Humanitarian Bulletin
occupied Palestinian territory

SEPTEMBER 2016

OCHA


© Photo by UNRWA

In this issue

Increase in Palestinian live ammunition injuries in clashes with Israeli forces 2

Gaza two years on: Less than nine per cent of referred incidents have led to a criminal investigation 5

Start of new school year in Gaza 7

Electricity shortages continue impeding the delivery of basic services 8

HIGHLIGHTS

- Over 300 Palestinians have been injured by live ammunition in 2016.
- Serious concerns persist about lack of accountability for alleged violations of international law, including allegations of war crimes.
- Gaza Student performance undermined by poor shelter and living conditions and economic deprivation.
- The Ministry of Education in Gaza needs $15 million to furnish new schools.
- The provision of basic services in Gaza severely hampered by the longstanding electricity deficit.

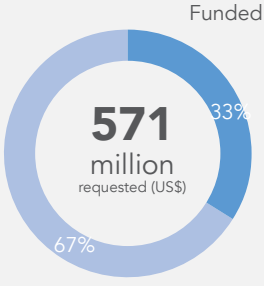
SEPTEMBER FIGURES

Palestinian killed (direct conflict)	10
Palestinian injured (direct conflict)	210
Israelis killed (direct conflict)	0
Israelis injured (direct conflict)	14
Structures demolished in the West Bank	64
People displaced in the West Bank	84

HUMANITARIAN RESPONSE PLAN 2016

571 million
requested (US$)

33% funded



Overview

During the third week of September, the number of Palestinian attacks and alleged attacks against Israelis was the highest recorded since the escalation in the last quarter of 2015. In all, seven suspected Palestinian perpetrators were killed on the spot, including two children, and eight Israelis were injured. The number of live ammunition injuries among West Bank Palestinians rose during July and August; two-thirds of these injuries occurred in refugee camps, mainly in clashes during search and arrest operations. More than 300 Palestinians have been shot and injured with live ammunition since the beginning of the year (up to the end of August), including cases involving life-term disability. The use of firearms in densely-populated areas, resulting in deaths and serious injuries, raises concerns about the possible use of excessive force that may have led to unlawful killings.

In August, the Gaza Strip witnessed the most intensive series of airstrikes and tank shelling attacks since the 26 August 2014 ceasefire that ended 51 days of hostilities. The recent incidents, which resulted in no fatalities, reportedly occurred in response to the shooting of one projectile into an Israeli city. Two years after the 2014 hostilities, which resulted in the death of 1,460 Palestinian and five Israeli civilians, serious concerns persist about the lack of accountability for alleged violations of international law, and the lack of civil remedies and compensation to victims. The Israeli Military Advocate General has received complaints relating to approximately 360 incidents, but only one case of looting has led to an indictment so far. No meaningful investigation into alleged violations has been announced by the Palestinian authorities so far. The failure to ensure accountability leaves victims and families without redress and creates an environment in which perpetrators on all sides are able to act with impunity, encouraging further abuses.

This month's Humanitarian Bulletin examines the challenges facing pupils in Gaza as the new school year begins. Although most of the infrastructure damaged during the 2014 hostilities has been repaired, the educational system faces chronic challenges, in particular overcrowded schools resulting in widespread double shifts. The performance of students is also undermined by recurrent power outages and electricity rationing, poor shelter and living

Scan it!
with QR reader App

conditions, and economic deprivation. Over 6,000 teachers have not received regular monthly salaries since April 2014. Schools in Gaza have not received an operating budget from Ramallah for the third consecutive year and are, once again, forced to rely on revenues from school canteens to cover their operating costs.

Another chronic problem affecting Gaza, also addressed in this Bulletin is the longstanding electricity deficit which continues to undermine the delivery of basic services, in particular health, water and wastewater, and refuse collection. According to a recent report on the performance of the private sector in the Middle East and North Africa region, losses due to power outages in Gaza are the highest among the eight economies surveyed and constitute 22 per cent of annual sales.[1] To ensure a minimum functionality of key service providers, humanitarian partners have been delivering emergency fuel supplies to health facilities, water and wastewater installations, and solid waste management facilities.

Secretary-General: "the continued humanitarian deprivations of Gaza's nearly two million residents smother dreams and ambitions, and feed instability and extremism."

Addressing the UN Security Council on 15 September, the Secretary-General referred to the Gaza Strip as "a ticking time bomb" where "instability and the risk of violent escalation are ever-present." He warned that "the continued humanitarian deprivations of Gaza's nearly two million residents smother dreams and ambitions, and feed instability and extremism. Lasting progress in Gaza can only be realized on the basis of Palestinian unity, an end to the illicit arms build-up and militant activities, and a full lifting of movement and access restrictions in line with Security Council Resolution 1860."

Increase in Palestinian live ammunition injuries in clashes with Israeli forces

In 2016 about half of Palestinian injuries from live ammunition occurred in refugee camps

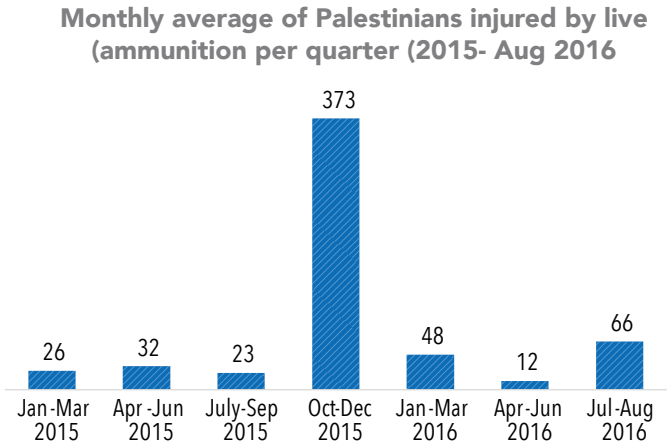
During July and August, nine Palestinians were killed in the West Bank by Israeli forces, mainly in clashes during search and arrest operations (four cases), or during Palestinian attacks and alleged attacks (three cases). Those killed included a 27-year-old pregnant woman shot dead in the H2 area of Hebron city, after allegedly trying to stab a border policeman; a twelve-year-old child hit by a rubber bullet fired by Israeli soldiers during clashes with Palestinian stone throwers in Ar Ram town (Jerusalem); and a 38-year-old man with mental health problems who failed to respond to orders to stop and was shot while walking near a military tower at the western entrance of Silwad.

Clashes with Israeli forces during search and arrest operations, demonstrations and spontaneous stone throwing incidents across the West Bank also resulted in the injury of 509 Palestinians: 361 men, 11 women, and 130 boys and 7 girls. Another 25 Palestinians were injured in the Gaza Strip during protests near the perimeter fence, and during Israeli airstrikes and tank shelling on 21 August that targeted military training sites and facilities. Although no fatalities were recorded, these attacks, which followed the firing of a projectile into southern Israel, were the most intensive since the 26 August 2014 ceasefire.

In July and August one Israeli settler was killed and another 16 Israelis were injured, including six soldiers and three children. The fatality was a 48-year-old man driving near Hebron who was shot by a Palestinian; his wife and two children were injured.

Increase in Palestinians injured by live ammunition in the West Bank

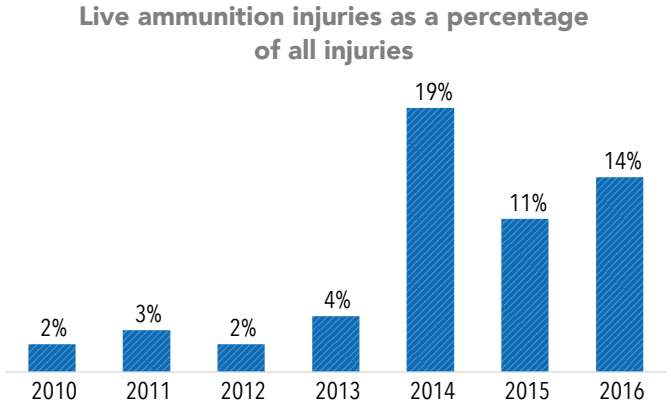
Although the number of injured Palestinians fell during July and August compared with the monthly average during the first half of the year (255 vs 277), the number of injuries caused by live ammunition more than doubled (66 vs 30). The number of injuries



Multi-year data indicate a rise in the percentage of injuries from live ammunition in recent years.

from live ammunition is over 60 per cent higher than the average for the period January to September 2015, but still well below the average for the last quarter of 2015, which witnessed the most serious escalation in violence in the West Bank during the past decade.

Multi-year data indicate a rise in the percentage of injuries from live ammunition in recent years. The high figures recorded in 2014 can be attributed to the violent clashes during July and August in protest against the hostilities in Gaza.



Refugee camps - hotspots for clashes

The most violent clashes during July and August took place in the densely-populated refugee camps and accounted for some 25 per cent of all injuries, including two-thirds of injuries from live ammunition. These clashes mainly occurred during search and arrest operations in the governorates of Hebron, Bethlehem and Ramallah. From the beginning of 2016 until the end of August, around half of injuries from live ammunition (153 out of 312) occurred in West Bank refugee camps, almost all during search and arrest operations.

One of the most serious clashes took place on 16 August in Al-Fawwar refugee camp (Hebron) during a search and arrest operation, which camp residents described as the largest in years, possibly since the second Intifada. During the operation, a 19-year-old Palestinian youth was killed and another 51 residents were injured, including 31 injuries from live ammunition. Many of the latter were shot in their lower legs, either just under their knees or near their ankles.

In July and August, 2/3 of live ammunition injuries occurring in refugee camps. On 16 August in Al-Fawwar Camp, 31 Palestinian injuries out of 51 were by live ammunition.

Israeli forces entered the camp at around three to four in the morning and, according to the Israeli army Spokesperson's Unit, encountered stones and Molotov cocktails.[2] The Israeli forces fired tear gas canisters, stun grenades and live ammunition. The tear gas permeated homes and resulted in multiple cases of severe inhalation. The soldiers occupied a number of homes to use as vantage points and to site snipers on rooftops. During intensive house searches, the army caused extensive damage to homes, including six cases of holes made in walls. The troops remained in the camp until around eight in the evening.

In Ad Duheisha Camp in Bethlehem governorate, Israeli forces carried out seven search operations in July and August. Three of these developed into violent confrontations, which resulted in 17 injuries, all from live ammunition and mainly in the lower limbs.

R., a 15-year-old from Ad Duheisha Camp

R. was shot with live ammunition on 1 August 2016 when clashes erupted during a search and arrest operation in Ad Duheisha refugee camp. According to R., he was shot three times in the legs by a sniper. A friend who ran to assist him was also shot twice in the legs. Palestinian Red Crescent (PRSC) paramedics evacuated them to hospital. R. had to undergo six surgical operations and requires further medical treatment to avoid future disabilities.

R. is finding it difficult to attend school with his crutches, but is determined not to miss his education. He said, "I love reading about Greek mythology and philosophy. I am a big fan of Aristotle and Alexander the Great. I want to be a great man and a philosopher like Aristotle."

R. was arrested from his house two days after being interviewed by OCHA and OHCHR. He was released under bail, and was placed under home arrest for three months. During this period, R. is allowed to go to hospital for treatment, with the condition that he provides medical reports.

This report was prepared by the United Nations Office for the Coordination of Humanitarian Affairs in collaboration with humanitarian partners.

Concerns over excessive use of force

Law enforcement officials, including members of the armed forces acting in that capacity, have a duty to protect the public and the right to protect themselves. However, firearms are only to be used to the minimum extent necessary when less extreme means are insufficient to protect others or themselves from an imminent threat of death or serious injury, or to prevent the commission of a crime involving grave threat to life. Whenever the use of force and firearms is unavoidable, law enforcement officials should – among other measures – exercise restraint and act with proportionality, taking into account the seriousness of the offence and the legitimate objective to be achieved, and ensuring that damage and injury are kept to a minimum. In particular, the use of firearms with intent to kill must be a last resort, when strictly unavoidable in order to protect life.[3]

In September the Israeli media reported that the Israeli military had launched a new training programme to equip soldiers deployed in the West Bank with non-lethal measures to address "the changing nature of threats" facing them.[4]

The frequent use of firearms in densely-populated areas, as described above, and the resulting deaths and serious injuries raise concerns about the possible use of excessive force that may have led to unnecessary serious injuries and unlawful killings. The Israel authorities have an obligation to conduct prompt and effective investigations into these cases and to hold potential perpetrators accountable.

Gaza two years on: Less than nine per cent of referred incidents have led to a criminal investigation

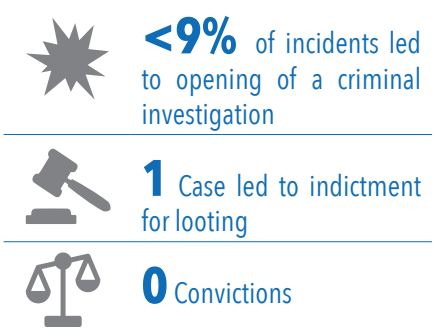
UNITED NATIONS HUMAN RIGHTS OFFICE OF THE HIGH COMMISSIONER

This article was contributed by the Office of the High Commissioner for Human Rights (OHCHR)

Two years after the 2014 escalation of hostilities, justice remains elusive. Serious concerns persist regarding the lack of investigations and accountability by both the Israeli and Palestinian authorities into alleged violations of international humanitarian law and international human rights law, including allegations of war crimes, as well as lack of civil remedies and compensation to victims.

Criminal investigations

On 24 August 2016, the Office of the Israeli Military Advocate General (MAG) issued an update on the status of its investigations into alleged international law violations committed by the Israeli army during the 2014 hostilities.[5] This was the first such update issued by the MAG in over 14 months. No meaningful investigation into alleged violations has been announced by the Palestinian authorities so far, although the Palestinian authorities do not usually make public any information about the status of internal investigations and any possible accountability measures taken in this regard.



This report was prepared by the United Nations Office for the Coordination of Humanitarian Affairs in collaboration with humanitarian partners.

According to its latest update, the MAG received 500 complaints relating to approximately 360 incidents. Of the 31 criminal investigations opened by the MAG into possible misconduct, 13 cases were closed without any administrative or criminal proceedings and one case led to the indictment of three soldiers for a single instance of looting. It remains unclear when the decisions on the other 17 pending investigations can be expected. The MAG closed around 80 additional cases for lack of reasonable grounds to suspect criminal behaviour. These cases were closed based on an evaluation of the facts by the IDF's General Staff Mechanism for Fact-Finding Assessments without any criminal investigation.

One of the cases closed without any criminal investigation was that of an airstrike on 3 August 2014 at the entrance to an UNRWA school in Rafah –sheltering at that time between 2,700 and 2,900 displaced civilians –in which 15 persons were reported killed, including 9 children, and 30 others injured. The decision to close the case without criminal investigation was accompanied by an announcement by the MAG that the IDF has implemented operational lessons following the incident "with the aim of minimizing the risk of reoccurrence of similar incidents in the future".[6]

One of the cases closed without any criminal investigation was that of an airstrike on 3 August 2014 at the entrance to an UNRWA school in Rafah

Intimidation of human rights organizations

Palestinian human rights organizations have called for the use of foreign jurisdictions and international justice mechanisms to address gaps in accountability. Some of these organizations have reported facing increased threats and harassment over the past year. In March 2016, Al-Haq NGO reported a smear campaign and death threats against its director and one of its staff members.[7] The organization believes the threats were directly linked to its work related to the International Criminal Court. Since then, attacks have been reported against other Palestinian human rights organizations seeking accountability for alleged Israeli violations of international law, including Al-Mezan, the Palestinian Centre for Human Rights (PCHR) and The Resource Center for Palestinian Residency and Refugee Rights (BADIL).[8]

Compensation

Civil society organizations reportedly submitted 1,148 requests for civil remedies for victims of alleged IDF wrongdoing during the 2014 escalation to the Israeli Ministry of Defence within the 60-day deadline of the time of the incident. Due to the physical, financial, legal and procedural barriers, only a very small percentage of compensation claims have actually been filed with Israeli courts following initial notification. The main legal obstacle is the "act of war" exemption which bars victims from making claims against Israel for actions taken in the course of "combat[ing] terror, hostile acts or insurrection."[9] In addition, residents of an "enemy territory" are excluded from the scope of Israel's civil liability legislation. The declaration of Gaza as enemy territory by the Israeli Prime Minister in October 2014, with retroactive applicability to 7 July 2014, effectively exempts Israel from civil liability for every wrongful act committed by Israeli forces during the 2014 escalation. Failure to ensure accountability leaves victims and

families without redress and creates an environment in which perpetrators on all sides are able to act with impunity, thereby encouraging further abuses.

Start of new school year in Gaza

This section was contributed by UNICEF

Good progress made in repairs but other challenges impact pupil well-being and performance

Number of schools and school children in the Gaza Strip for the 2015/2016 academic year

Supervising authority	No. of school buildings	No. of schools	No. of students	classes on double shift % 2015/2016 year
Government	265	395	234,892	67%
UNRWA	159	257	249,672	75%
Private	52	52	18,139	0%
Total	**473**	**704**	**502,703**	

In the Gaza Strip, recurrent conflict and the ensuing damage and destruction of educational facilities have led to disruption in services and impacted the psychosocial well-being of children and teachers. Two years after the end of the most recent escalation in 2014, all 252 damaged schools have been repaired, but reconstruction of six of the seven totally destroyed schools is still incomplete. Nine years of blockade have compounded the impact of hostilities. Schools are overcrowded and their facilities are often used in double shifts, resulting in fewer instructional hours on core subjects and foundational learning, student difficulties in focusing on their studies and heightened levels of violence in schools. At least 20 new schools need to be built in Gaza each year to keep pace with population growth, but only 20 new schools have been built over the past eight years (all in 2013).



Student performance and motivation are also undermined by the wider Gaza context of continuous power outages and electricity rationing, poor shelter and living conditions, and economic deprivation. Learning outcomes and completion rates for students continue to decline; student performance in Gaza is falling behind that of the West Bank. The average pass rate on the unified grade four exams was only 55 per cent in Arabic language and 51 per cent in mathematics in 2012; less than half of the students taking the grade seven exams passed any single subject.

The educational system in Gaza is also negatively impacted by the failure of the Government of National Consensus (GNC) to effect intra-Palestinian reconciliation. In the aftermath of the Hamas takeover of Gaza in 2007, tens of thousands of civil servants paid by the Palestinian Authority (PA) in Ramallah were either forced by the PA to stop working or were replaced by civil servants recruited by the Gaza authorities. Hundreds of government projects in Gaza were halted and the PA's budget lines for Gaza branches of ministries, including the Ministry of Education and Higher Education (MoEHE), were cut. Over 6,000 teachers have not received regular monthly salaries since April 2014, of whom approximately 1,100 face the prospect of ceasing work if their salaries are not paid or their transportation fees are not covered.

Over 6,000 teachers have not received regular monthly salaries since April 2014.

For the third consecutive academic year, the MoEHE in Gaza has not received an operational budget from Ramallah and will rely for operating costs on the revenues from school canteens (approximately $1,000 per year per school). The Ministry also needs critical funding to provide children with school bags, uniforms and stationery; to furnish new schools and replace furniture; to provide drinking water; and to equip 20 computer and 50 science laboratories at a total cost of approximately $15 million. These needs exacerbate the educational situation.

Electricity shortages continue impeding the delivery of basic services

At this month's meeting of the Ad-Hoc Liaison Committee (AHLC), a high-level, biannual donor meeting, the Israeli authorities announced their intention to establish a new electricity line into the Gaza Strip. The line could supply an extra 100 megawatts (MW) of electricity, almost doubling the current supply from Israel. The announcement did not include an implementation time frame. In the meantime, the provision of basic services across the Gaza Strip remains severely hampered by the longstanding electricity deficit.[10]

The situation has worsened since October 2013 when the Gaza Power Plant (GPP) cut operations to half of its capacity (60 MW of 120 MW) due to funding challenges which limited the purchase of sufficient fuel.[11] On multiple occasions - an average of one day per month during the first half of 2016 - the GPP has been forced to shut down totally. Electricity supplies from Israel (120 MW) and Egypt (20-28 MW) have also been disrupted repeatedly since the start of the year due to technical malfunctioning and constraints in the ability of Egyptian and Israeli teams to carry out repairs.



Back-up generators unable to operate efficiently due to funding shortages, overuse and a lack of spare parts for repairs.

This has required the Gaza Electricity Distribution Company (GEDCO) to implement a rationing system of rolling power cuts of 12 to 16 hours per day. However, rolling power cuts can reach up to 18-20 hours per day, if supply from one of the three sources is disrupted. Service providers rely heavily on back-up generators, but these are also unable to operate efficiently due to funding shortages, overuse and a lack of spare parts for repairs; the parts are classified as "dual-use" items by the Israeli authorities.

Health

Although five of the 13 hospitals in Gaza have been provided by GEDCO with an additional connection to the grid, doubling the regular supply, all of them are still heavily dependent on back-up generators. Apart from the inherent fragility of such dependency, many hospitals are also vulnerable to disruptions in generator function due to limited fuel-storage capacity.[12]

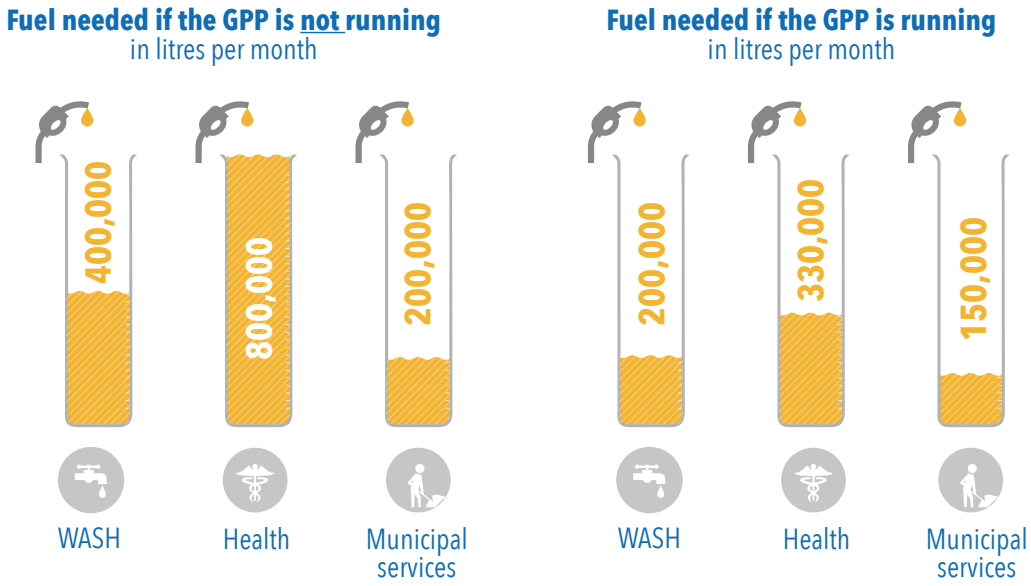
Common coping mechanisms adopted by hospitals in Gaza include the postponement of non-urgent and elective surgeries; increasing referrals of patients outside of Gaza, particularly for chronic illnesses; discharging patients prematurely; and reduction and/or cancellation of complementary services such as cleaning and catering. According to the World Health Organization (WHO), a log has been recorded over the past three years of 300 machines and medical equipment at hospitals damaged due to fluctuations in the electricity supply.

Water and sanitation

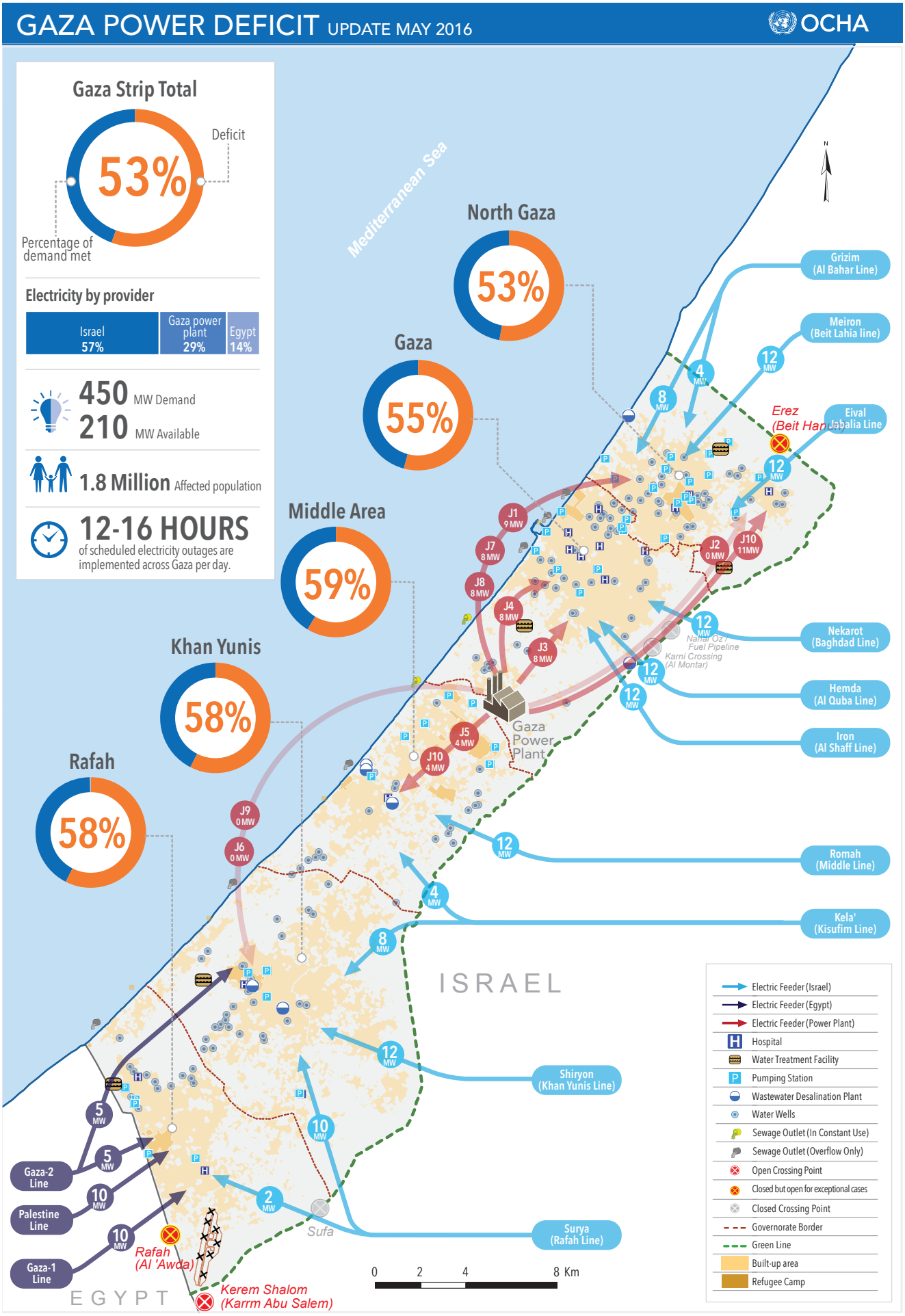
In most areas, the shortage of electricity and fuel has reduced the water supply to households and increased reliance on water trucking from private, uncontrolled suppliers. This has resulted in a lowering of standards of hygiene. Wastewater treatment plants also have shortened treatment cycles, thus heightening the level of partially treated sewage routinely discharged into the sea. There is a constant risk of a back-flow of sewage onto streets. Fuel shortages for vehicles have also forced municipalities to significantly reduce refuse collection, generating additional public health hazards. Over 500 donkey carts including 230 in Gaza city are currently employed to support the house-to-house collection of solid waste.

Emergency fuel deliveries

To ensure a minimum functionality of key service providers, humanitarian partners have been delivering emergency fuel supplies since 2013. Current beneficiaries include 40 health facilities, 108 water and wastewater installations, and 29 solid waste management facilities. UNOCHA has been in charge of the prioritization and coordination, while UNRWA has worked with UNICEF and WHO for the distribution. Current deliveries to the three sectors stand at 680,000 litres per month to meet the minimum requirements to operate the GPP at half capacity. So far in 2016, this mechanism has been funded by the Islamic Development Bank, Turkey, Japan and Human Appeal International for a total of $ 6.03 million, which is projected to last until June 2017. Between January and August 2016, around 5.10 million litres of fuel have been delivered including 2.87 million litres for health, 1.21 for WASH and 1.10 for solid waste.



This report was prepared by the United Nations Office for the Coordination of Humanitarian Affairs in collaboration with humanitarian partners.



This report was prepared by the United Nations Office for the Coordination of Humanitarian Affairs in collaboration with humanitarian partners.

Endnotes

1. European Bank for Reconstruction and Development, European Investment Bank, World Bank Group: *What's holding back the private sector in MENA? Lessons from the Enterprise Survey*, p. 128.

2. Khoury, J. and Cohen, G. "Palestinian Teen Said Killed, Over 40 Wounded in Israeli Army Raid Near Hebron," *Haaretz*, 16 August 2016: http://www.haaretz.com/israel-news/.premium-1.737148

3. See Code of Conduct for Law Enforcement Officials, 1979, Articles 2-3; Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, 1990, Principles 5, 9, 13 and 14.

4. *Times of Israel*, "IDF training troops in non-lethal measures against attackers", 3 September 2016.

5. IDF Military Advocate General, Decisions of the IDF MAG regarding Exceptional Incidents that Allegedly Occurred During Operation 'Protective Edge', Update No. 5, 24 August 2016 (www.law.idf.il/163-7596-en/Patzar.aspx).

6. *Idem*.

7. Al-Haq, "Al-Haq Under Attack – Staff Member's Life Threatened", 3 March 2016 (http://www.alhaq.org/advocacy/topics/human-rights-defenders/1026-al-haq-under-attack-staff-members-life-threatened).

8. Al-Haq, "Palestinian Human Rights Organizations Council Calls for Immediate Investigations into Threats against Human Rights Defenders", 14 August 2016 (http://www.alhaq.org/advocacy/targets/palestinian-human-rights-organizations/1064-palestinian-human-rights-organizations-council-calls-for-immediate-investigations-into-threats-against-human-rights-defenders).

9. Civil Wrongs (Liability of the State) Law, 5712-1952.

10. See: OCHAOPT, *The Humanitarian Impact of Gaza's Electricity and Fuel Crisis*, 28 March 2014, http://www.ochaopt.org/content/humanitarian-impact-gaza-s-electricity-and-fuel-crisis-march-2014

11. The GPP needs approximately NIS45 million per month to procure sufficient fuel to operate at half capacity (60MW approximately). Currently, it can only secure around NIS20-23 million per month through customer payments.

12. For example, Shifa Hospital, the main hospital in the Gaza Strip, has the capacity to store 135,000 litres of fuel and consumes around 1,000 litres per hour.

This report was prepared by the United Nations Office for the Coordination of Humanitarian Affairs in collaboration with humanitarian partners.