



Access and Protection

Key Humanitarian Issues:

- Forty-one Palestinians were killed in May 2006 during the ongoing conflict with Israel, the highest number of Palestinian fatalities since January 2005. Palestinian injuries in May decreased marginally from April's figures but remain comparatively high compared to the previous 12 months.
- In the West Bank, while Palestinian workers and traders with valid permits were once again able to access Israel following nearly two months of closure, internal movement within the West Bank continued to deteriorate. The number of physical obstacles controlling Palestinian movement by the Israel Defense Forces (IDF) increased again to 519, the highest number of physical obstacles since September 2005.
- Humanitarian access throughout the oPt again deteriorated in May 2006. Humanitarian agencies in the oPt filed 150 access incidents in the West Bank and erratic operating procedures at Erez crossing continued to cause significant delays for UN personnel entering and exiting the Gaza Strip.

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This report monitors the protection of civilians (casualties, shelter, property and natural resources), the movement of goods and persons and humanitarian access throughout the occupied Palestinian territory (oPt). It uses UN Security Council resolutions, the Universal Declaration of Human Rights and international humanitarian law (IHL) as the standard for monitoring. IHL obligates parties to a conflict to ensure the safety of civilians, and public and private property during hostilities. As an occupying power, Israel has the primary responsibility for the welfare of civilians under its control, especially for providing adequate food, medicine and health services (Articles 55, 56 and 59 of the Fourth Geneva Convention of 1949). This report also monitors the Bertini Commitments – the humanitarian commitments given by the Government of Israel (GoI) to Ms. Caroline Bertini, Personal Humanitarian Envoy of the UN Secretary-General, in August 2002.¹

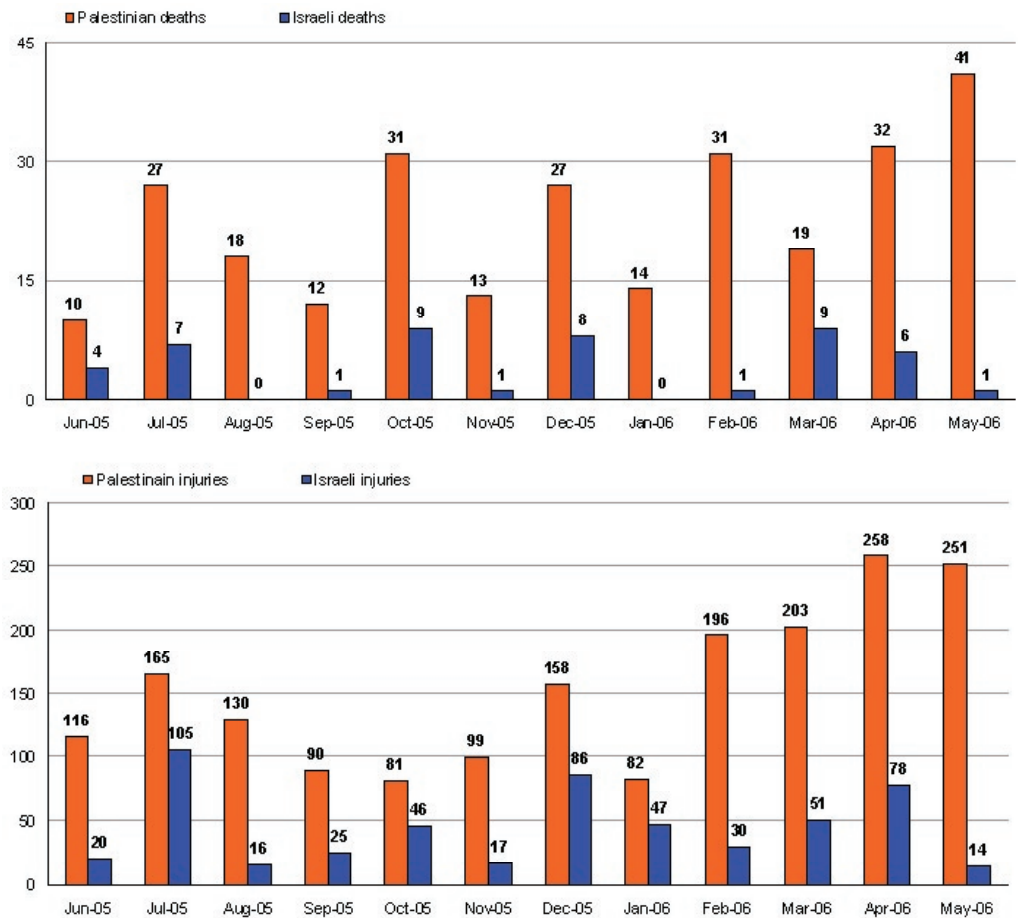
Protection of Civilians

I. Casualties

Forty-one Palestinians including two children were killed during the ongoing conflict with Israel in May 2006, the highest number of Palestinians killed since January 2005 (Figure 1). Twenty of these fatalities occurred in the Gaza Strip including during targeted Israel Air Force (IAF) air strikes, IDF shelling and confrontations with IDF Special Forces Units inside the Gaza Strip. In the West Bank, 21 Palestinians were killed during IDF military operations including search and arrest campaigns in the northern and central West Bank. Palestinian injuries also remained high in May (251). The majority of the Palestinian injuries reported in the West Bank (223), particularly in Ramallah.

Israeli casualties remained lower in May 2006 compared to the previous month. In May, one Israeli man died from wounds sustained in a Palestinian suicide bombing in Tel Aviv on 18 April and 14 Israelis were injured in the West Bank, including two IDF soldiers injured by Israeli settlers during clashes in Hebron.

Figure 1: Palestinian and Israeli deaths and injuries



Source: OCHA, Weekly Briefing Notes

“The civilian population and individual civilians shall enjoy general protection against dangers arising from military operations... The civilian population must not be the object of attacks. Acts or threats of violence, the primary purpose of which is to spread terror among the civilian population are prohibited.”
Protocol I Addition to the Geneva Conventions, Article 51

“Stressing the need for all concerned to ensure the safety of civilians and to respect the universally accepted norms of international humanitarian law.”
UN Security Council Resolution 1405 (2002)

Casualties from Palestinian internal violence

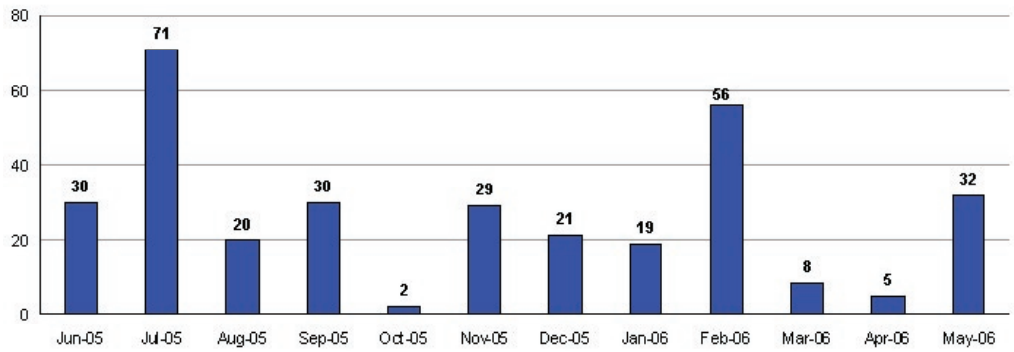
Lawlessness and internal fighting have intensified in the Gaza Strip in May. Ten Palestinians were killed and 72 others injured between 8 – 31 May during inter-factional fighting (particularly between the Hamas- dominated Executive Support Force and Fatah-dominated Preventive Security Forces). In the West Bank, two Palestinians from Nablus governorate, including one woman, were killed by Palestinians for alleged collaboration with Israel. These casualties are not included in Figure 1.



2. Palestinian shelter and property

The number of Palestinian structures demolished rose significantly in May to 32 compared to the previous month (Figure 2). All of these structures were demolished in the West Bank and the majority for reportedly being built without permits (thirteen were located in the Jordan Valley). Ten other structures were damaged by the IDF during military operations, particularly in the northern West Bank (Nablus and Tulkarm governorates).

Figure 2: Palestinian structures demolished



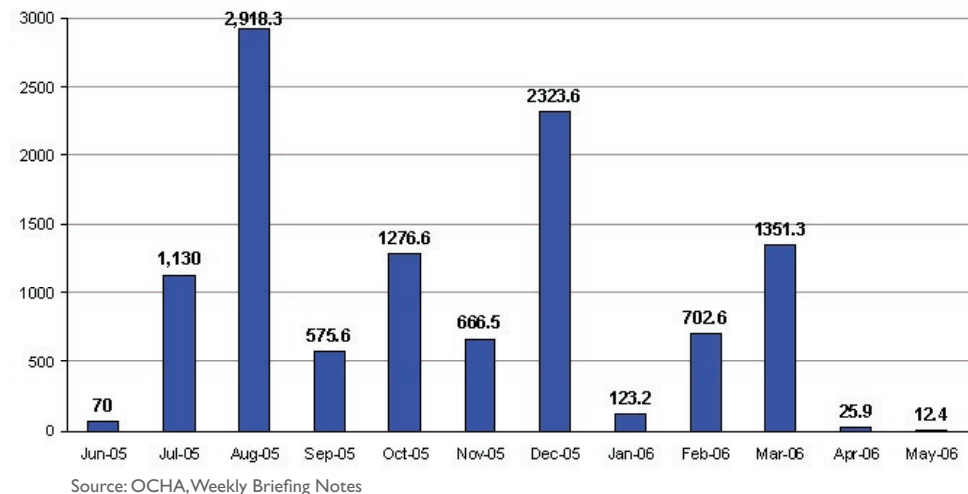
“Calls on Israel to respect its obligations under international humanitarian law, and insists, in particular, on its obligation not to undertake demolition of homes contrary to that law.”
UN Security Council Resolution 1544 (2004)

3. Natural resources

Land requisitions

The IDF requisitioned at least 12.4 dunums² of West Bank land in May 2006. The land was requisitioned in Hebron and Nablus governorates to establish a new checkpoint³ and expand a military base. The amount of land requisitioned by the IDF in May is the lowest over the last 12 months.

Figure 3: Palestinian land requisitioned by the IDF (in dunums)



“Private property...must be respected ... [and] cannot be confiscated.”
Obligations of the Military Authorities in Occupied Territories, Art.46, Section III, Hague Regulations 1907

“Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or cooperative organizations, is prohibited, except where such destruction is rendered absolutely necessary by military operations.”
Fourth Geneva Convention, Article 53.

Land levelling

However, land levelling by the IDF and Israeli contractors continued for the construction of the Barrier in the West Bank, expansion IDF infrastructure and around Israeli settlements. IDF tanks and bulldozers entered the Gaza Strip on seven separate occasions to level land along the border fence.

Access for water tankers and transporters

According to a 2005 survey by Water and Sanitation, Hygiene (WaSH) Monitoring Program, 200 Palestinian communities, are not connected to the water networks and in 11 other communities, over half of the households are not connected to a network. A WaSH MP survey, conducted between 27 April and 14 May, found that the delivery of tankered water to 19 Palestinian communities in the West Bank was delayed by IDF permanent and flying checkpoints and on one occasion, access for a water tanker was denied by the IDF.

“Problems related to water deliveries to Palestinian towns and villages will be addressed to ensure that daily water deliveries in proper quantities can be supplied by Palestinian water tankers.”
GoI Bertini Commitment (2002)



“Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.”
Universal Declaration of Human Rights, Article 23

“Increase in the number of work permits for Palestinian workers in Israel”
GoI Bertini Commitment (2002)

Movement of goods and people

1. Palestinian access to employment in Israel

The closure for Palestinian workers from the West Bank and traders to access Israel was partially lifted on 7 May following nearly two months of closure (since 11 March). Palestinians workers and traders with valid permits from the West Bank were once again able to access Israel.⁴

Palestinian workers and traders from the Gaza Strip are still not permitted to access Israel in May 2006 (Figure 4).⁵

Figure 4: Erez crossing – average daily labour movement from the Gaza Strip to Israel

	Jun 05	Jul 05	Aug 05	Sep 05	Oct 05	Nov 05	Dec 05	Jan 06	Feb 06	Mar 06	Apr 06	May 06
Workers to Israel	3,588	1,767	281	137	0	1,200	1,502	707	3,698	1,161	0	0
Traders to Israel	362	175	168	120	0	104	73	42	155	56	0	0

Source: Palestinian National Security Forces

2. West Bank

Palestinian movement within the West Bank

In the West Bank, restrictions on Palestinian movement have increased in 2006. At the end of May, there are 519 physical obstacles throughout the West Bank (including checkpoints, earth mounds, road gates, road blocks, earth walls, trenches and fences) imposed by the IDF controlling Palestinian movement, an increase of 15 since the end of April (Figure 5). The number of physical obstacles has steadily increased since September 2005.

The number of curfews imposed by the IDF and hours under curfew also increased in May (covering the period of 3 – 30 May) compared to April (covering the period of 29 April – 2 May) and is the highest number of hours experienced in 2006. However, the number of flying or ‘random’ checkpoints decreased compared to April. This could be in part due the decreased number of days covered in the May reporting period.

Figure 5: Palestinian movement within the West Bank – physical obstacles, curfews, and flying checkpoints

	No. of physical obstacles ⁶		IDF imposed curfew ⁷		No. of flying ‘random’ checkpoints ⁸
	Manned	Unmanned	No. of Incidents	No. of hours	
Jan 06	59	416	1	12	383
Feb 06	60	427	3	79	485
Mar 06	63	442	9	111	569
Apr 06	66	438	6	58	693
May 06	71	448	9	118.5	506

Source: OCHA field observations and Weekly Briefing Notes

IDF search and arrest campaigns in the West Bank

The number of IDF search and arrest campaigns throughout the West Bank decreased in May (covering the period of 3 – 30 May) compared to April (covering the period of 29 April – 2 May) and remained comparable to previous months in 2006 (Figure 6). While higher numbers of search and arrest campaigns occurred in Bethlehem and Hebron governorates, more people were arrested in fewer campaigns in Nablus and Jenin governorates.

Figure 6: IDF search and arrest campaigns in the West Bank ⁹

	No. of Incidents	No. of arrests/ detentions
Jan 06	284	440
Feb 06	339	474
Mar 06	352	393
Apr 06	513	575
May 06	360	400

Source: OCHA Weekly Briefing Notes

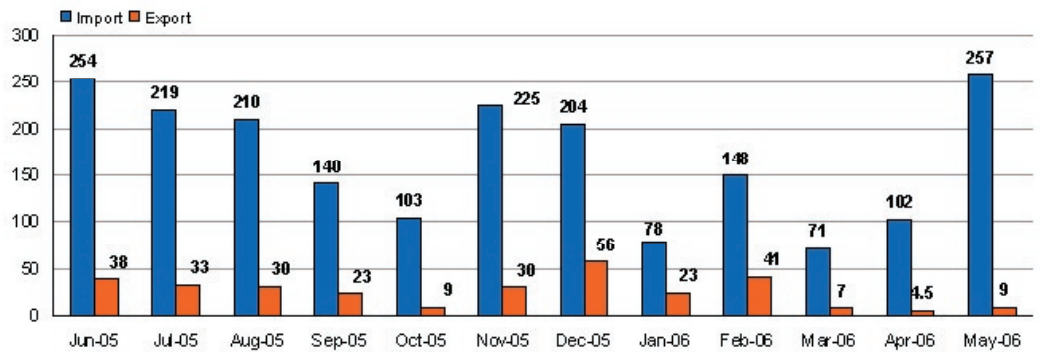
3. Gaza Strip

Karni crossing

Most goods imported into the Gaza Strip and all exported goods pass through Karni crossing. This month Karni was closed for one day (excluding Saturdays). However, in May the crossing was often open for shortened hours or only open for imports. At the end of May, Karni had been completely closed for 59 days or 43% of 2006.

In May, the average daily number of truckloads entering the Gaza Strip was 257 (excluding aggregates), 2.5 times the daily figure for April (102) when Karni had been closed for 11 days (Figure 7). Basic food stocks that had been depleted by the frequent closure of Karni during the first quarter of 2006 began to be replenished.

Figure 7: Karni crossing – average daily truckloads (imports and exports)



Source: Palestinian Ministry of National Economy, May 2006 data from PalTrade.

However, the daily average number of truckloads of goods exiting the Gaza Strip again remained low in May. At nine, this figure is double the April average (4.5) but remains well below the goal set by the 25 November Agreement on Movement and Access (AMA) between the Gol and the Palestinian Authority (PA) of 150 daily truckloads by end of 2005 and 400 by end of 2006. Exports through Karni crossing increased after 22 May (prior to this day Karni had only been open on one day for exports).

Kerem Shalom crossing

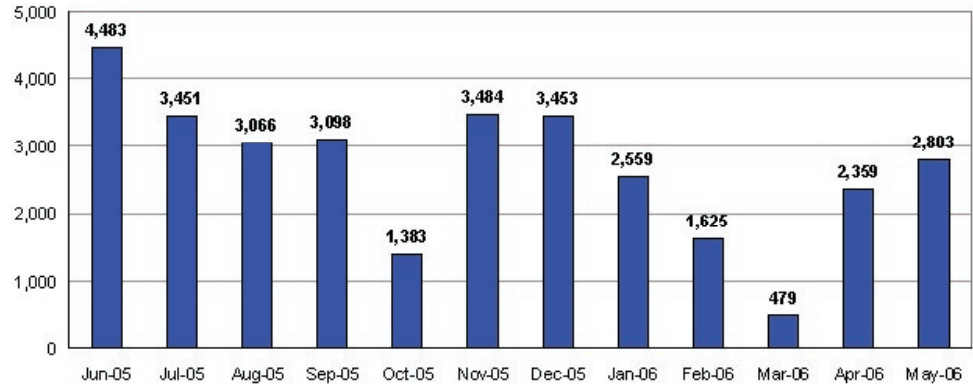
Kerem Shalom crossing on the Gaza-Israel-Egyptian border was previously open for humanitarian assistance originating from Egypt between 22 March – 26 April. Due to ongoing problems at Karni in May, WFP imported 1000 MT of wheat flour supplies via Kerem Shalom.

Sufa crossing

Sufa crossing borders Israel and is situated northeast of Rafah crossing. Since 30 May 2004, Sufa has been used for importing construction materials, notably gravel, and periodic humanitarian assistance.¹⁰ In May, Sufa was closed for nine days compared to four days in April. However, the total number of truckloads of gravel increased from 2,359 in April to 2,803 in May (Figure 8). WFP also brought in 2,350 MT of sugar, oil, salt and chickpeas towards the end of May through Sufa.



Figure 8: Sufa crossing – total imported truckloads of gravel¹¹

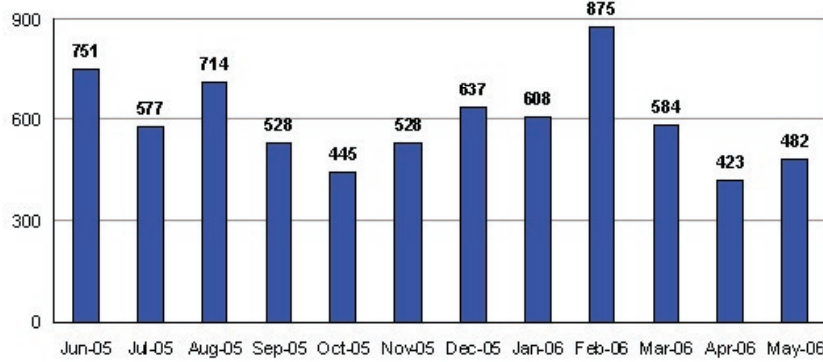


Source: Palestinian Ministry of Finance, data obtained from UNSCO

Nahal Oz energy pipelines

Palestine General Petroleum Company (GPC) imports fuel (including benzene, diesel and gas) into the Gaza Strip through its Israeli counterpart, Dor Energy, using the Nahal Oz pipelines. More fuel was received in May (482 truckloads) compared to April (423) though the figure remains comparatively low compared to other months (Figure 9).

Figure 9: Nahal Oz pipelines – total imported truckloads of fuel (industrial gasoline excluded)



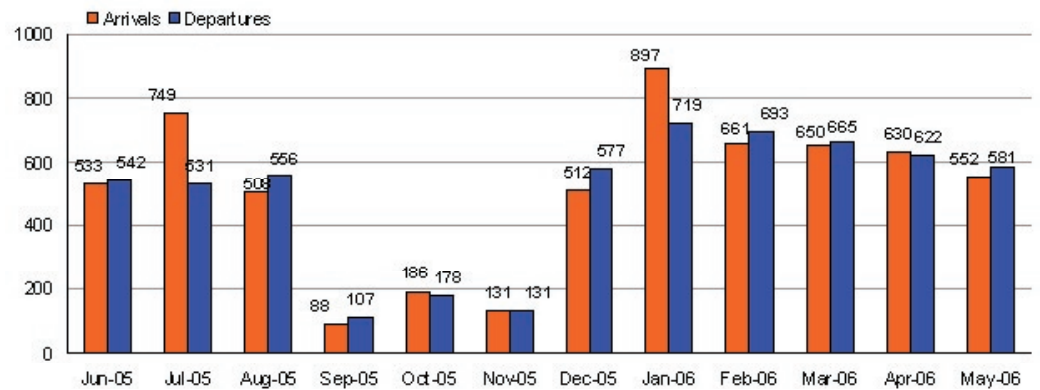
Source: Palestine General Petroleum Company

Rafah crossing

Rafah passenger crossing is the point of access for Gazans travelling overseas and is located on the Gazan border with Egypt. The flow of passengers has increased since the PA and Egypt started to jointly operate the crossing on 25 November 2005. Since 26 March, the crossing has been operating for 11 hours (from 8am to 7pm).

Since a peak in January due to the influx of Muslim pilgrims returning from the Hajj in Mecca, the passenger flow has stabilised at around 650 daily in both directions. However, for the first time this year, the May figures show a reduction in this daily average with 552 passengers arriving and 581 departing (Figure 10).

Figure 10: Rafah passenger crossing - average daily crossing



Source: Palestinian Passport and Border Police

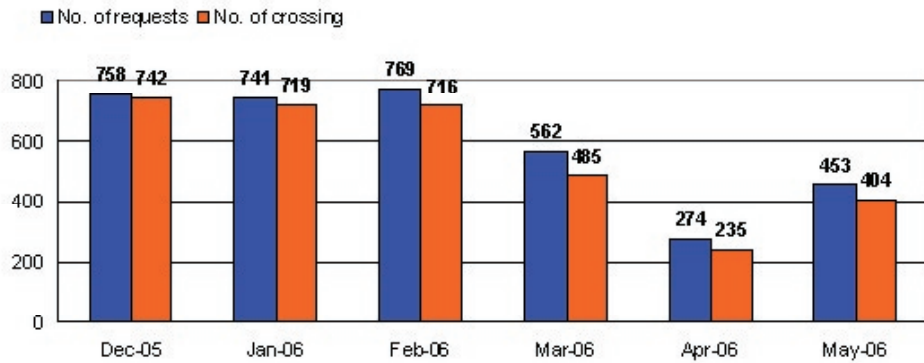


Movement of medical cases from the Gaza Strip

Palestinians who are referred for medical treatment in the West Bank and abroad by the Palestinian Ministry of Health (MoH) from the Gaza Strip have to travel through Erez or Rafah crossings. For treatment inside the West Bank and Israel, 89% of the 453 requests for travel were approved by the Israeli DCL, a slightly higher percentage than for March and April (86%) (Figure 11). In April there was a noticeable drop in the numbers of referrals due to the lack of funds within the Palestinian MoH. The number of referrals have increased in May, although, only around one third of the referrals (176) were financially supported by the MoH and the remainder were privately funded with coordination by the MoH.

For medical referrals outside of Israel, a total of 302 patients were referred by the MoH to Egypt and 13 to Jordan through Rafah crossing. This includes only cases with documentation from the MoH crossing through Rafah.

Figure 11: Erez crossing – medical referrals crossing



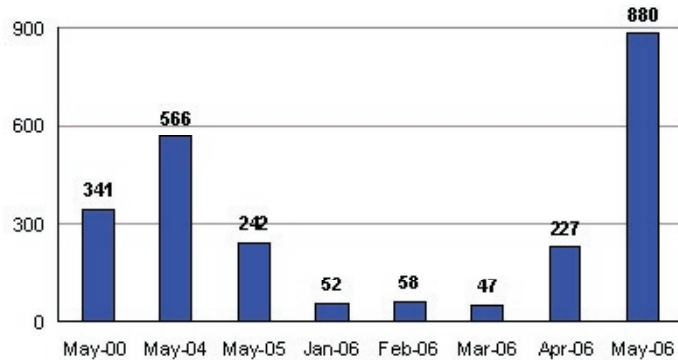
Source: World Health Organization (WHO)

*“The fishing zone for Palestinian fishing boats off the Gaza Strip will be extended to 12 nautical miles.”
GoI Bertini Commitment (2002)*

Access for Palestinian fishing off the Gaza Strip

Since January 2005, the Israeli authorities have permitted Palestinian fishing up to ten nautical miles from the Gaza Strip coastline compared to six nautical miles previously but this still falls short of the Bertini Commitment. Palestinian fishing is prohibited one nautical mile north of the border with Egypt and one and a half nautical miles south of the border with Israel. The fishing catch in May 2006 (880 tonnes) represents a significant increase to previous months and compared to May last year (Figure 12). This is in part due to the Palestinian Ministry of Agriculture (MoA) not enforcing restrictions on fish size. There is concern about over-fishing along the Gazan coastline and the use of unsustainable fishing patterns.

Figure 12: Gaza fishing - total fishing catch in tonnes



Source: Palestinian Ministry of Agriculture/Department of Fisheries



Humanitarian assistance

“Urges all those concerned as set forth in international humanitarian law...to allow full unimpeded access by humanitarian personnel to all people in need of assistance, and to make available, as far as possible, all necessary facilities for their operations, and to promote the safety, security and freedom of movement of humanitarian personnel and the United Nations and its associated personnel and their assets.”
UN Security Council Resolution 1502 (2003)

“Facilitation of International Organisations: (1) Israel will fully facilitate the assistance activities of international organisations with particular reference to UNRWA; (2) Israel agrees to review and strengthen the liaison arrangements between international agencies and the IDF to facilitate assistance activities; and (3) Israel will improve the situation at checkpoints, including the deployment of more experienced IDF personnel.”
GoI Bertini Commitment (2002)

“Increased shipments will be allowed at Karni crossing in the Gaza Strip.”
GoI Bertini Commitment (2002)

“Emphasizes the urgency of access of medical and humanitarian organisations to the Palestinian civilian population.” UN Security Council Resolution 1405 (2002)

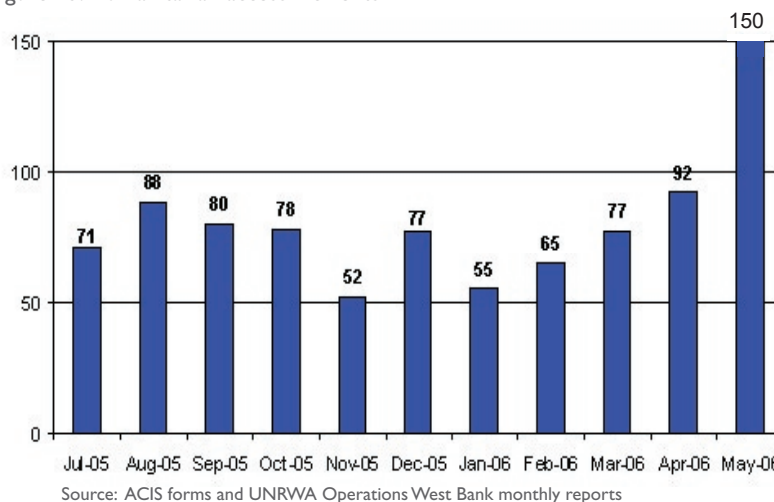
“Ambulance access: (1) Palestinian ambulances will wait no more than 30 minutes at any checkpoints; and (2) Effective mechanisms will be put in place to ensure that Palestinians seeking critical medical services (child delivery, dialysis, chemotherapy etc) can quickly pass all checkpoints.”
GoI Bertini Commitment (2002)

Humanitarian access

In May 2006, international humanitarian organisations reported 150 access incidents throughout the West Bank. UNRWA filed 147 of the reports in which the delivery of aid and/or the movement of personnel were obstructed by the IDF or Israeli Border Police at fixed or mobile checkpoints and at gates in the Barrier (Figure 13). Ninety-nine of the incidents occurred at entrances to and around Jerusalem.

International humanitarian organisations require prior coordination with Israeli authorities to enter and leave the Gaza Strip through Erez crossing. On 14 February and 7 May, the IDF introduced new procedures at Erez crossing for internationals leaving the Gaza Strip. UN personnel are experiencing time-consuming delays caused by the erratic and changing operating procedures, despite previous agreements with the GoI.

Figure 13: Humanitarian access incidents



Humanitarian supplies through Karni crossing (Gaza Strip)

The majority of international humanitarian relief supplies enter the Gaza Strip through Karni crossing. In May, WFP also used Kerem Shalom and Sufa crossings for importing supplies.

In May, WFP brought in 4,700 MT of food commodities into the Gaza Strip – wheat flour via Karni and Kerem Shalom and sugar, oil, salt and chickpeas through Sufa. WFP received regular supplies of bread from the local flour mills for distribution to its beneficiaries. In May, UNRWA brought 1,095 containers into the Gaza Strip, the majority of which contained flour and rice but also quantities of sunflower oil, beans, sugar and medicines.

Humanitarian agencies are concerned about the delays in returning empty containers from the Gaza Strip through Karni crossing. The IDF cites security concerns behind the delay in returning the containers. Containers trapped inside the Gaza Strip cost the agencies around US\$20 per container per day in charges. In May, WFP returned 56 empty containers from the Gaza Strip while at the end of the month 24 containers remained inside the Gaza Strip. At the end of May, UNRWA had 181 empty containers inside the Gaza Strip.

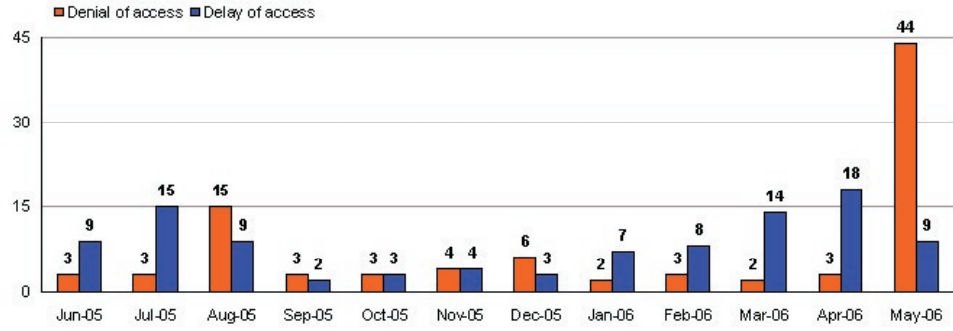
In contrast to the delays faced at Karni in April, UNICEF brought in two trucks on 10 May carrying 40 refrigerators and freezers and educational supplies. Medecins du Monde (F) was able to bring in medicines and medical supplies via Karni on 31 May following coordination with the Israeli DCL.

Ambulance incidents in the West Bank

Forty-four denials of access and nine delays in access (in excess of 30 minutes) were reported by the Palestinian Red Crescent Society (PRCS) in the West Bank (Figure 14). Almost all of the incidents occurred at entrances to Jerusalem, in particular at Al Ram and Hizma checkpoints, where PRCS ambulance, crew members and/or patients were denied access at the checkpoints to enter Jerusalem.



Figure 14: Ambulance incidents in the West Bank



Source: PRCS

Three other incidents involving PRCS ambulances in May are notable: (1) in Nablus city a PRCS ambulance came under direct IDF fire while transporting a woman in labour to a hospital; (2) a PRCS paramedic was injured in an IAF air strike in the Gaza Strip and the ambulance damaged; and (3) Four PRCS paramedics were injured and two ambulances damaged from fire from Israeli naval gunboats in Gaza Strip.

Endnotes

- 1 UN Secretary-General Kofi Annan appointed Ms Bertini to address the humanitarian needs arising from the ongoing Israeli-Palestinian conflict since September 2000. Ms. Bertini was requested to assess the nature and scale of the humanitarian needs, and to clarify the respective responsibilities of all actors involved. This report, in part, monitors the humanitarian commitments given or confirmed by the GoI to Ms. Bertini during a mission to the region between 12 – 19 August 2002.
- 2 4 dunums = 1 acre; 10 dunums = 1 hectare
- 3 Requisition order No. T/40/06 was issued by the IDF in March 2006 but was not recorded until May.
- 4 There is now no communication between local Israeli and Palestinian authorities and therefore no figures are available on the number of permits issued for Palestinian workers and traders from the West Bank. No data is also available on a monthly basis on the number of Palestinian workers and traders from the West Bank crossing into Israel.
- 5 According to the Ministry of National Economy between 15-20 Palestinian traders, with permits, are permitted to cross through Erez in spite of the closure since late April.
- 6 Exact reporting periods for the number of physical obstacles are as follows: January (as of 2 February), February (as of 6 March), March (as of 3 April), April (as of 1 May); May (as of 30 May).
- 7 Exact reporting periods for IDF imposed curfew: January (4 – 31 January), February (1 – 28 February), March (1 – 28 March), April (29 March – 02 May) and May (03 -30 May).
- 8 Exact reporting periods for the number of flying checkpoints: January (4 – 31 January), February (1 – 28 February), March (1 – 28 March), April (29 March – 02 May) and May (03 -30 May).
- 9 Exact reporting periods for IDF search and arrest campaigns: January (4 – 31 January), February (1 – 28 February), March (1 – 28 March), April (29 March – 02 May) and May (03 -30 May).
- 10 Until 30 May 2004, the crossing point was open for a number of Palestinians working in the agricultural sector on farms in southern Israel.
- 11 One truckload equals 40 tonnes.