoun raised tensions, and on 8 November, Israeli military shelling of the city killed 19 civilians. Palestinians were outraged, calling the deaths a “massacre.” Israel apologized for an accidental “technical failure” that resulted in the deaths. UN officials and other world leaders condemned the attacks. The UN Security Council met in an emergency session to discuss the attacks, but failed to pass a resolution denouncing the Israeli offensive.<sup>10</sup> On Friday 17 November 2006, the UN General Assembly passed a non-binding resolution calling for the end of Israeli military operations in Gaza. Later in November, a shaky cease-fire, which President Abbas negotiated with various Palestinian factions, took hold in exchange for an Israeli withdrawal from Gaza.

All of these factors highlight the difficulty of negotiating, signing, and eventually implementing a comprehensive peace settlement and underscore the dire humanitarian situation in which the vast majority of Palestinians live.

### Universality

The universality “petal” examines whether humanitarian action is perceived as advancing a “northern” agenda, in terms of its funding,

management, accountability, and western values and priorities, and how local populations perceive humanitarian action (i.e., whether it is viewed with acceptance or suspicion and why). It is closely related to other core principles of humanitarian action, such as neutrality and impartiality, since providing aid without taking sides in the larger conflict and on the basis of need both contribute to how people perceive and interpret humanitarian action. The theme of universality in the oPt manifests in two inter-related sub-themes: the solidarity question and hidden agendas.

### The Solidarity Question

The dilemma of how to respond to the barrier and the long-term occupation (also explored further below under “The Band-aid Dilemma”) raises corollary questions about the limits and costs of neutrality and solidarity. Neutrality means not taking sides in a conflict. The long-term situation, lack of political settlement, and human rights situation have prompted some agencies to adopt a solidarity stance with the Palestinian cause and others to take on more of an advocacy stance on particular issues.

In this conflict, as in all conflicts, impartiality and neutrality,<sup>11</sup> two of the traditional core principles of humanitarian action, are challenging to uphold in practice. In the words of one interviewee: *“Impartiality and neutrality are difficult here. No, all sides expect you to take their side.... A conflict is a conflict.”* In response to a question about humanitarian principles and how they are understood, another interviewee opined: *“They [the Palestinians] expect neutrality. Their version of neutrality is different than that of the UN policymakers. They want us to emphasize and support UN Security Council resolutions [condemning Israeli actions]. They don’t want us to equate Palestinian violations with Israeli violations.”* Palestinians interpret the lack of a strong international condemnation of the barrier not as being neutral, but as a selective application of UN resolutions and further evidence of a pro-Israel UN and international community. *“The help of the international society is biased completely to Israel,”* said one young Palestinian. Palestinians point to American military and financial assistance to Israel and recognize less the value of humanitarian assistance to the oPt. Donors provide more than USD 1 billion in humanitarian assistance to Palestinians in the West Bank and Gaza every year (Shearer 2004). This, however, is still only one third of American assistance to Israel, which reaches USD 3 billion per year.<sup>12</sup> Israelis, on the other hand, interpret the lack of strong condemnation of Palestinian suicide bombings or Qassam rocket attacks on Israeli targets as evidence of international support for the Palestinian cause.

**If the Palestinians interviewed believed humanitarian agencies had a hidden agenda, it was more likely to be political than religious. They did not appear to be concerned about potential hidden agendas of aid agencies, unless they were related to the more political agendas of “normalization,” “CIA connections,” or support for foreign policies of western governments.**

Many Palestinians, in particular, are frustrated with some humanitarian organizations and the lack of strong advocacy positions regarding the occupation. They see a neutral stance as an unwillingness to take a stand, as silence equated with acceptance. Accordingly, *“There is pressure to change policy and stop the occupation. They [Palestinians] don’t see evidence of this, so there is cynicism. They have an appreciation for solidarity work.”* In the context of international law and continued pressure from Palestinians to be vocal about IHL violations, the issues of whether or how to engage in solidarity or advocacy work emerge frequently within the humanitarian community in the oPt.

The solidarity question has multiple implications for both programming and administration. For some internationals, solidarity includes where to live: *“There are few vehicles coming out of the territories into Jerusalem. It is important that Palestinians and Israelis see a vehicle that comes out of Bethlehem every day through the checkpoint to Jerusalem.”* This issue extends to whether agencies can or should engage with Israelis, especially in terms of advocacy, education, and/or peace-building efforts. Some NGOs have branched out to educate and reach the Israeli population, a source of some tension among the humanitarian community even though the work is not needs- or even rights-based work per se. One organization has begun to work with Israeli NGOs under the premise that *“You can’t be relevant in a conflict situation unless you work with both sides.”* The activities in which NGOs have engaged with Israelis range from working with Israeli NGOs on human rights issues in the oPt, to attempts to educate the Israeli public and thereby influence government policies in the oPt, to fair trade initiatives (e.g., selling Palestinian olive oil or handicrafts to the Israeli public). Nevertheless, Palestinians and those who take stronger advocacy and partisan stances tended to view this type of engagement with some degree of suspicion, almost as a dilution of the cause. Although the number that has adopted this approach is small, if more follow it could lead to a deeper rift among humanitarian actors.

### Hidden Agendas

The Palestinians interviewed for this research were not preoccupied with questions about the origin of the assistance they received. In focus group discussions, participants did not distinguish between aid from the west and from other sources, although they more frequently cited local sources rather than international sources of assistance (e.g., *zakat*, the Islamic tradition of charity to those in need, and local government sources). Upon further questioning about funding sources, they acknowledged that local assistance often does come from the west and is channeled through local institutions. If the Palestinians



interviewed believed humanitarian agencies had a hidden agenda, it was more likely to be political than religious. They did not appear to be concerned about potential hidden agendas of aid agencies, unless they were related to the more political agendas of “normalization,” “CIA connections,” or support for foreign policies of western governments.

In fact, Palestinians in general seemed thankful for the assistance they received and for the witnessing that agencies provided regarding their situation. There is a healthy population of aid agencies in the oPt and they generally enjoy high levels of acceptance among the Palestinian population. UNRWA has been a longstanding advocate, provider for, and guardian of the Palestinian refugee population. Many of the larger NGOs operating in the oPt have been present or implementing programs since 1948 or the early 1950s. As mentioned above, Palestinians in the West Bank and Gaza receive more than USD 1 billion in assistance per year. Palestinians are used to foreigners providing assistance, especially Westerners. Indeed, according to one interviewee, there is a sense of entitlement to aid: *“The oPt population sees western aid as an entitlement. From the west, it is seen as a duty. By not solving the political issue, this obliges the west to take care of the Palestinian population. This is a widely shared perception in the oPt.”* Several others concurred, pointing out that there is an *“element of entitlement and expectation of assistance”* among Palestinians. They see *“assistance as a lifeline”* and are more *“concerned about being neglected, about being ignored.”* As a result of these long-standing relationships and circumstances, the UN and relief and development NGOs have enjoyed positive relationships with Palestinians. One Palestinian commented that the UN’s reputation in the oPt is generally favorable, despite frustrations over the UN’s inability to enforce UN Resolutions related to Israel’s occupation of Palestinian land. This reputation may be as much related to the fact that UNRWA employs approximately 14,000 local staff in the oPt (and, indirectly thousands more as family members of UNRWA employees) as to the services of the UN in the oPt. With the non-payment of PA employee salaries after the Hamas election in January 2006 and the strikes in protest, UN, IO, and NGO employees have been the only ones able to support and feed their families. Foreign assistance and international agencies, not surprisingly, represent a significant source of employment and resources for Palestinians; this translates into appreciation and acceptance.

Acceptance of and thankfulness for the work and resources of humanitarian agencies does not mean there are no criticisms of aid agencies. Interviewees reported a healthy degree of skepticism among Palestinians about aid and aid agencies. In particular, the Palestinian

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focus group participants identified several concerns: aid did not reach the needy, agencies were not “in touch with the people,” and “normalization.” First, in the focus group discussions (buttressed by other research<sup>13</sup>) all agreed that assistance has not reached those most in need. Upon further probing, participants suggested that those who had good relationships with agencies got the most assistance, implying that a degree of nepotism or favoritism determines who receives assistance. Assuming aid agency, UN, and other international agency local staff take care of their own families first, this is not surprising. Second, focus group participants complained that: “*Those who work in the agencies—we don’t see them. They are in their offices and not in touch with the people.*” This may stem one of several sources: the lack of field visits related to freedom of movement issues discussed below (see “Security” section) or the complaint that agencies more frequently provide food aid, which does not cover basic needs, instead of work/employment, which they would have preferred.

The third issue of “normalization” surfaced repeatedly in conversations with Palestinians and internationals. Palestinians are extremely wary and resentful of any activities that might be construed as “normalization.” In the context of the military, economic, and political power imbalances that exist between Israelis and Palestinians, Palestinians perceive activities that attempt to create normal relationships with Israelis or a normal situation without addressing root causes and inequalities as suspect at best and destructive at worst. “Normalization” is seen as an external and unwelcome political agenda. Thus, it is difficult for agencies that might be more inclined to support “peace-building” programming that involves contact or dialogue with Israelis to do this sort of work in this context.

Israelis, on the other hand, generally do not view humanitarian agencies as benign. Instead, they view NGOs and the UN with suspicion or even outright hatred.<sup>14</sup> Few NGOs who work closely with Palestinians work with Israeli groups at all, unless on questions of advocacy related to the Palestinian case or to human rights violations in the oPt.<sup>15</sup> Several interviewees spoke of efforts by Israeli media, military, or public figures to discredit NGOs and the UN as being pro-Palestinian or not doing anything to stop terrorism.<sup>16</sup> The “stretcher incident” in early October 2004 provides an example. The Israeli military released video footage of what it claimed to be Palestinian militants loading weapons into a UN-marked ambulance. An investigation later revealed that it was Palestinians loading a stretcher into the ambulance. Later that month, UNRWA head Peter Hansen remarked that UNRWA’s Gaza payroll likely included members of Hamas, since many in Gaza are Hamas supporters if not members. The

stretcher incident and Hansen's remarks generated controversy and reinforced Israelis' negative perceptions of the UN as biased in favor of Palestinians and the Arab world.

In terms of universality, then, the clash between principles appears to rest more with questions about the extent to which humanitarian actors should engage in solidarity rather than the cultural baggage of western aid or some of the "insider/outsider" dynamics present in some of the other HA2015 case studies (Donini et al. 2006). As noted above, there is a tradition of assistance within Islam (e.g., *zakat*) and it is well-known that Hamas has long provided a social safety net for Palestinians in the oPt.<sup>17</sup> These non-western and Islamic sources are important in the overall picture of assistance to Palestinians. Both the scale of and entitlement to western assistance remain crucial, despite Palestinian dissatisfaction and anger with the lack of a political settlement (see below under "Coherence" for more on this topic). In other words, any erosion in the social contract of the acceptability of aid is not so much due to a difference between western and non-western values, but instead to not doing enough—or perhaps more accurately, not being perceived to be doing enough—to address the asymmetry and structural nature of the conflict that makes aid necessary.



Israeli checkpoint from Jerusalem to Bethlehem. Photo: Larrisa Fast

## Terrorism and Counter-Terrorism

The discourse of terrorism and the impact of counter-terrorism efforts have a number of implications for humanitarian actors operating in the oPt. To unpack these implications, it is helpful to distinguish between three separate but related manifestations of the global "war on terror" (GWOT). The first involves the rising anti-western sentiment in the oPt that results from existing and growing tension and hostility between the west and Islam. On a macro level, the Israeli-Palestinian conflict is a flashpoint issue, inciting passionate debate and fiery action and informing relations between Muslims around the world and the west. Terrorist groups like al-Qaida, Hezbollah, and others raise the Palestinian cause in

justifying their actions and to garner support with their anti-Israeli rhetoric, thereby linking the Israeli-Palestinian conflict to the GWOT. It is within this context that humanitarian actors in the oPt, many of whom are international agencies with headquarters in Europe or North America, are embedded, with direct ramifications for the safety and security of staff. This subject is treated in further detail under the “Security” discussion below.

The second manifestation refers to Israel’s security measures that, according to Israel, are designed to protect Israelis from Palestinian suicide bombers. Several interviewees pointed out that counter-terrorism and responses to the GWOT are not new and that Israel has been justifying its treatment of Palestinians on security (i.e., counter-terrorism) grounds for a number of years. According to one, *“the war on terror is an extension of an earlier concept that Israel had introduced in 2000, if not earlier. The war on terror has required higher security and scrutiny and accountability, but this was in effect before.”* The way in which Israel has chosen to fight terrorism has significant implications for Palestinian freedom of movement (and also for Israelis who are not supposed to travel to the oPt), all of which have been justified on the basis of security and counter-terrorism. Most times “security reasons” have no accompanying explanations. OCHA provides regular and updated information and maps detailing the closures in the West Bank and Gaza, and reported a 47% increase (from 376 to 552) in roadblocks in the West Bank between its baseline figure from 1 August 2005 and early September 2006.<sup>18</sup> In addition, Israel continues to construct the barrier in the West Bank separating Israel and its settlements from the rest of the West Bank as part of its security measures. The humanitarian impacts of the barrier and West Bank and Gaza closures are well-documented,<sup>19</sup> and range from medical (inability to reach or receive timely medical attention due to roadblocks or closures) to social (separating neighbors and families) and economic (preventing farmers from cultivating their land). The impact on the potential for peace in the region is equally dire. According to one young Palestinian, *“we have one relationship with the Israelis—the occupation.”* The primary public meeting point for Israelis and Palestinians is at checkpoints, setting the stage for mutual frustration and anger at best, and humiliation and mutual dehumanization at worst.

While several interviewees either indicated that the war on terrorism had little or no impact on their work or that the funding restrictions had resulted in increased monitoring and better use of funds, most unequivocally stated the GWOT had a marked negative impact on their ability to function as relief and/or development organizations in the oPt. Another interviewee went even further, linking the Israeli war on



**The implications of these policies and laws are somewhat unclear, leaving agencies unsure about how to stay legal and worried about ramifications—both for local programming and the organizations’ programs around the world—if they are found to be on the wrong side of the law. According to one interviewee, “*The problem is that we don’t know what we have to do and they [donors] can’t give us answers. The sands are constantly shifting and it isn’t clear what we have to do.*” The result of these restrictions is a more cautious, slow, and expensive humanitarian response.**

terror to the humanitarian crisis: “*Anti-terror measures are the reason for the humanitarian crisis,*” referring to economic sanctions resulting from the election of Hamas in January. This highlights the third manifestation of counter-terrorism in the oPt, which stems from the election of Hamas and the suspension of virtually all funding to the PA in early March 2006.

Of the three, the third has had the greatest impact on humanitarian work in the oPt. Whether or not the war on terror has a direct impact on an organization’s work is partially dependent on its donors. Counter-terrorism is a central issue for US-funded NGOs and to a lesser extent, UN agencies and EU-funded agencies. Agencies and individuals must comply with law and policy, both of which involve constraints on operations and partnerships. It is possible to categorize the impact into funding restrictions and partnership issues, each of which is explored below.

### Funding Restrictions

The most obvious of the funding restrictions is the suspension of aid to the PA. Several interviewees remarked that a significant issue was the suddenness of the decision: one day the funding was there and the next day “*the faucet was turned off.*” This did not allow agencies to make any contingency plans. For example, this meant that construction of schools, most of which are PA-administered, stopped from one day to the next. In some cases this stoppage left unsafe construction sites that forced agencies to put up fences and/or hire security people to guard the sites from vandalism and accidents, all outside of budget. Because the PA administers most health clinics, drugs and supplies have dwindled, and even the most basic medical supplies are in short supply. The above restrictions are policy (i.e., locally enacted) as opposed to law. Both the policies and laws related to terrorism have added layers of bureaucracy to the provision of humanitarian assistance. It is possible to apply for and receive special licenses that allow such activities as the importation and distribution of basic medical supplies, for example. This, however, must be carefully monitored and requires additional staff time and energy to apply for and manage the exemptions.

Multiple aid agency interviewees mentioned the time and resources they devote to checking partner organizations and ensuring legal compliance. Even those agencies for which the GWOT did not have a significant impact indicated that donors have requested verification of partners to ensure they have no ties to terrorist organizations. In other cases, funding is contingent upon legal compliance. For example, the US Anti-Terrorism Certification (ATC) is one of the major laws affecting

humanitarian agencies in the oPt. It applies to all organizations with either a US base/headquarters or a US partner (e.g., NGO federations) as well as organizations that receive US funding. It requires all agencies and partners to sign a statement indicating they do not support or promote terrorism. It is law (under the US Patriot Act enacted into law after 11 September 2001), and therefore those not in compliance are subject to legal action. As a result, some agencies have sought and hired legal counsel which they have not had in the past.

The implications of these policies and laws are somewhat unclear, leaving agencies unsure about how to stay legal and worried about ramifications—both for local programming and the organizations' programs around the world—if they are found to be on the wrong side of the law. According to one interviewee, *"The problem is that we don't know what we have to do and they [donors] can't give us answers. The sands are constantly shifting and it isn't clear what we have to do."* The result of these restrictions is a more cautious, slow, and expensive humanitarian response.

### Partnership Issues

A number of interviewees mentioned two primary negative repercussions on partnership relationships of the various donor restrictions related to terrorism. First, the restrictions have *"shrunk the number of 'good' guys"* and there are fewer and fewer local partners for NGOs that do not directly implement their own relief and/or development programs. The complaint from NGOs was more about the lack of transparency and appeal to the vetting process, not the requirement itself. The pressure from donors has had an additional informal and indirect impact, in that agencies have likely been less willing to hire anyone with a suspected or perceived Hamas affiliation. Second, the restrictions have damaged the trust that many humanitarian agencies have built up with local partners and communities. This raises the specter of NGOs as implementers of foreign policy agendas, with corresponding security risks related to the rise of anti-western sentiment that is very much tied to the GWOT.

The consequences of these developments are two-fold. First, international NGOs have shifted, to varying degrees, to direct implementation as a result of donor restrictions because of the lacunae of other viable options. Many Palestinian organizations have refused to sign the ATC because they do not accept aid conditionality.<sup>20</sup> In addition, many Palestinian membership organizations are politically affiliated. The 1990s post-Oslo Accords period saw a sprouting of NGOs that responded more to donor priorities and lacked strong constituency support. The membership organizations may be excluded as viable

implementing partners because of their political affiliations and the latter are not necessarily appropriate partners for NGOs emphasizing a participatory approach to development. Second, there is potential to create a parallel service crisis, with detrimental impact on the ability of the PA to provide services to the Palestinian population if and when a Palestinian state is created. This raises a serious ethical and practical dilemma for NGOs: *“If we believe that development should take place within national structures and support local capacity then it is not possible to bypass national structures. We are not a parallel service.”*

Although this last issue is primarily a development as opposed to a humanitarian issue, it points to the difficulty of addressing the deteriorating humanitarian situation without a political settlement. Aid agencies, in providing humanitarian assistance, have been forced to move from a developmental, post-Oslo approach that assumed and required a more political and active engagement with government-as-service provider to providing these basic services in the absence of government resources. This topic is explored further in the next section.

### Coherence

The question of linkages between the humanitarian, political, and military strategies in the oPt is essentially at the core of the issue of coherence. The lack of a political settlement to the Israeli-Palestinian conflict in combination with current western foreign and Israeli military policies is exacerbating the humanitarian situation for Palestinians in the oPt. Indeed, as one interviewee stated, *“the humanitarian voice is the only voice, because politics doesn’t have a voice.”* In other words, in the absence of a political settlement to the conflict humanitarian action is the only possible response, yet it remains only a band-aid on an increasingly severe wound. In the oPt, the lines are especially blurred, in part because the conflict over time has morphed from a post-settlement (vs. “post-conflict”) to more of a hot war context. This makes it more difficult to distinguish humanitarian from developmental responses and humanitarian assistance from political considerations. Conceptually, therefore, coherence is a live issue.

Within the humanitarian community, the question of operational integration has not loomed large. In other words, it did not appear as a divisive or central issue in the oPt. Nevertheless, those agencies interviewed generally seemed to agree that coordination (vs. integration) exists within the humanitarian community to varying degrees depending on the issue. Focus group participants, on the other hand, indicated that they did not see linkages or connections when asked whether humanitarian actors appeared to work together. From the

**Another [interviewee] stated that humanitarian and development aid are “... a band-aid for violations of human rights. It must be frustrating to keep rebuilding a water system and supply only to have it destroyed. Impartiality and neutrality are equal to silence.”**

perspective of interviewees, two factors in particular have hindered a coordinated donor approach and coordination between humanitarian actors. Foreign policies and divergent perspectives on the Israeli-Palestinian conflict and possible resolution have resulted in the absence of a coordinated donor approach. The donor response to the election of Hamas is a case in point. Some donors have prohibited contact with all Hamas officials, while others (like the World Bank) have continued to engage with Hamas. Second, personalities have played a part in helping or hindering coordination among humanitarian actors, and the UN in particular. When individuals in key positions get along, information sharing, cooperation, and coordination inevitably improves, and this has been a factor in the oPt.

The coherence question in oPt has three separate features: the band-aid dilemma, coordination between military and civilian actors, and coordination among humanitarian actors.

### The Band-aid Dilemma

In the words of one interviewee, “Most agencies are not relief and development, they are more development. No one wants to do relief here, but the question is how to do development when Israel is destroying what is here. The Palestinians know that it is also the US that paid for the tanks that are destroying their villages.” Another stated that humanitarian and development aid are “... a band-aid for violations of human rights. It must be frustrating to keep rebuilding a water system and supply only to have it destroyed. Impartiality and neutrality are equal to silence.” Despite the indictment, this same person acknowledged that aid agencies raised the level of awareness about the Palestinian situation, which is important. Statements such as these offer glimpses into the ambiguities and difficulties of working in the oPt.

It is precisely these dilemmas that color the political-humanitarian relationship in the oPt: how to operate within the context of a long-term occupation and how to provide assistance in the absence of a political settlement to the conflict.<sup>21</sup> These dilemmas, furthermore, are embedded within the foreign policies of governments that have shaped the contours of these dilemmas in the first place. Humanitarian aid does not address the root causes of conflict, nor should it. However, in the vacuum of a political stalemate (both internally among Palestinians and between Palestinians and Israelis), humanitarian needs have not disappeared, and political considerations and humanitarian responses have worked at cross-purposes. In essence, politics has trumped the humanitarian response.



Many of the humanitarian actors interviewed for this research admitted a sense of discomfort (and some resignation) with the idea that their work indirectly or directly allowed Israel to shirk its responsibilities under international humanitarian law (IHL) to provide for the Palestinian population that lives under Israeli occupation.<sup>22</sup> As a result, the central humanitarian issues are access and protection. The band-aid critique is not new or unique to the oPt, nor is it likely to disappear without a comprehensive peace agreement. As one interviewee summed



West Bank barrier, in progress. Photo: Ramesh Prakashvelu

up the dilemma: *“Gaza is a different case. In the West Bank, Israel is legally responsible. The military occupation is cheap. There is no investment. Israel is not transferring taxes and it is not paying the salaries of the teachers. Aid agencies release the pressure cooker. The situation is better able to continue because of their work.”* The dilemma of how to respond to Israeli actions is particularly acute in the West Bank in relation to the barrier that Israel is building.

The International Court of Justice has ruled the wall is illegal,<sup>23</sup> and the Israeli Supreme Court has ruled against its route (but also in favor of its legality) in certain cases. While the barrier does

appear to have resulted in a decrease in the number of Palestinian suicide bombings in Israel, some critics quarrel with the *path* of the barrier, which juts into Palestinian territory according to the 1967 Green Line, as opposed to the existence of the barrier itself. OCHA has documented the degree to which the barrier has created enclaves in the West Bank, making movement and economic and social connections difficult between the north and the south West Bank, all with humanitarian consequences.<sup>24</sup> For humanitarian actors, the dilemma has been how to respond given this context. If Palestinians cannot reach a health clinic because the barrier blocks their access, should donors and humanitarian agencies support and build a new clinic to service the enclave? This is not only a humanitarian (and one could argue ethical) issue, but a legal one for parties to the Geneva Conventions since certain actions could be construed as supporting an illegal action. In fact, the ICJ advisory opinion stated: “All states are under an obligation not to recognize the illegal situation resulting from

the construction of the wall and not to render aid or assistance in maintaining the situation created by such construction.”<sup>25</sup> How to respond in the face of these legal and operational challenges has divided donors and the humanitarian community.

### Coordination Between Military and Civilian Actors

According to multiple interviewees, effective humanitarian action is much more difficult, if not impossible, without some degree of coordination with the IDF. Agencies that choose, for ideological or other reasons, not to communicate or in any way associate with the IDF face significant challenges in carrying out their work. All those wishing to enter Gaza, for example, require IDF permission, and humanitarian agencies, diplomats, and UN staff are not exempt. Aid workers told numerous stories of the IDF denying permits for Gaza, or in other cases, of individuals who arrived at the Erez checkpoint with permission, only to be denied entry. As one NGO interviewee pointed out, *“Having access to the District Coordination Office also gives us an opportunity to make the occupying power aware of its responsibilities under IHL.”*

Different agencies have adopted various strategies for how and to what extent they coordinate with Israeli authorities and the IDF. One interviewee distinguished between three levels of contact, from soldiers at checkpoints to government officials. Most agencies have some kind of regular, even daily, contact with the IDF about checkpoints, closures, and other movement restrictions that affect program operations (see further discussion under “Security” below). Furthermore, for expatriates working in Israel, a permit is necessary from the Ministry of the Interior, requiring coordination between agencies and officials at another level. And finally, some agencies maintain contacts with other senior Israeli officials so they know what the agencies are doing and why and where they operate, with the assumption that these contacts facilitate everything from visa processing to how staff are treated at checkpoints.

### Coordination Among Humanitarian Actors

Among UN agencies, the activities and budget of UNRWA, as the largest, most established agency, dwarf those of other UN actors. It is responsible only for the refugee population in the oPt, and provides services like schools and clinics for refugees in the West Bank and Gaza. Others living in the oPt do not have the same access to its services.<sup>26</sup> Several interviewees, within and outside the UN, suggested that the mandate of UNSCO—the more explicitly political arm of the UN—is unclear and has changed over time, leading to some confusion as to its role and functions in the oPt. UNSCO’s humanitarian

coordinator reports directly to the Under-Secretary General for Humanitarian Affairs and Emergency Relief Coordinator, also the Head of OCHA. OCHA has been operating in the oPt since the beginning of the 2<sup>nd</sup> *Intifada* (2000). It has a public advocacy and information-sharing mandate in addition to managing the CAP process for the oPt. One UN official suggested that OCHA's information and advocacy activities are stronger and more prevalent in the oPt than in other places. OCHA is also well-known for its maps and documentation, providing regularly updated maps of access and closures in the oPt. NGO interviewees indicated they were grateful for OCHA's work and the openness with which it shares information. Other UN agencies operating in the oPt include OHCHR, WFP, WHO, FAO, UNICEF, UNFPA, and UNIFEM. These agencies issued a joint statement in early August 2006 highlighting the deteriorating humanitarian situation in Gaza.<sup>27</sup>

The two primary areas of coordination among humanitarian actors have been in the realms of security and advocacy statements. Informal and unofficial networking among those working in the security realm facilitates information sharing, as do more formal mechanisms such as electronic listservs that summarize security threats and incidents. NGOs have also issued joint statements on the humanitarian situation in the oPt through the Association of International Development Agencies (AIDA). Although not all humanitarian actors participate in AIDA, it is a diverse consortium of international agencies that provide humanitarian assistance in the oPt.<sup>28</sup> AIDA has been in existence for 30 years, and has information sharing, advocacy, policy analysis, and security functions. Through its advocacy sub-committee, it has issued a number of joint press releases. For example, a mid-February 2006 statement called for continued aid to the Palestinian people after the election of Hamas, and a 27 July 2006 statement highlighted the continued deterioration of the humanitarian situation in Gaza and called for a cease-fire in Lebanon, full humanitarian access to Gaza, and the protection of civilians in Gaza.<sup>29</sup> Similarly, UN agencies and NGOs issued a press release on 18 May 2006 protesting the closure of the Erez crossing into Gaza on 11 May for all internationals except those with diplomatic passports.<sup>30</sup> Although some have criticized these statements for being "watered down" and not strong enough, they represent an important move forward in terms of joint work and statements and reflect the stronger advocacy stance of many organizations in the oPt.

## Security

Although security concerns in the oPt do not dominate life for aid workers to the same extent as they do in places like Afghanistan,

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security has become a more pressing issue since mid-2005. Security threats for aid workers range from harassment at Israeli military checkpoints to kidnappings to being “caught in the wrong place at the wrong time.” It is possible to categorize the security threats for humanitarian workers in the oPt—both Palestinians and foreigners—into two types: institutionalized movement restrictions and unpredictable violence. The latter includes Israeli military action in the oPt, fighting between or among Palestinian factions, and the rise in anti-western sentiment.

### Institutionalized Movement Restrictions

Of these two types of threats, movement restrictions, while predictable, seem to be the most common and disruptive for assistance agencies. They tend to be either “administrative” or related to freedom of movement within the oPt or between the oPt and Israel. The administrative movement restrictions are not directly related to physical safety and security concerns, but significantly impact the ability of agencies to carry out their programming. They affect foreigners attempting to secure visas or work permits for Israel as well as Palestinian and Israeli staff in different ways.

Multiple interviewees cited increasing instances of Israeli denials of visa requests for staff of civil society organizations, detention and even deportation upon arrival or re-entry, or instances where Israeli authorities confiscated materials or computers at Ben Gurion airport, all for “security reasons.” Even those with Israeli work permits may need to exit and re-enter Israel to renew their visas (as often as every three months), and may not be allowed to re-enter. For some organizations, it has become difficult to hire and/or retain international staff, especially those with passports from Muslim countries or countries that do not recognize Israel.

For Israeli and Palestinian staff, the administrative movement restrictions are primarily related to work permits for Palestinian staff members, especially for those living in the West Bank<sup>31</sup> and working in Jerusalem, and the inability of Israeli staff to travel to Palestinian-controlled areas of the West Bank and all of Gaza. In addition, closures (i.e., no Palestinians are allowed to enter Israel) disrupt work schedules and the various flying and permanent checkpoints within Israel and the oPt make travel delays common. As a result of these difficulties, most organizations maintain multiple offices—in Jerusalem, Gaza (if they have programs there), and one or more cities in the West Bank, particularly if they work in both the north (e.g., Nablus) and south (e.g., Hebron).<sup>32</sup> Attacks on UNRWA ambulances and arrest and detention of UN employees (particularly UNRWA employees) have received repeated



mention in the annual reports on safety and security for UN and humanitarian personnel (e.g., A/57/300 and A/58/344).

The ramifications of these movement restrictions on agency programming are numerous. International staff are often the only staff who are able to travel to all program sites (e.g., between Jerusalem and the West Bank and/or Gaza), meaning many Palestinian and/or Israeli staff members from the same organization have never met their colleagues in another office location. In some cases, like Jenin or Gaza, it is even difficult for international staff to visit because of Israeli military closures or operations and/or fighting between Palestinian factions. Teamwork and a common sense of mission and collegiality sometimes have suffered as a result, and logistical tasks like delivering paycheques have become a significant challenge.

In this context even where to live has become an issue. Most aid workers live and work in Israel (primarily Jerusalem) or they live and work in the oPt. For some organizations, it is mandatory as part of the agency's security management policies and procedures to live in Israel. These security strategies, while necessary, can also pose unintended hardships for employees, especially foreigners or Israelis married to Palestinians. For example, those staff who are married to a West Bank resident without a permit for Israel would have to live in the West Bank and cross over into Jerusalem for work, or they would have to live apart from their spouse and family. In some cases, these individuals face a risk of losing their benefits because they are not complying with the security regulations for the agency. They are thus faced with a difficult choice, which adds to the stress of the job and daily life. In the case of the UN, the issue is a legal one since Israel has signed and ratified the UN Convention on Privileges and Immunities, which states that UN officials are "immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration" (Section 18d). For UN officials in this situation, the issue is compounded since it involves having Israel comply with the Convention.

In addition to these more administrative movement restrictions, those interviewed indicated that Israeli military closures and checkpoints limit the physical freedom of movement for aid agencies. To deal with this security issue, most agencies have established and maintain contacts with the Israeli military. Indeed, as one interviewee stated, "*It is impossible to work and be effective in the Palestinian Territory without relations with the occupying power.*" This relationship ranges from submitting requests to Israeli military authorities to enter Gaza, to maintaining extensive contacts with Israeli authorities to facilitate

administrative matters (e.g., visas) and with the IDF to facilitate movement in the oPt (see discussion of this topic under “Coherence” petal above). Despite these contacts, agencies reported they experience delays, harassment, and detention, especially for Palestinian national staff, at checkpoints. They also experience searches of vehicles and individuals and even shooting at clearly marked vehicles by the Israeli military or the settlers in the oPt.<sup>33</sup>

### Unpredictable Violence

Despite the challenges of movement restrictions, many cited the rise in unpredictable violence as the more significant threat to safety and security for aid agencies. Interviewees generally agreed that the security situation has been deteriorating. In August 2006, the UN was at Security Phase IV for Gaza, Phase III for the West Bank, and Phase II for Israel and greater Jerusalem (although this was higher (Phase III) for the north of the country during the war in Lebanon).<sup>34</sup> Most agencies have evacuated staff at one point or another from Gaza or specific West Bank locations and/or closed some of their field offices (e.g., Gaza, Ramallah, Jenin, Nablus). The unpredictable violence stems from several sources: Israeli military action, clashes between Palestinian factions, and the rise in anti-western sentiment.

Even though most agencies maintain a degree of contact with the IDF through the various DCOs,<sup>35</sup> the IDF does not inform aid agencies in advance of its military operations. Instead, agencies use IDF contacts in the hopes of preventing attacks while the agency is in the area or to help avoid Israeli military actions once they have begun. One interviewee told a story of being caught up in heavy Israeli shelling in Gaza and phoning the IDF to get alternative safe routes to the Erez crossing. Others explained they inform the IDF of planned visits to program sites and of the locations of their offices in the oPt in an effort to prevent attacks and avoid being caught in the wrong place at the wrong time. Both of these require regular liaison with the Israeli military authorities. Nevertheless, this type of contact does little to protect Palestinian national staff living in the oPt from the unpredictability of IDF military operations.<sup>36</sup>

Fighting between Palestinian factions has been a significant source of security incidents, particularly in Gaza. Small arms and light weapons are visible and pervasive all over the oPt and it is impossible to predict when and where gun battles might erupt between competing factions. In some cases, fighting takes place between competing security forces allied with different political factions (e.g., the Preventive Security forces, allied with Fatah; the Hamas-linked security forces; and the Presidential Guard, loyal to President Mahmoud Abbas, also known as

Abu Mazen). In other cases, fighting might be related to family feuds that escalate into violence in the streets. Interviewees tended to speak of the dangers of “being caught in the wrong place at the wrong time” and the unpredictability of internal fissures erupting when referring to this type of security threat. Recognizing that Palestinians are much more attuned to these dynamics and tensions, NGOs tend to hire national staff in security management positions, whereas the UN employs both national and international staff in these positions.

Strikes and demonstrations related to the non-payment of government salaries in the summer and fall of 2006 were exacerbating an already precarious security situation. One interviewee proposed the overall deterioration in security was “*primarily a result of the lack of salaries*” while another pointed out that the strikes and demonstrations reflected the political tension between Palestinians as Hamas detractors encouraged strikes to destabilize the Hamas-led government. The violence in Gaza in particular has been escalating, with mounting death tolls from Palestinian-on-Palestinian violence and Israeli incursions. The desperate economic situation in Gaza and to a lesser extent in the West Bank together with the political stalemate that exists have created a tinderbox. With the absence of a functioning and effective system of law and order, intra-Palestinian tensions made hiring and procurement significant security management issues as well. Nevertheless, one interviewee suggested that Palestinians are not necessarily targeting foreigners in order to get them to leave. Instead they are venting anger and frustration at their situation.

In some cases, though, violence against western targets is purposeful and directly tied to global events and the foreign policies of western governments. According to one interviewee, “*There is a direct equation between the foreign policy level and what happens to the nationals of a particular country.*” In the past year, three events have triggered violence directed at foreigners, including aid agency personnel and assets: the Danish cartoon incident (September 2005–February 2006), the Jericho Prison raid (March 2006), and the war in Lebanon (July/August 2006). In mid-September 2006, Pope Benedict’s quote of a 14<sup>th</sup> century Christian emperor sparked a furor in the Muslim world and resulted in attacks on at least six churches in the West Bank and Gaza (see, e.g., Fisher 2006) and heightened security precautions for agencies operating there.

The publication of cartoons of the Prophet Mohammed in September 2005 led to repercussions in the Muslim world for months afterward. In late January and February 2006, demonstrators and gunmen issued a series of threats against and carried out attacks on EU and

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Scandinavian targets, primarily in Gaza, to protest the cartoons and demand an apology. Many agencies withdrew entirely while some evacuated only non-essential staff from Gaza. The Jericho Prison raid a few weeks later (March) provoked a rash of kidnappings of foreigners, including aid agency personnel.<sup>37</sup> News agencies reported at least 11 foreigners were kidnapped across the oPt after the Israeli raid on the Jericho prison. At least 3 of these foreigners were staff of humanitarian agencies.

The increase in kidnapping of foreigners in Gaza over the last year deserves special mention, since these incidents seem to have two very different causes: kidnapping by Palestinian militants or families as a negotiation tool or kidnappings in reaction to political events. More than two dozen foreigners have been kidnapped in Gaza since late July 2005, many of whom were employees of humanitarian agencies.<sup>38</sup> The demands of those holding the foreigners have ranged from requests for jobs to the release of Muslim prisoners in the United States or an apology for insulting images of Islam. All those kidnapped have been released unharmed, with many treated well during their time in captivity and with the majority freed in the first 48 hours. Although the Fox News reporter Steve Centanni and cameraman Olaf Wiig were eventually released two weeks after their abduction in mid-August 2006 outside the Palestinian security offices in Gaza, many expressed puzzlement and concern about the silence of the kidnappers up to that point and what this meant.<sup>39</sup> Rumours were abundant about the motivations and identity of the kidnappers. These ranged from conspiracy theories about the Israelis being responsible (*“they don’t want internationals to see what is happening in Gaza”*) to a targeted attack against Fox News and its political perspective. The threat of kidnappings, regardless of the motivation, has caused most agencies to pull their expatriate staff from Gaza. Those who have remained had to comply with strict security policies and procedures. Although some of the early kidnappings were copycat and random, according to one interviewee, leading up to the elections in January 2006, *“they were more about preventing or postponing the elections. There does seem to be a growth in smaller groups operating in Gaza.”* This is a source of concern related to security. The effects of these and the other kidnappings for agencies have been to severely limit movement for those working in Gaza, especially expatriates. UN employees in Gaza, which is at Security Phase IV, must travel with an armed escort outside of a particular area and live under curfew. Since there are so few expatriates who remained in Gaza, the effect of the kidnappings on programming is less than the overall impact of generalized insecurity in Gaza.

The war in Lebanon in the summer of 2006 only served to further heighten anti-western sentiment in the oPt. During my research, interviewees reported a number of security incidents related to the war in Lebanon. In several instances, groups of demonstrators attacked UN (UNSCO—the political arm of the UN) and NGO offices in Gaza over the failure to protect Lebanese civilians, particularly children. In other instances, agencies reported rocks thrown at their vehicles in the West Bank; this type of violence and antagonism directed at aid agencies is relatively unusual. One interviewee saw graffiti in Hebron in English and Arabic reading “US, Israel, UN = one army,” a sign of the increasing frustration with the UN and the US and their support of/slant towards Israel.<sup>40</sup> In other words, the war in Lebanon was a direct security threat for agencies operating in the oPt.

Despite the reactions to the war in Lebanon, the long-term involvement and positive views of aid agencies described above (under “Hidden Agendas”) appear to have offered protection from the varied security threats in the oPt. Interviewees pointed out that it is possible to manage most threats and many spoke either explicitly or implicitly of using an acceptance strategy (van Brabant 2000) to do so. Public education is a key element in this strategy. One agency reported that after an incident of stone-throwing by children, it sent a communication officer to make presentations in the schools about its work and the incidents stopped. Sometimes this public education takes place more informally, with local staff members explaining to neighbours, friends, and relatives the roles, policies of, and constraints facing agencies, or with community members confronting protesters to explain what an organization is actually doing and reassuring the agency that “not everyone thinks that way.” Similarly, having relationships with DCOs and the IDF makes it possible to report harassment incidents in an effort to prevent or minimize future incidents. Some agencies purposely cultivate connections to faction leaders “in case of emergency” like a kidnapping, since such connections are likely to prove crucial in securing the safe and timely release of those kidnapped. Admittedly, several factors such as geography and a smaller population make it easier to pursue these types of strategies than in other contexts.

In commenting on the generally positive reputation of the UN, interviewees commented that Palestinians have generally separated the *political* arm of the UN from the *humanitarian* agencies, just as they distinguish the policies of western governments from the beliefs and opinions of citizens of these same countries. These distinctions, however, are beginning to disappear as Palestinian anger and frustration grows. In terms of security, this is a particularly worrying



**While the prevailing situation does not challenge impartiality, it highlights the limits of neutrality and the necessity of independence in humanitarian action, especially in the context of a long-term occupation. The political sensitivity of the Israeli-Palestinian conflict around the world (regardless of which side one favors) and the political and military power imbalances between these two sides both present serious ethical and logistical dilemmas to maintaining neutrality.**

development. In some ways it is surprising that agencies operate without more incidents than they do, given the rising desperation of Palestinians as the economy collapses. In the words of one interviewee, *“The Palestinian ability to cope and not be violent [toward foreigners] is incredible.”*

Many of these same safety and security issues are of prime concern for Palestinians. When asked the question “do you feel safe in your community,” Palestinians immediately and emphatically said no. In the West Bank, they launched into descriptions about how checkpoints and closures made movement and normal everyday life difficult, the humiliation and harassment they suffered in applying for permits and at the various temporary and permanent checkpoints, their fear of night-time raids by Israeli troops to arrest and detain suspected militants, the availability of weapons, and the lack of law and order. In Gaza, Palestinians also spoke of the slow and steady choking of their economy and their ability to cope, and of the debilitating psychological and physical effects of the constant buzz of drones (unmanned surveillance planes), airstrikes, flyovers, and sonic booms in the middle of the night. Their complaints were directed solely at Israelis, with no acknowledgement of the negative impacts of fighting between factions on their perception of safety and security.<sup>41</sup> They also were quick to say that kidnappings and ill-treatment of foreigners is contrary to their culture and to express their displeasure at these occurrences. Nevertheless, they pointed to the policies of Western governments, particularly the United States, as a source of frustration and resentment due to the perception of favoritism toward Israel, the outgrowth of which is violence directed at westerners.

## Conclusions and Recommendations

The oPt case study raises a number of issues and cross-cutting linkages between the four “petals.” Chief among these are the implications of providing humanitarian assistance in a long-term protracted conflict (over 50 years) and the negative ramifications of the current configuration of counter-terrorism measures on security for humanitarian actors. As with the other six Phase I HA2015 case studies, the oPt case demonstrates that humanitarian action is in danger of being mixed in with a more political agenda, with disturbing implications for the security of humanitarian personnel.

First, there is no coherence between the humanitarian and political strategies in the oPt. In fact, they are not simply “discordant,” as in the Northern Uganda case, but the various strategies are in fact working to cross-purposes. The lack of a comprehensive and lasting political settlement over the past decades and the escalation and cyclical nature of the hostility and violence have created more need for a humanitarian

response. Yet this same response is ineffective against the broader systemic issues of the conflict, raising questions about the extent to which a humanitarian response has facilitated the occupation by not allowing the situation to get “bad enough” to force a political settlement. It also raises questions about the ability of the



Jerusalem. Photo: Larissa Fast

humanitarian enterprise to respond to asymmetric conflicts, an important theme that also surfaced in the other HA2015 case studies. The suffering among the Palestinian population is acute, and humanitarian assistance is meant to assuage suffering even as it cannot (and should not) address the root causes of the conflict. The overwhelming need of the Palestinian population, in contrast to the Israeli population, makes it easier to be impartial in providing assistance. The issue is not proportionality, since the oPt attracts a healthy share of funding due to its geographic, political and even religious importance in the global context. Instead, the question is whether at some point (i.e., after 50 years) a non-political humanitarian response should give way to more political engagement.

The above discussion suggests that while the prevailing situation does not challenge impartiality, it highlights the limits of neutrality and the necessity of independence in humanitarian action, especially in the context of a long-term occupation. The political sensitivity of the Israeli-Palestinian conflict around the world (regardless of which side one favors) and the political and military power imbalances between these two sides both present serious ethical and logistical dilemmas to maintaining neutrality. The Palestinian population is politically savvy, and up to now has been able to separate the policies of governments from institutions or individuals under that government (i.e., American or European government policy from American or European agencies or nationals). It is this perceived independence that is under grave threat. Frustration is growing with a continued political stalemate and Palestinians are linking independent humanitarian action with political agendas.

For these reasons, some agencies have chosen to adopt advocacy statements on particular issues that call for the respect of international law and for freedom of humanitarian access. These individual and collective statements highlight the larger structural issues. Several interviewees suggested that the way to be neutral in this conflict is to uphold international law consistently. International law, for the most part, favors the Palestinian case yet it also requires the condemnation of suicide bombings targeting civilians and the launching of Qassam rockets from Gaza into Israel. This type of advocacy could address issues of neutrality and independence; neutrality because it deals with both sides (Israeli and Palestinian infractions) and independence because governments and the UN are often unwilling to publicly condemn these actions, or are handicapped in publicly doing so.

Second, similar to an observation in an earlier FIC study in relation to NGOs working in Afghanistan that “NGOs are no longer automatically and uncritically accepted as they were during the *mujahedin* and Taliban years” (Donini et al. 2005, 15), aid agencies in the oPt face a similar dilemma as tensions grow in response to the GWOT and as Palestinian frustration with continued occupation escalates. These factors have direct ramifications on security. Counter-terrorism measures are actually making Palestinians and aid agencies and their personnel less secure, although with differing degrees and types of vulnerability. This mirrors the preliminary conclusions of the Phase 1 HA2015 case studies. In general, national staff are more at risk from unpredictable violence and movement restrictions specific to the oPt context, whereas international staff face more risk from unpredictable violence related to global events and the context of the GWOT. This means that national staff are vulnerable to steady and prolonged risk and internationals to largely unpredictable spikes in violence. Furthermore, the lack of a political settlement and western governments’ responses to the Palestinian elections are creating hardships and therefore resentment against those affiliated with the west. The western pressure on Hamas to commit to nonviolence, recognize Israel’s right to exist, and accept previous agreements runs the risk of backfiring by inadvertently legitimizing even more radical and violent elements if Hamas fails to break the sanctions with negotiations. As agencies are forced to comply with counter-terrorism measures to ensure their own funding, they run the risk of being perceived as supporting or implementing the foreign policies of western governments. This, in turn, makes them less secure. In other words, the foreign policies of western governments are negatively impacting the standing of the humanitarian and development communities, with disturbing ramifications for their physical safety and security. Multiple interviewees acknowledged the sophistication of the Palestinian

population in terms of political knowledge and analysis. Up to now this has benefited humanitarian actors. It is unclear whether the recent war in Lebanon and western foreign policies will have lasting negative implications for aid agencies operating in the oPt.

These conclusions result in **three recommendations**.

**First**, the human rights, humanitarian, and development communities should meet to discuss the legal, operational, and conceptual (i.e., humanitarian principles) implications of providing assistance in the context of a long-term occupation. This discussion should address the costs and benefits of neutrality and solidarity 50+-years on and ways of addressing asymmetric conflicts in particular.

**Second**, agencies that choose an advocacy approach should clearly outline and ground their advocacy in terms of international law and humanitarian principles (including protection) and address Israeli and Palestinian infractions in an equal manner.

**Finally**, donors should carefully separate the political from the humanitarian agenda. In particular, governments and donors choosing to employ sanctions against the Hamas-led PA should implement a form of “smart sanctions” (Cortright and Lopez 2000) that target Hamas as a military or terrorist threat, not as a government responsible for providing services in order to minimize the negative implications of conditionality on the Palestinian population.

## List of Acronyms

AIDA—Association of International Development Agencies  
ATC—Anti-Terrorism Certification  
CAP—UN Consolidated Appeals Process  
DCO—District Coordination Office (Israel)  
FAO—United Nations Food and Agriculture Organization  
FIC—Feinstein International Center  
GWOT—“Global War on Terror”  
ICRC—International Committee of the Red Cross  
IDF—Israel Defense Forces  
IHL—International Humanitarian Law  
IO—International Organization  
NGO—Non-Governmental Organization  
OCHA—United Nations Office for the Coordination of Humanitarian Affairs  
OHCHR—United Nations Office for the High Commissioner on Human Rights  
oPt—occupied Palestinian territory  
PA—Palestinian Authority  
PFLP—Popular Front for the Liberation of Palestine  
PLO—Palestine Liberation Organization (coalition of political parties and negotiating partner for the Israelis in the Oslo Peace Accords process)  
UNDP—United Nations Development Program  
UNFPA—United Nations Fund for Population Assistance  
UNICEF—United Nations Children’s Fund  
UNIFEM—United Nations Development Fund for Women  
UNRWA—United Nations Relief and Works Agency for Palestinian Refugees  
UNSCO—Office of the United Nations Special Coordinator for the Middle East Peace Process  
WFP—World Food Programme  
WHO—World Health Organization



## Works Cited

- BBC News. 2006. Hamas: No recognition of Israel. *BBC News*, 14 November. Available from [http://news.bbc.co.uk/1/hi/world/middle\\_east/6146968.stm](http://news.bbc.co.uk/1/hi/world/middle_east/6146968.stm).
- Cortright, David, and George A. Lopez. 2000. *The sanctions decade: Assessing UN strategies in the 1990s*. Boulder, CO: Lynne Rienner.
- Donini, Antonio, Larry Minear, Sippi Azarbaijani-Moghaddam, Greg Hansen, Tasneem Mowjee, Karina Purushotma, Ian Smillie, Elizabeth Stites, and Xavier Zeebroek. 2006. *Humanitarian agenda 2015: Principles, power, and perceptions (A preliminary report)*. Medford, MA: Feinstein International Center, Tufts University. Available from <http://fic.tufts.edu/downloads/HA2015PreliminaryReport.pdf>.
- Donini, Antonio, Larry Minear, Ian Smillie, Ted van Baarda, and Anthony C. Welch. 2005. *Mapping the security environment: Understanding the perceptions of local communities, peace support operations, and assistance agencies*. Medford, MA: Feinstein International Famine Center, Tufts University. Available from [http://fic.tufts.edu/downloads/mapping\\_security.pdf](http://fic.tufts.edu/downloads/mapping_security.pdf).
- Fisher, Ian. 2006. In a rare step, Pope expresses personal regret. *The New York Times*, 18 September.
- Friedrich, Roland, Arnold Luethold, and Luigi De Martino. 2006. Government change and security sector governance: Palestinian public perceptions (Summary Report). Geneva: Palestine Research Unit, Graduate Institute for Development Studies. Available from [http://www.unige.ch/iued/new/palestine/pdf/SSG\\_PPP.pdf](http://www.unige.ch/iued/new/palestine/pdf/SSG_PPP.pdf).
- Harroff-Tavel, Marion. 2003. Does it still make sense to be neutral? *Humanitarian Exchange*, December, 2-4.
- Hoge, Warren. 2006. U.S. vetoes Security Council Resolution assailing Israel for attacks. *The New York Times*, Sunday 12 November.
- Mark, Clyde R. 2005. CRS issue brief for Congress—Israel: U.S. foreign assistance. Washington, DC: Congressional Research Service. Available from <http://fpc.state.gov/documents/organization/47088.pdf>.
- Morris, Tim. 2006. Just a wall? *Forced Migration Review: Palestinian displacement: A case apart?*, 26 (August):30. Available from <http://www.fmreview.org/FMRpdfs/FMR26/FMR26full.pdf>.
- Rabah, Jamil, Frédéric Lapeyre, Jalal Al Hussein, Isabelle Daneels, Matthias Brunner, and Riccardo Bocco. 2005. Palestinian public perceptions: Report VIII—June 2005 (Executive Summary). Geneva: Palestine Research Unit, Graduate Institute for Development Studies. Available from [http://www.unige.ch/iued/new/information/publications/pdf/ReportVIII\\_ES-EN.pdf](http://www.unige.ch/iued/new/information/publications/pdf/ReportVIII_ES-EN.pdf).
- Scobbie, Iain. 2006. Is Gaza still occupied territory? *Forced Migration Review: Palestinian displacement: A case apart?*, 26 (August):18. Available from <http://www.fmreview.org/FMRpdfs/FMR26/FMR26full.pdf>.
- Shearer, David. 2004. The humanitarian crisis in the occupied Palestinian territory: An overview. *Humanitarian Exchange*, November, 2-4.
- . 2006. Territorial fragmentation of the West Bank. *Forced Migration Review: Palestinian displacement: A case apart?*, 26 (August):22-23. Available from <http://www.fmreview.org/FMRpdfs/FMR26/FMR26full.pdf>.
- Slim, Hugo. 1997. Relief agencies and moral standing in war: Principles of humanity, neutrality, impartiality and solidarity. *Development in Practice* 7 (4 (November)):342-352.
- UNSECOORD. 1998. *Security in the field: Information for staff members of the United Nations system*. New York: United Nations.
- Van Brabant, Koenraad. 2000. *Operational security management in violent environments*. Good Practice Review #8. London, UK: Humanitarian Practice Network.

## Endnotes

<sup>1</sup> The research coincided with the last several weeks of the war in Lebanon and the shelling in Northern Israel, as well as renewed and regular Israeli incursions into Gaza. The war in Lebanon colored all of the conversations and field visits.

<sup>2</sup> Statistics are from the UNRWA web site, Publications and Statistics:

<http://www.un.org/unrwa/publications/index.html>.

<sup>3</sup> Jordan relinquished its claim to the West Bank and East Jerusalem in the context of the first Palestinian *Intifada*.

<sup>4</sup> Figures include deaths inside Israel and in the oPt as well as civilians and security forces personnel from 29 September 2000 to 31 October 2006. See <http://www.btselem.org/English/Statistics/Casualties.asp>.

<sup>5</sup> OCHA has extensively documented movement and access restrictions, closures, and the barrier route on its website, <http://www.ochaopt.org>.

<sup>6</sup> The “Quartet” refers to the US, EU, Russia, and the UN.

<sup>7</sup> For more on the human rights and humanitarian implications, see A/HRC/2/5, 5 September 2006, “Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967,” especially Section XIII “The humanitarian crisis and funding of the Palestinian Authority” (available from <http://daccessdds.un.org/doc/UNDOC/GEN/G06/138/12/PDF/G0613812.pdf?OpenElement>); and Jeremy Sharp, “U.S. aid to the Palestinians: CRS report for Congress.” 2 February 2006/RS22370. Available from <http://fpc.state.gov/documents/organization/60396.pdf>.

<sup>8</sup> See [http://www.btselem.org/Download/200609\\_Act\\_of\\_Vengeance\\_Eng.doc](http://www.btselem.org/Download/200609_Act_of_Vengeance_Eng.doc) for the full report.

<sup>9</sup> OCHA reported in its September 2006 *Humanitarian Monitor* that 90% of West Bank teachers were on strike while Gaza teachers were on strike from 2 September to 9 September. PA Ministry of Health hospital and clinic staff were on strike in the West Bank and for shorter periods in Gaza. The PA was able to provide a partial payment of salaries to PA employees, worth approximately US\$33. (Report available from [http://www.ochaopt.org/documents/oPt\\_Humanitarian\\_Monitor\\_September06.pdf](http://www.ochaopt.org/documents/oPt_Humanitarian_Monitor_September06.pdf).) These strikes continued throughout October as well.

<sup>10</sup> News sources included the New York Times (“Israeli shelling kills 18 Gazans; Anger boils up” 9 November 2006), CBC News (“ Hamas militants call for revenge after 18 Palestinians killed” 8 November 2006), UN News Service (“UN officials voice ‘shock and dismay’ at deadly Israeli shelling of Gaza civilians” 8 November 06) and Reuters (“Palestinian PM Haniyeh says he may step aside” 10 November 2006; “UN sets quick vote on text condemning Gaza attack” 10 November 2006). The resolution came up for a vote on Saturday 11 November, but the US vetoed the resolution, calling it biased against Israel. Four other Security Council members (Britain, Denmark, Japan, and Slovakia) abstained (Hoge 2006).

<sup>11</sup> The humanitarian principle of impartiality specifies providing aid without discrimination and only on the basis of need. The humanitarian principle of neutrality stipulates not taking sides in a conflict. While most humanitarian agencies operate on the basis of impartiality, more division exists on the issue of neutrality and many have rejected it as a core principle. For more, see Slim (1997), Harroff-Tavel (2003), and the December 2003 issue of *Humanitarian Exchange*.

<sup>12</sup> According to the Congressional Research Service, annual US aid to Israel since 1985 has been approximately 3 billion per year. Israel is the largest annual and cumulative recipient of US foreign aid since World War II (Mark 2005).

<sup>13</sup> Palestinian perceptions of assistance (i.e., employment and food aid), including the discrepancy between those who get assistance and those who need assistance, are extensively documented in the Palestine Living Conditions Surveys (from 2001 on) conducted by the Palestine Research Unit at the Graduate Institute of Development Studies at the University of Geneva. The latest report (Rabah et al. 2005) covers the period between February and October 2004.

<sup>14</sup> The focus of this research was on the humanitarian challenges in the Palestinian territory. As a result, I did not speak to many Israelis. The handful of Israelis with whom I spoke and the foreigners whom I interviewed generally agreed on this assessment of Israeli perceptions of humanitarian agencies.

<sup>15</sup> This is consistent with the humanitarian principle of impartiality, which specifies providing aid on the basis of need. Many Israeli Arabs live in the north of Israel, an area repeatedly hit by Hezbollah rockets during the latest war between Israel and Hezbollah. Israeli Arabs are socially and economically disadvantaged, and an argument could be made that they were deserving of humanitarian assistance on that basis. To my knowledge, no humanitarian groups provided assistance to those within Israel during the summer war, in part because the needs in the oPt exceeded those in the north and because Israel is better equipped to respond to humanitarian needs within its borders.

<sup>16</sup> See for example, <http://www.ngo-monitor.org/>, which reports on NGO activities related to the Arab-Israeli conflict, especially those deemed to support an anti-Israeli or anti-Semitic agenda.

<sup>17</sup> Time in Gaza did not permit any focus group discussions in which I could have asked more about the Hamas social safety net and its importance for Palestinians as a source of assistance. Furthermore, the focus group discussions took place in Bethlehem, a largely Christian area, where Hamas support would be less than in other areas of the West Bank or Gaza. As a result, it did not surface in conversations. This is an important area for further study.

<sup>18</sup> See UN Report No. 21, Implementation of the Agreement on Movement and Access (AMA), 23 August–5 September 2006. Available at <http://www.ochaopt.org/documents/Movement%20and%20Access%20AMA%20Report%20No.21.pdf>.

<sup>19</sup> See OCHA oPt's website (<http://www.ochaopt.org>) for more reports, maps, and information.

<sup>20</sup> The Palestinian NGO Network (PNGO) directly addressed this issue and expressed its discontent with the anti-terror certification in a July 2003 statement entitled "The Palestinian Non-Governmental Organizations call for the halting of conditional support." One of its concerns relates to a lack of clarity regarding the definition of a terrorist act. The statement is available from <http://www.pngo.net/pngo.htm>.

<sup>21</sup> The November 2004 issue of *Humanitarian Exchange* focused on aid to the oPt and explored many of these same issues. See especially the articles in that issue by Bruderlein, Dunn, Hanafi and Taber, Lavine, Le More, and Schorno.

<sup>22</sup> With the unilateral Israeli pullout from Gaza in the fall of 2005, the situation in Gaza is more complicated. Although the Israeli government sees its occupation as over, legal experts contend that since Israel controls the land checkpoints that allow goods and people in and out of Gaza, as well as the air and sea ports, it exercises "effective control" over Gaza. Thus, it is still occupied territory. See Scobbie (2006).

<sup>23</sup> For the ICJ Press Release and text of the advisory opinion, see [http://www.icj-cij.org/icjwww/ipresscom/ipress2004/ipresscom2004-28\\_mwp\\_20040709.htm](http://www.icj-cij.org/icjwww/ipresscom/ipress2004/ipresscom2004-28_mwp_20040709.htm).

<sup>24</sup> For more on the West Bank Barrier and the territorial fragmentation of the West Bank, see <http://www.ochaopt.org/>, Shearer (2006) and Morris (2006).

<sup>25</sup> ICJ Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, 9 July 2004. Available from [http://www.icj-cij.org/icjwww/ipresscom/ipress2004/ipresscom2004-28\\_mwp\\_20040709.htm](http://www.icj-cij.org/icjwww/ipresscom/ipress2004/ipresscom2004-28_mwp_20040709.htm).

<sup>26</sup> While outside UNRWA's mandate, it has provided some assistance to non-refugees during the 2<sup>nd</sup> Intifada.

<sup>27</sup> The full text of the statement is available at

<http://www.ochaopt.org/documents/JointstatementAug06-eng.pdf>.

<sup>28</sup> AIDA's website is <http://www.aida-jer.org/>.

<sup>29</sup> The full text of the 14 February 2006 statement is available at

<http://www.careinternational.org.uk/Gaza+humanitarian+crisis+-+call+for+action+July+27,+2006+7095.twl> and the 27 July 2006 statement at <http://www.careinternational.org.uk/Gaza+humanitarian+crisis+-+call+for+action+July+27,+2006+7095.twl>.

While these statements do represent a diversity of organizations, the more purist humanitarian actors (e.g., ICRC, MSF) are not signatories to these statements.

<sup>30</sup> The full statement is available at

<http://domino.un.org/UNISPAL.NSF/99818751a6a4c9c6852560690077ef61/fe082821945321e885256d2b0045f0ed!OpenDocument>.

<sup>31</sup> Gaza has been subject to periodic and frequent closures prior to the latest outbreak of violence there, making movement from Gaza outside virtually impossible for Palestinians. The Erez crossing has been completely closed to Palestinians trying to enter Israel, even those with permits, since March 2006. Other crossings (Rafah, Karni, Kerem Shalom, and Sufa) have been periodically open to allow humanitarian and other goods into Gaza. For more detail, see OCHA's Movement and Access reports.

<sup>32</sup> The issue of office location is fraught with implicit political messages. As the above discussion demonstrates, it is difficult to operate programs effectively from an office in Jerusalem when the majority of one's programming is in the oPt. However, for security reasons and ease of coordination within the humanitarian and development sector and with governmental and intergovernmental agencies, most agencies consider it necessary to maintain at least an administrative office in Jerusalem. From a Palestinian perspective, offices in the oPt demonstrate solidarity with Palestinians, and to close an office in Jerusalem would send an implicit (although not necessarily intended) message about "giving up" on a Palestinian claim to East Jerusalem in a two-state solution. For most Israelis, having offices only in the oPt would further cement the perception that the humanitarian and development community is on the side of the Palestinians.

<sup>33</sup> Several interviewees referred to the antagonism of Jewish settlers in the West Bank (and also Gaza before the September 2005 unilateral withdrawal) towards NGOs and UN agencies as a security threat. Interviewees reported stone throwing and even gunfire by settlers, especially along some of the bypass roads.

<sup>34</sup> The UN security phases are as follows: Phase 1, Precautionary; Phase 2, Restricted movement; Phase 3, Relocation; Phase 4, Program suspension; and Phase 5, Evacuation (UNSECOORD 1998).

<sup>35</sup> The District Coordination Offices (DCOs) control access and permits. For example, as an international who wishes to enter Gaza, you must apply for permission from the DCO at the Erez crossing.

<sup>36</sup> Since Palestinian staff are unable to leave Gaza, evacuation for most agencies in Gaza applies only to international staff. Agencies must negotiate with the IDF and Israeli authorities for permission to allow Palestinian staff transit into Jordan or Egypt.

<sup>37</sup> Jericho is the only zone in the oPt with full Palestinian civil and military control. The US and UK had unarmed monitors at the prison, who left for security reasons only minutes before the Israeli raid in which the military captured dozens of inmates, including Ahmed Saadat, the leader of the PFLP. In response to the perceived "collusion of the US and UK" in the raid, demonstrators burned the British Council building in

Gaza City and 11 foreigners were kidnapped. Within 24 hours, those kidnapped had been turned over to Palestinian police.

<sup>38</sup> The incidents, compiled from readily available news sources and therefore not exhaustive, were as follows: 29 July 2005—2 UNDP staff kidnapped in Gaza City, freed hours later; 8 August 2005—3 UNRWA employees kidnapped in Khan Younis, freed during a raid; 21 December 2005 to 3 January 2006—5 internationals kidnapped in three incidents, released after between 5 hours and 3 days; February 2006—1 German national kidnapped and released in the West Bank; March 2006—11 internationals kidnapped in protest of the Danish cartoons and released; 14 August 2006—2 Fox News reporters kidnapped and released two weeks later. November 2006—2 ICRC staff kidnapped and released 8 hours later.

<sup>39</sup> The author's visit to Gaza was two days after their kidnapping.

<sup>40</sup> Ironically, among the Jewish right-wing, a popular phrase is "UN = Unwanted Nobodies" reflecting the negative view of the UN among this population.

<sup>41</sup> While the Israeli occupation and its impact on their own security was foremost on the minds of many Palestinians in the West Bank and Gaza (especially since June 2006) in this research, they also recognize internal security issues and lack confidence in the PA governance related to public security. For more on Palestinian perceptions of the security sector, see (Friedrich, Luethold, and De Martino 2006).