



DIVISION FOR
PALESTINIAN RIGHTS

Bulletin

on action by the United Nations system and
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relevant to the question of Palestine

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*The Bulletin can be found in the United Nations Information System
on the Question of Palestine (UNISPAL) on the Internet at:
<http://unispal.un.org>*

I. SPECIAL RAPPORTEUR WIBISONO ISSUES REPORT ON SITUATION OF HUMAN RIGHTS IN THE PALESTINIAN TERRITORIES OCCUPIED SINCE 1967

The Human Rights Council on 11 January 2016 transmitted the report of Makarim Wibisono, Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967. The report was submitted pursuant to Commission on Human Rights resolution 1993/2 A and Human Rights Council resolution 5/1. The report examined the overall lack of effective protection of the rights of Palestinians living under Israeli occupation since 1967 and addresses the non-cooperation of Israel with the mandate. The following are the conclusions and recommendations of the report ([A/HRC/31/73](#))

VI. Conclusions and recommendations

67. The Special Rapporteur recalls the well-documented violations related to the Israeli occupation policies and practices in the Occupied Palestinian Territory and sees a critical need for the international community to increase its protection of the Palestinian population.

68. He appeals to the Government of Israel, as the occupying Power, to take practical steps to implement protections under international law as it pertains to the Palestinian population living under occupation. In particular, he urges Israel to review, with a view to implementing, recommendations made to it to improve the human rights situation in the Occupied Palestinian Territory, by the Secretary-General, the High Commissioner for Human Rights and independent mandates in reports presented to the General Assembly and the Human Rights Council.

69. The Special Rapporteur reiterates recommendations previously made (see [A/HRC/28/78](#) and [A/70/392](#)) and presents and re-emphasizes the following recommendations to the Government of Israel:

(a) Lift the blockade on Gaza, which is a primary obstacle to reconstruction, entails

violations of human rights and constitutes collective punishment;

(b) Halt settlement expansion and refrain from carrying out demolitions of Palestinian property, forced evictions, and other acts causing the forced displacement of Palestinians in the West Bank, including East Jerusalem;

(c) Ensure compliance with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and conduct full investigations into cases of excessive use of force by Israeli security forces and into allegations of settler violence;

(d) Ensure that domestic-level investigations provide accountability, including by widening the scope of investigations to include policy-level decisions guiding the Israel Defense Forces during the 2014 military operation in Gaza;

(e) End the practice of administrative detention and urgently charge or release Palestinian prisoners and detainees, especially children;

(f) Urgently redouble efforts to implement recommendations by UNICEF with respect to the detention of children, in particular, ensuring that children are detained only as a last resort;

(g) Desist from excessive measures affecting Palestinian freedom of movement and cease immediately the practice of punitive home demolitions;

(h) Cooperate with the mandate of the Special Rapporteur and any United Nations-mandated body, as required of a State Member of the United Nations, and facilitate access to the Occupied Palestinian Territory.

II. UN SPECIAL COORDINATOR MLADENOV ISSUES STATEMENT ON RECENT SECURITY INCIDENTS IN THE OCCUPIED WEST BANK

The following [statement](#) was issued on 18 January 2016 by the United Nations Special Coordinator for the Middle East Peace Process, Nikolay Mladenov, on the recent security incidents in the occupied West Bank:

“I strongly condemn the two stabbing attacks that took place within the past 24 hours in the settlements of Otniel and Tekoa in the occupied West Bank, which resulted in the death of Dafna Meir, a 39 year old mother of six, and seriously injuring Michal Froman, a pregnant woman in her 30s. Nothing justifies the murder of a mother in front of her own children.

My thoughts are with the families and friends of all victims of violence.

I am increasingly alarmed by the continued attacks in the occupied West Bank

that are taking place almost on a daily basis and call upon the Israeli and Palestinian authorities to take action to ensure that the perpetrators are swiftly brought to justice.

These tragic incidents only highlight the urgent need for all leaders to work together against the spiral of violence and the targeting of civilians. The volatility of the current situation only serves the hate-filled agendas of extremists on all sides. I encourage all parties to promote calm and refrain from inflammatory statements and retaliatory actions.”

III. UN OFFICIALS CALL FOR REVOCATION OF PLANS TO TRANSFER PALESTINIAN BEDOUIN IN THE JERUSALEM AREA

UN officials in Jerusalem issued the following [statement](#) on 19 January 2016 regarding the transfer of Palestinian Bedouin from the Jerusalem area:

The Coordinator for Humanitarian and UN Development Activities for the occupied Palestinian territory (oPt), Robert Piper, and the Director of UNRWA Operations West Bank, Felipe Sanchez, called for an immediate end to Israeli plans to transfer Palestinian Bedouins currently living within the occupied Palestinian territory in the Jerusalem area. The call follows a visit today with diplomats from 17 countries* to the Palestinian Bedouin

community of Abu Nuwar, the site of recent demolitions and aid confiscations by the Israeli authorities.

Twenty-six Palestine refugees, among them 18 children, including four with disabilities, were displaced on 6 January 2016 following the destruction of their homes, and other basic structures. On 10 and

Austria, Belgium, Cyprus, Czech Republic, Denmark, France, Hungary, Ireland, Italy, Malta, Netherlands, Poland, Slovenia, Spain, Sweden as well as representatives of Switzerland and the United States.

* The visit of EU Heads of Political Sections included:

14 January 2016, Israeli authorities confiscated eight donor funded residential tents that had been provided to the families as post-demolition humanitarian response.

“We came to Abu Nuwar to hear firsthand what residents have been through,” said Mr. Piper. “We left with a strengthened resolve to continue our support to them.”

Abu Nuwar is located in the El area, planned by the Israeli authorities for the expansion of Ma' ale Adummim settlement, long opposed by the international community as a violation of international law and an obstacle to the realization of the two-state solution. Abu Nuwar is among 46 communities located in the central West Bank – the majority Palestine refugee communities – slated for transfer to three designated sites away from their current location. A forced relocation of Bedouin communities to urbanized townships would threaten their culture and livelihoods. Bedouin families that were already “relocated” in the 1990s lost their income sources while their communities' social fabric was severely damaged.

The UN Secretary-General has placed on record that implementation of plans to

transfer Bedouin communities in Area C would amount to forcible transfer and forced evictions, contravening Israel's obligations as an occupying power under humanitarian law and human rights law.

“I am once again deeply alarmed to witness Israel's relentless push towards removing Bedouin Palestine refugees from their homes, destroying their livelihoods and their distinct culture. The children in these communities should not be experiencing the trauma of displacement that preceding generations already experienced,” said Felipe Sanchez, Director of UNRWA Operations in the West Bank.

“The destruction of property in this manner and the denial of donor-funded assistance to vulnerable Palestinian communities is unacceptable,” said Mr. Piper. “Under international law, Israel is responsible for meeting the needs of Palestinians living under its occupation and for facilitating humanitarian assistance, not for obstructing aid and pressuring residents to leave so that Israeli settlements can expand. The international community must ensure that plans to transfer these communities are revoked, if the two-state solution is to be protected.”

IV. SECRETARY-GENERAL ISSUES REPORT ON HUMAN RIGHTS SITUATION IN THE OCCUPIED PALESTINIAN TERRITORY, INCLUDING EAST JERUSALEM

Secretary-General Ban Ki-moon on 20 January 2016 issued his report on the human rights situation in the Occupied Palestinian Territory, including East Jerusalem. The summary and the recommendations of the report are reproduced hereunder ([A/HRC/31/44](#)):

Summary

The present report is submitted pursuant to Human Rights Council resolution [28/27](#) on the human rights situation in the Occupied Palestinian Territory, including East Jerusalem. It presents the human rights

situation through an analysis of how the occupation and associated measures restrict freedom of movement, and examines the impact of those restrictions on Palestinians' enjoyment of their economic, social and cultural rights.

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IV. Recommendations

A. Recommendations to the Government of Israel

81. Under international human rights and humanitarian law, the Israeli authorities have the obligation to facilitate the free movement of Palestinians within the Occupied Palestinian Territory, including East Jerusalem. Any exception must comply with international law, which means that restrictions are justified only for imperative reasons of security and only in response to a specific security threat. Israel should lift the blockade on Gaza in accordance with international human rights law and Security Council resolution 1860 (2009), and allow movement between Gaza and the West Bank. Israel should also remove physical restrictions on free movement throughout the West Bank, including East Jerusalem, and ensure that all relevant administrative rules and requirements are consistent with international human rights and humanitarian law.

82. The right to education must be respected and protected, including by facilitating free, safe and unhindered access to schools. The blanket ban on students from Gaza to access education in the West Bank must be lifted.

83. Steps should be taken immediately to remove barriers to freedom of movement that prevent medical personnel from

carrying out their duties. All unnecessary or disproportionate barriers hampering Palestinians' access to medical treatment must be lifted without delay, including in Israel and East Jerusalem.

84. Steps must be taken to ease the restrictions on economic development in the Occupied Palestinian Territory, including by immediately allowing greater freedom of movement of goods and people, and lifting restrictions that prevent Palestinians from accessing land and developing their economy.

85. Israeli authorities must recognize and respect the residency rights of Palestinians, including by immediately halting the practice of revoking residence permits, ending the freeze on changes to addresses, removing any quotas on family reunification requests, and processing backlogged requests and new requests expeditiously.

B. Recommendations to the Palestinian authorities

86. The Palestinian authorities must implement their obligations under international human rights treaties, including with regard to freedom of movement.

87. The Palestinian authorities should take steps to encourage national political parties to resolve the political disunity that obstructs the equal implementation of the human rights obligations of the Government of the State of Palestine throughout the Occupied Palestinian Territory.

V. SECRETARY-GENERAL ISSUES REPORT ON ISRAELI SETTLEMENTS IN THE OCCUPIED PALESTINIAN TERRITORY, INCLUDING EAST JERUSALEM, AND IN THE OCCUPIED SYRIAN GOLAN

Secretary-General Ban Ki-moon on 20 January 2016 issued his report on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem and in the occupied Syrian Golan. The summary and the conclusions and recommendations of the report are reproduced hereunder ([A/HRC/31/43](#)):

Summary

The present report is submitted pursuant to Human Rights Council resolution 28/26 on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan. In the report, developments concerning the establishment and expansion of Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, are highlighted. An update and analysis is also provided of the effects of related house demolitions, evictions, settlement expansion, settler violence, discriminatory zoning and planning policies on the economic, social and cultural rights of Palestinians. Lastly, in the report, the Secretary-General addresses issues related to Israeli settlements in the occupied Syrian Golan.

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VIII. Conclusions and recommendations

66. Israeli settlement activities remain at the core of many of the violations of human rights in the Occupied Palestinian Territory, including East Jerusalem. The Secretary-General reiterates that the settlement enterprise represents the most serious obstacle to a viable Palestinian State.

67. The Israeli authorities must halt and reverse the creation and expansion of settlements in the Occupied Palestinian Territory and in the occupied Syrian Golan. In addition, Israel must immediately cease

using land control mechanisms aimed at expanding the area effectively occupied by settlements, such as the designation of firing zones, archaeological parks and agricultural land. Israel must also immediately cease the exploitation of natural resources from these territories.

68. Displacement and relocation to alternative residential areas, as a result of demolition orders, and a coercive environment could amount to individual and mass forcible transfer and forced evictions, contrary to the obligations of Israel under international humanitarian and human rights law.

69. The Government of Israel must urgently cease discriminatory and unlawful planning processes in the West Bank, including East Jerusalem, as they result in violations of Palestinians' rights, inter alia, to access water and services, including health and education.

70. The Secretary-General reiterates that the Israeli authorities must ensure full criminal accountability for perpetrators of acts of settler violence.

71. Moreover, the Government must revoke all laws and policies and halt practices that directly or indirectly lead to the forcible transfer of Bedouin and herder communities. Specifically, the authorities must cease the demolition of Palestinian homes and private property and refrain from any initiative to relocate Bedouin and other

herder communities in Area C, which is in contravention of international law.

72. The Government of Israel must implement all relevant United Nations

resolutions, including Security Council resolutions pertaining to territories occupied since 1967.

VI. SECRETARY-GENERAL ISSUES STATEMENT ON ISRAELI LAND APPROPRIATION IN WEST BANK

The following statement was issued on 20 January 2016 by the Spokesman for UN Secretary-General Ban Ki-moon ([SG/SM/17477](#)):

The Secretary-General is deeply concerned about reports of the Israeli Government authorizing the declaration of 370 acres in the West Bank, south of Jericho, as so-called “State land”. If implemented, this declaration would constitute the largest land appropriation by Israel in the West Bank since August 2014.

The Secretary-General reiterates his call for substantial policy changes on the ground by Israel that will improve the lives of Palestinians. Settlement activities are a violation of international law and run counter to the public pronouncements of the Government of Israel supporting a two-State solution to the conflict.

VII. SECRETARY-GENERAL BRIEFS SECURITY COUNCIL ON THE SITUATION IN THE MIDDLE EAST, INCLUDING THE PALESTINIAN QUESTION

During Security Council open debate on 26 January 2016, Secretary-General Ban Ki-moon briefed the Council on the situation in the Middle East, including the Palestinian question. The following are excerpts of the briefing ([S/PV.7610](#)):

Sadly, 2016 has begun much like 2015 ended — with unacceptable levels of violence and a polarized public discourse across the spectrum in Israel and the occupied Palestinian territory. Stabbings, vehicle attacks and shootings by Palestinians targeting Israeli civilians — all of which I condemn — and clashes between Palestinians and Israeli security forces have continued to claim lives. But security measures alone will not stop the violence. They cannot address the profound sense of alienation and despair driving some Palestinians, especially young people. The full force of the law must be brought to bear on all those committing crimes, with a system of justice applied equally to Israelis and Palestinians alike.

Palestinian frustration is growing under the weight of a half century of occupation and the paralysis of the peace process. Some have taken me to task for pointing out this indisputable truth. Yet, as oppressed peoples have demonstrated throughout the ages, it is human nature to react to occupation, which often serves as a potent incubator of hatred and extremism. So-called facts on the ground in the occupied West Bank are steadily chipping away the viability of a Palestinian State and the ability of Palestinian people to live in dignity.

In an effort to overcome the political impasse, Quartet Envoys met with Israeli and Palestinian officials on 17 December 2015. They reiterated the urgent need for

significant steps, in line with previous agreements, to strengthen Palestinian institutions and security and economic prospects, while addressing Israel's security concerns. Changing Israeli policies is central to advancing this goal, particularly in Israeli-controlled Area C, which comprises 61 per cent of West Bank territory and is home to some 300,000 Palestinians. Approvals of master plans for Palestinian sectors of Area C would allow for much-needed growth in these areas and prevent demolitions.

Progress towards peace requires a freeze of Israel's settlement enterprise. Continued settlement activities are an affront to the Palestinian people and to the international community. They rightly raise fundamental questions about Israel's commitment to a two-State solution. I am deeply troubled by reports today that the Israeli Government has approved plans for over 150 new homes in illegal settlements in the occupied West Bank. This is combined with its announcement last week declaring 370 acres in the West Bank, south of Jericho, as so-called State land. These provocative acts are bound to increase the growth of settler populations, further heighten tensions and undermine any prospects for a political road ahead. I urge the Israeli Government not to use a recent decision of the Israeli High Court affirming a large tract of land south of Bethlehem as State land to advance settlement activities.

The demolitions of Palestinian homes in Area C of the occupied West Bank continue, as do the decades-long difficulties of Palestinians to obtain building permits. The Bedouin community in particular is paying a heavy price. I reiterate the United Nations call for an immediate end to Israeli plans to forcibly transfer Bedouin communities currently living within the occupied Palestinian territory in the Jerusalem area.

At the same time, the humanitarian situation in Gaza remains perilous. Eighteen months after the end of hostilities, conditions have not significantly improved. I condemn the continuing rocket fire into Israel from militant groups in Gaza. Chronic security and governance challenges and funding shortages have slowed the pace of reconstruction. Much work remains to be done. Meanwhile, the people of Gaza face dire unemployment and water and electricity needs. Meeting these concerns must be a top priority. However, none of this can be accomplished without the critical support of donors, the fulfilment of pledges from the Cairo Conference and the full return of the Palestinian Authority to Gaza. I continue to strongly believe that conditions in Gaza pose a severe threat to long-term peace and security in the region.

Palestinians must also demonstrate commitment to addressing the divisions among Palestinians themselves. I strongly urge the Palestinian factions to advance genuine Palestinian unity on the basis of democracy and the Palestine Liberation Organization principles. Reconciliation is critical in order to reunite the West Bank and Gaza under a single legitimate Palestinian authority. Healing Palestinian divisions is also critical so that Palestinians can instead focus their energies on establishing a stable State as part of a negotiated two-State solution. Genuine unity will also improve the Palestinian Government's ability to meet pressing economic problems that are adding to the frustration and anger driving Palestinian violence.

The international community also has a responsibility, not least by responding generously to the recent emergency appeal by the United Nations Relief and Works Agency for Palestine Refugees in the Near East for over \$400 million to support

vulnerable Palestinians. And as we continue to uphold the right of Palestinians to self-determination, let us be equally firm that incitement has no place, and that questioning the right of Israel to exist cannot be tolerated.

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Some may say that the current volatility across the region makes it too risky to seek peace. I say that the greater peril lies in not seeking a solution to the Palestinian question. Some say that the two sides are entrenched in their respective positions. I say that we must not succumb to passivity, resignation or hopelessness that a comprehensive resolution of the conflict is not achievable. A lasting agreement will require difficult compromises by both the Israeli and Palestinian leaders — yes — but what are the alternatives? The continuing deadly wave of terror attacks and killings? The possible financial collapse of the Palestinian Government? Ever-greater isolation of the Israeli Government? A further deterioration of humanitarian conditions in Gaza and the agonizing build-up to another terrible war? A hollowing of the moral foundation of both Israeli and Palestinian societies alike? A creeping moral blindness that ignores the suffering —

indeed the humanity — of one's neighbour? More unilateral acts by each side, intentionally designed to pre-empt negotiations and provoke the other side?

The parties must act — and act now — to prevent the two-State solution from slipping away forever. Upholding and implementing that vision — two States living side-by-side in peace and security — offers the only means by which Israel can retain both its Jewish majority and its democratic status.

As the wider Middle East continues to be gripped by a relentless wave of extremist terror, Israelis and Palestinians have an opportunity to restore hope to a region torn apart by intolerance and cruelty. I urge them to accept this historic challenge in the mutual interest of peace.

The support of regional partners in that pursuit is essential. The Arab Peace Initiative provides a valuable basis for broader support.

Finally, the whole international community must be ever-more committed to actively helping Palestinians and Israelis to rebuild trust and achieve an enduring peace before it is too late.

VIII. SECRETARY-GENERAL ADDRESSES FIRST MEETING OF THE 2016 SESSION OF THE COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE

On 27 January 2016, at the opening of the 2016 session of the Committee of the Exercise of the Inalienable Rights of the Palestinian People in New York, Secretary-General Ban Ki-moon made the following statement ([SG/SM/17495-GA/PAL/1359](#)):

Let me begin by congratulating you on your election. As crises continue to engulf the Middle East, this Committee is critical to keeping the inalienable rights of the

Palestinian people in the international spotlight.

As we meet, violence in Israel and the Occupied Palestinian Territory continues

unabated. Yesterday, I addressed the Security Council on the issue. I strongly condemned the stabbings, vehicle attacks, and shootings by Palestinians targeting Israeli civilians. I expressed concerns about clashes between Palestinians and Israeli security forces that continue to claim lives.

I repeated the firm position of the United Nations that settlements are illegal under international law and threaten to destroy the two-State solution. I urged Israel to take action consistent with prior agreements, particularly in Area C, to improve Palestinian lives, empower Palestinian institutions and enhance stability and security for Israelis and Palestinians. I underscored the need for the Palestinian leadership to stand against incitement, improve governance and reunite Gaza and the West Bank under a single legitimate Palestinian Authority.

All of these points need to be said and they need to be repeated. And yet, I can understand why Palestinians living the reality on the ground may dismiss it — because they have heard so much of it before.

After nearly 50 years of occupation — after decades of waiting for the fulfilment of the Oslo promises — Palestinians are losing hope. Young people especially are losing hope. They are angered by the stifling policies of the occupation. They are frustrated by the strictures on their daily lives. They watch as Israeli settlements in the occupied West Bank, including East Jerusalem, expand and expand. They are losing faith in their own leadership to deliver genuine national reconciliation and see the dream of a sovereign, contiguous and independent Palestinian State slip away.

The people of Palestine have lived through half a century of occupation, and they have heard half a century of statements condemning it. But life hasn't meaningfully changed. Children have become grandparents. But life hasn't changed. We issue statements. We express concern. We voice solidarity. But life hasn't changed. And some Palestinians wonder: is this all meant to simply run out the clock? They ask: are we meant to watch as the world endlessly debates how to divide land while it disappears before our very eyes?

Let me be clear: nothing excuses terror; nothing justifies the targeting of innocent people. I condemn all such acts categorically. If we hope to see an end to this violence, security measures will not be enough — we must address the underlying frustration and failure to achieve a political solution.

The United Nations is committed to working to create the conditions for the parties to return to meaningful negotiations. That is the one and only path to a just and lasting solution — an end to the occupation that began in 1967, leading to a sovereign and independent State of Palestine, living side-by-side in peace and security with the State of Israel.

Of course, Israelis and Palestinians have a profound stake in achieving this peace. We all do. Securing a lasting peace will mean so much to so many.

You can count on me to continue to speak up and speak out — to push and to prod — to do all in my power to achieve long-overdue Israeli-Palestinian peace. And I will count on this Committee to take constructive and meaningful action to bring Israelis and Palestinians together to meet our shared goal.

IX. SECRETARY-GENERAL ISSUES STATEMENT ON INTENTION OF HAMAS TO CONTINUE BUILDING TUNNELS AND FIRING ROCKETS AT ISRAEL

The following statement was issued on 30 January 2016 by the Spokesman for Secretary-General Ban Ki-moon ([SG/SM/17502-PAL/2199](#)):

The Secretary-General is alarmed by recent statements from the Hamas leadership in Gaza about the group's intention to continue building tunnels and firing rockets at Israel. Such statements and actions put at risk reconstruction, humanitarian and development efforts by the international community and Palestinian and Israeli authorities. They also do a serious disservice to the long-suffering people of Gaza.

After three devastating conflicts in seven years, people in Gaza and the people of southern Israel deserve a chance for peace and development. Every effort must be made to improve the living conditions of the people of Gaza. The Secretary-General reiterates his condemnation of terrorism in all its manifestations.
