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Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

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Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan

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Note by the Secretary-General

Summary

In its resolution [2018/20](#), entitled “Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan”, the Economic and Social Council requested the Secretary-General to submit to the General Assembly at its seventy-third session, through the Council, a report on the implementation of that resolution. The Assembly, in its resolution [73/255](#), entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”, also requested the Secretary-General to submit a report to it at its seventy-fourth session. The present report, which was prepared by the Economic and Social Commission for Western Asia (ESCWA), has been submitted in compliance with these resolutions of the Council and the Assembly.

The report covers persistent Israeli practices and policies, in particular those that may be in violation of international humanitarian law and international human rights law and that affect the social and economic conditions of people living under its military occupation.

* [A/74/50](#).



ESCWA would like to express its appreciation for the contributions of the Office for the Coordination of Humanitarian Affairs of the Secretariat, the International Monetary Fund, the United Nations Entity for Gender Equality and the Empowerment of Women, the International Labour Organization, the United Nations Industrial Development Organization, the World Food Programme, the United Nations Conference on Trade and Development, the Office of the United Nations Special Coordinator for the Middle East Peace Process, the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the World Health Organization.

I. Introduction

1. The Economic and Social Council, in its resolution 2018/20, expressed concerns about the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan. The General Assembly, in its resolution 73/255, demanded that Israel, the occupying power, cease the exploitation, damage, cause of loss or depletion and endangerment of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan. The present note provides information on relevant developments with regard to the foregoing.

II. Occupied Palestinian Territory

Israeli practices in the Occupied Palestinian Territory

Israeli legislation affecting the Occupied Palestinian Territory

2. In the past two years, members of the Knesset, the main legislative body of Israel, have proposed several legislative initiatives aimed at advancing the retroactive legalization of settlements. This was coupled with an expansion in illegal Israeli settlement (see A/73/410, para. 58),¹ following decades of practices on the ground that entrenched the occupation and Israeli control over lands in the Occupied Palestinian Territory, in particular in the West Bank, including East Jerusalem.²

3. The Regulation Law, which was adopted in February 2017, remains unimplemented pending the ruling of the High Court of Justice on its legality (see *ibid.*, para. 12). If implemented, it could enable the continued use of private Palestinian land in the West Bank for between 2,000 and 4,000 housing units, according to some estimates (see A/73/87-E/2018/69, para. 35, and A/72/90-E/2017/71, para. 23).

4. An amendment to the Basic Law: Jerusalem, Capital of Israel, adopted in January 2018, requires a super majority of 80 votes in the Knesset for the approval of territorial concessions in Jerusalem to “a foreign entity”, while lowering the threshold required to change the municipal boundaries of the city (see A/73/410, para.9).³

5. An amendment to the Council for Higher Education Law, adopted on 12 February 2018, applies the jurisdiction of the Council for Higher Education of Israel to Israeli settlers in the West Bank and retroactively recognizes higher education institutions in settlements previously recognized by the military authorities (see *ibid.*, para. 10).

6. An amendment to the Administrative Courts Law, adopted in July 2018, provided that petitions relating to the West Bank in four areas, namely, planning and construction, the Freedom of Information Law, entry to and exit from the West Bank, and military restraining and supervision orders, will be referred to the Administrative Affairs Court of Jerusalem instead of the High Court of Justice. The law would further limit access to justice for Palestinians and, in extending the competence of an Israeli

¹ See also Peace Now, “Construction starts in settlements by year”, Construction database, available at <http://peacenow.org.il/en/settlements-watch/settlements-data/construction>; and Palestinian Central Bureau of Statistics, press release, 28 March 2019, available at www.pcbs.gov.ps/portals/_pcbs/PressRelease/Press_En_28-3-2019-land-en.pdf.

² See previous reports and TD/B/65(2)/3, paras. 22–25.

³ See also Knesset, “Knesset passes law requiring 8-MK majority for giving up Israeli sovereignty over any part of Jerusalem”, 2 January 2018.

administrative court to the West Bank, would also constitute an additional step towards a blurring of the distinction between Israel and the Occupied Palestinian Territory (ibid.).⁴

7. Palestinians in the occupied territory continue to be subject to a complex combination of Israeli and Palestinian legal systems. In the West Bank, Israeli domestic law is applied extraterritorially to Israeli settlers, while Palestinians are subject to Israeli military law in addition to the Palestinian legal system. As a result, lower human rights standards are applied to Palestinian suspects and defendants compared with Israeli suspects and defendants. The application of two different legal systems in the same territory on the sole basis of nationality or origin is inherently discriminatory and violates the principle of equality before the law, which is central to the right to fair trial. The application of Israeli domestic law to settlers and of Israeli military law to Palestinians in the West Bank also raises concerns as to the obligation of the occupying Power to respect the laws in force in the territory it occupies, unless it is absolutely prevented from doing so (see [A/73/87-E/2018/69](#), para. 3; [A/72/90-E/2017/71](#), para. 4; and [A/71/86-E/2016/13](#), para.7).

Access to services and justice

8. As a result of Israeli restrictions and other administrative and security measures, Palestinians living in different areas of the Occupied Palestinian Territory have differential access to health-care services and different levels of freedom of movement. Since the annexation of East Jerusalem by Israel in 1967, Palestinians living there are given a “permanent residency” which grants them, inter alia, access to Israeli social benefits and health-care services but is revocable and dependent on them continuing to reside or work in Jerusalem.

9. The Knesset has adopted several laws over the years exempting Israel from civil liabilities for any wrongful act committed by the Israeli military towards Palestinians in Gaza, which it defines as an “enemy territory” (see [A/73/420](#), para. 63), thereby impeding the right of Gazan victims to equal access to reparation (see [A/HRC/40/74](#), para. 112).

10. The independent international commission of inquiry on the protests in the Occupied Palestinian Territory⁵ reports that it is not aware of any alternative mechanism employed by Israel to compensate Gazan victims for damage caused unlawfully by the security forces (ibid.).

Discriminatory zoning and planning policies

11. As noted previously, the Israeli zoning and planning policies in Area C and East Jerusalem are discriminatory and considered incompatible with requirements under international law (see [A/73/410](#), para. 32).

12. The Israeli Civil Administration permits construction by Palestinians within approved outline plans covering only 0.4 per cent of Area C (see [A/73/87-E/2018/64](#), para. 4). For Palestinians to obtain a building permit outside those plans, Israeli authorities must approve a local outline plan for the area, after which a permit must be requested through a lengthy and costly process that often results in rejection. This makes it almost impossible for Palestinians to obtain building permits, leaving them

⁴ See also Association of Civil Rights in Israel, “2018: A bad year for democracy – human rights in Israel”, 2018 situation report.

⁵ Established pursuant to Human Rights Council resolution [S-28/1](#) to “investigate all alleged violations and abuses of international humanitarian law and international human rights law in the Occupied Palestinian Territory, [...] particularly in the occupied Gaza Strip, in the context of the military assaults on the large-scale civilian protests that began on 30 March 2018”.

no choice but to build without permits and expose themselves to the risk of demolitions and displacement. To enhance the ability of Palestinians to obtain building permits, since 2011, Palestinian and international stakeholders have submitted 102 local outline plans to the Israeli Civil Administration for communities in the entirety of Area C. Only five plans were approved (see *ibid.*, para. 31).

Violence and the use of force

13. As the occupying Power, Israel has the obligation to take all the measures in its power to restore and ensure, as far as possible, public order and life in the Occupied Palestinian Territory and to protect the Palestinian population from all acts of violence, in all circumstances (see *ibid.*, para. 17).⁶ Practices of the Israeli security and military forces continue to raise concerns. Of particular concern was the response of the Israeli military to the weekly Great March of Return protests along the Gaza border fence.

14. In its report, the independent international commission of inquiry on the protests in the Occupied Palestinian Territory found reasonable grounds to believe that some violations by the Israeli security forces constituted serious international crimes, including possible war crimes and crimes against humanity (see A/HRC/40/74, paras. 94, 97, 101, 102, 114 and 115), in particular through unlawful, excessive and disproportionate use of force (see *ibid.*, paras. 99 and 101) and the intentional targeting of civilian demonstrators in Gaza by Israeli snipers, including children and persons with disabilities, as well as health workers and journalists (see *ibid.*, paras. 68, 71, 74, 76 and 94).

15. Between 1 April 2018 and 31 March 2019, 299 Palestinians, including 60 children and 4 women, were killed and another 32,696, including 6,713 children and 1,812 women, were injured by Israeli military and security forces or settlers. At least 199 of the fatalities and 30,200 of the injuries were incurred during the Great March of Return in Gaza as at 31 March. A quarter of the injuries resulted from live ammunition.⁷

16. The year 2018 was the deadliest single year for Palestinians since the 2014 conflict in Gaza, with the highest number of injuries since 2005. The massive rise in Palestinian casualties has been one of the key factors behind the deterioration of the humanitarian situation in 2018. There were 14 Israeli fatalities and 137 injured in 2018.⁸

17. Despite the relatively low proportion of injuries among females compared with males during events related to the Great March of Return, the consequences of injury can have specific negative side effects for women, in particularly when the injured person is a mother.⁹

18. During 2018, 363 verified incidents of attacks by Israeli security forces against Palestinian health-care workers and facilities were recorded in Gaza. As a result, three

⁶ See also Hague Regulations, arts. 43 and 46; Geneva Convention relative to the Protection of Civilian Persons in Time of War, art. 27.

⁷ United Nations, Office for the Coordination of Humanitarian Affairs, Casualties database, available at www.ochaopt.org/data/casualties (accessed on 31 March 2019); and “Humanitarian coordinator for the Occupied Palestinian Territory, Mr. Jaime McGoldrick, calls for action to prevent further loss of life and injury in the Gaza Strip”, 29 March 2019; and Humanitarian Bulletin: Occupied Palestinian Territory, March 2019.

⁸ United Nations, Office for the Coordination of Humanitarian Affairs, Humanitarian Bulletin: Occupied Palestinian Territory, December 2018; see also the Casualties database.

⁹ United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) input and United Nations Population Fund (UNFPA), “Impact of the ‘Great March of Return’ on gender-based violence”, 8 June 2018.

health-care workers were killed and 565 injured, with 85 ambulances and five other forms of health transport as well as three health-care facilities sustaining damage. In the West Bank, the World Health Organization (WHO) verified 60 incidents of attacks on health-care workers and facilities, in which 16 health-care staff were injured, 17 ambulances were attacked and 12 clinics and one hospital were affected. There were 35 incidents that involved the prevention or delay of ambulance access. In addition, a number of incidents monitored by the Office of the United Nations High Commissioner for Human Rights (OHCHR) indicate neglect by soldiers to provide or facilitate the provision of medical aid to Palestinians critically or fatally injured in the wake of alleged attacks.¹⁰

19. More than four years after the most recent escalation of hostilities in Gaza, serious concerns persist about the lack of accountability for alleged violations of international humanitarian law committed by all parties to the conflict. It also persists in the context of Israel's control over and policing of Palestinians in the West Bank. In the past seven years, during which reportedly 114 criminal investigations were opened across the Occupied Palestinian Territory and almost 700 Palestinian civilians were killed by Israeli security forces, only four indictments have been issued against soldiers for the killing of unarmed Palestinians: three for killings in the West Bank and one for a killing in Gaza (see [A/HRC/40/43](#), paras. 14–18).

Settler violence

20. Palestinians continued to suffer from settler violence and harassment during the reporting period. Settler violence resulting in Palestinian casualties or damage to property increased during 2018: more than 280 incidents in which Israeli settlers killed or injured Palestinians or damaged Palestinian property were recorded, marking a 77 per cent increase compared with 2017. As a result, one Palestinian woman was killed and 115 Palestinians were injured. Another two Palestinian suspected perpetrators of attacks were killed by Israeli settlers. Palestinian property vandalized by settlers includes some 8,000 trees and about 620 vehicles. Seven Israelis were killed by Palestinians in these incidents in 2018, compared with four in 2017. There were at least 181 incidents in which Palestinians killed or injured settlers and other Israeli civilians in the West Bank or damaged Israeli property, a 28 per cent decline compared with the previous year.¹¹

21. Settler attacks included stone-throwing, vandalism and physical attacks and occurred largely in Palestinian communities close to settlements (see [A/73/499](#), para. 18). A total of 350,000 Palestinians live in 67 such communities.¹²

22. While efforts by the authorities to prevent and investigate settler-related violence are being made, further measures need to be taken to prevent or investigate cases of settler violence and prosecute perpetrators.

23. The Government of Israel decided not to renew the mandate of the Temporary International Presence in Hebron beyond 31 January 2019. Combined with intensified harassment and restrictions against residents and the remaining protective presence actors in the area, the non-renewal of the Temporary International Presence in Hebron increases the protection risks faced by the population, in particular schoolchildren.¹³

¹⁰ WHO input.

¹¹ United Nations, Office for the Coordination of Humanitarian Affairs, "2018: More casualties and food insecurity, less funding for humanitarian aid", 27 December 2018.

¹² United Nations, Office for the Coordination of Humanitarian Affairs, "Occupied Palestinian Territory: 2019 Humanitarian needs overview", December 2018. All data in the overview are up to November 2018.)

¹³ United Nations, Office for the Coordination of Humanitarian Affairs, Humanitarian Bulletin: Occupied Palestinian Territory, February 2019.

24. Israeli settler violence and the ongoing occupation also affect the lives of Palestinian women. Settler violence, which takes place in the streets and communities, has an impact on the safety of women in their own communities, resulting in curbs to their day-to-day rights, and reinforces the stereotype that women are in constant need of protection and supervision.¹⁴

Detention and ill-treatment

25. As at the end of February 2019, 5,248 Palestinians security detainees and prisoners were being held in Israeli prisons, including 205 children, 48 women¹⁵ and 7 members of the Palestinian Legislative Council.¹⁶

26. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories noted that a wide range of serious concerns had been raised with the Committee, including the continued use of administrative detention, arrest and the detention of children and lack of access to proper medical care. Palestinian officials and civil society organizations drew attention to the detention of thousands of Palestinians, including children, and raised concern about the number of Palestinian detainees held in 22 prisons, military camps and detention centres inside Israel, in violation of international humanitarian law (see *ibid.*, paras. 64–65).

27. Concerns had also been expressed about Israel's continued policy of ad hoc and arbitrary administrative detention, whereby detainees are held without trial or charge on indefinitely renewable six-month administrative detention orders, often on the basis of secret information to which the detainee was neither given access nor the opportunity to challenge (see *ibid.*, para. 65). At the end of February 2019, 495 Palestinians, including 2 children, were being held under administrative detention.¹⁷

28. Also of concern are the continuous reports documenting cases of ill-treatment and torture of Palestinian detainees, including children.¹⁸ The Special Committee was informed that 75 per cent of children arrested reported having been exposed to physical or psychological ill-treatment (see *ibid.*, para. 70).

29. Since 2000, at least 8,000 Palestinian children have reportedly been arrested and prosecuted in the Israeli military justice system.¹⁹ The arrest of children is often conducted during night raids, with security forces entering the home and waking up the family in order to arrest the children. This practice has been condemned by human rights groups, given the fear and anxiety that it causes both to the children and to the families. In many cases, families are not told why the children are being arrested. Children report being subjected to violence and humiliation during transport to the detention facility. In many cases, children are reportedly interrogated without a parent or guardian present, and there are serious concerns about the possibility of forced confessions. The Special Committee noted with great concern reports about the practice of plea-bargaining, in which detained children plead guilty in exchange for a reduced sentence. There are concerns that this practice pressures children to plead

¹⁴ UN-Women input.

¹⁵ Data from B'tselem, Detainees and prisoners database, available at www.btselem.org/statistics/detainees_and_prisoners and www.btselem.org/statistics/minors_in_custody (accessed on 31 March 2019). See also data from Addameer Prisoner Support and Human Rights Association, available at www.addameer.org/statistics (accessed on 24 April 2019).

¹⁶ Data from Addameer Prisoner Support and Human Rights Association, www.addameer.org/statistics (accessed on 20 March 2019).

¹⁷ Data from B'tselem, Detainees and prisoners database (accessed on 31 March 2019).

¹⁸ Addameer Prisoner Support and Human Rights Association, "I've been there: a study of torture and inhumane treatment in Al-Moscobiyyeh Interrogation Centre", 2018. Available at www.addameer.org/sites/default/files/publications/al_moscabiyyeh_report_0.pdf.

¹⁹ See www.dci-palestine.org/issues_military_detention.

guilty in cases in which they may be innocent, in particular when they are interrogated without the presence of a parent or guardian (see *ibid.*, paras. 64, 65 and 70).

30. In 2018, Defense for Children International – Palestine documented 120 child detention cases from the West Bank, the majority of which included verbal abuse, threats, humiliation or intimidation and up to 30 days of isolation, in addition to physical abuse.²⁰

31. Palestinian mothers detained in the Al-Moscobiyyeh Interrogation Centre are reportedly subjected to threats of harm to their children in order to obtain a confession. Women detainees also suffer from sexual harassment, through sexual suggestions and gestures, or close-range interrogation.²¹

Population displacement

32. There is continued concern that the combination of State-sanctioned land seizures, retroactive legalization of settler outposts, demolition of Palestinian homes and livelihood structures, denial of Palestinian building permits, restrictions on movement and access to livelihoods, and settler violence and a lack of accountability for such violence contributes to the creation of a coercive environment in areas under full Israeli control, propelling Palestinians to move out of certain parts of Area C and East Jerusalem. Involuntary displacement and relocation to alternative residential areas as a result of such policies may amount to forcible transfer if it is carried out without the free and informed consent of the individuals who relocate, in violation of the obligations of Israel under international humanitarian and human rights law. Forcible transfer is a grave breach of the Fourth Geneva Convention and amounts to a war crime (see [A/73/410](#), paras. 2, 57, 58 and 64; and [A/73/87-E/2018/69](#), para. 21).

33. Palestinians living in East Jerusalem, Area C and the H2 zone of Hebron are most affected by the coercive environment and face the risk of displacement and forcible transfer (see [A/73/410](#), para. 66).²² More than 10,000 people, 62 per cent of whom are refugees, live in 63 communities in Area C of the West Bank at a heightened risk of forcible transfer. Dozens of Palestinian Bedouin communities, the majority of whom are refugees, are also at risk of forcible transfer in the central West Bank; 18 of these communities are located in or near the area designated by Israel for the E1 settlement plan that seeks to connect the Ma`ale Adummim settlement bloc with East Jerusalem.²³

34. Since 2009, approximately 9,260 Palestinians, including 1,972 women and 4,853 children, have been displaced owing to demolitions, including 593 who were displaced between 1 April 2018 and 31 March 2019.²⁴

35. Israel also resorts to administrative and legal measures to revoke the residency status of Palestinians in East Jerusalem. Residency status was revoked in cases in which Palestinians were considered by Israeli authorities to have “transferred their centre of life” from the West Bank abroad for seven or more years.²⁵

²⁰ Defense for Children – Palestine, “Year-in-review: 2018 rained deadly force on Palestinian children”, 31 December 2018.

²¹ Addameer Prisoner Support and Human Rights Association, “[I’ve been there](#)”.

²² See also United Nations, Office for the Coordination of Humanitarian Affairs, “2019 Humanitarian needs overview”.

²³ *Ibid.*

²⁴ See United Nations, Office for the Coordination of Humanitarian Affairs, Demolition and displacement in the West Bank database, available at www.ochaopt.org/data/demolition (accessed on 31 March 2019).

²⁵ See Al-Haq, “Engineering community: family unification, entry restrictions and other Israeli policies of fragmenting Palestinians”, February 2019.

36. In December 2018, the Knesset passed the preliminary reading of a bill that would allow the Israeli army to expel family members of a terrorist from their home by removing them from their town or city or demarcating an area that they are not allowed to enter.²⁶

37. The fear of living under constant threat of displacement has increased the insecurity of women and girls. This is in addition to the increase in caregiving responsibilities of children, who often face psychological trauma because of demolitions and the loss of their homes. When displaced, Palestinian women find themselves further constrained in their access to public spaces and livelihood opportunities against a backdrop of increasing food insecurity and vulnerability. There is also the possibility of increases in domestic violence and the use of early marriage as a negative coping mechanism. Furthermore, displaced girls lose time in school, which has a severe impact on their psychological well-being, resulting in emotional and behavioural problems that have a negative impact on their educational achievement and retention.²⁷

38. By November 2018, 14,600 Palestinians remained internally displaced in Gaza as a result of the 2014 conflict, owing to lack of funding for reconstruction. Some 19,700 Palestinians currently inhabit housing units that are beyond repair, and another 24,000 need urgent shelter assistance.²⁸

Destruction and confiscation of property and infrastructure

39. Overall, 2018 witnessed a 10 per cent increase in the demolition or seizure of Palestinian-owned structures in the West Bank compared with 2017.²⁹

40. Between 1 April 2018 and 31 March 2019, 500 Palestinian-owned structures were demolished, including 132 inhabited homes and 65 donor-funded structures, affecting more than 32,000 people. The total number of structures demolished by the Israeli authorities since 2009 reached 5,942, including 1,704 inhabited homes and 981 donor-funded structures.³⁰

41. Israel continued punitive demolitions of the family homes of Palestinians suspected of killing Israelis, a measure that may amount to collective punishment. Between 1 April 2018 and 31 March 2019, the Israeli authorities carried out seven such demolitions.³¹

42. There are currently more than 13,000 Palestinian-owned structures for which demolition orders have been issued in Area C of the West Bank.³² At least one third of Palestinian homes in East Jerusalem lacked building permits, potentially placing 100,000 residents at risk of demolition-induced displacement.³³

²⁶ Knesset, “Bill to deport families of terrorists approved in preliminary reading”, 19 December 2018.

²⁷ UN-Women input; UN-Women, “Gender alert: needs of women and girls in humanitarian action in the Occupied Palestinian Territory” (2018).

²⁸ United Nations, Office for the Coordination of Humanitarian Affairs, “2019 Humanitarian needs overview”. Based on Shelter Cluster Palestine, “Inter-agency shelter survey on substandard housing conditions in Gaza”, June 2018.

²⁹ United Nations, Office for the Coordination of Humanitarian Affairs, “West Bank demolitions and displacement: an overview”, December 2018.

³⁰ United Nations, Office for the Coordination of Humanitarian Affairs, Demolition and displacement in the West Bank database (accessed on 31 March 2019).

³¹ Ibid.

³² United Nations, Office for the Coordination of Humanitarian Affairs, “2019 Humanitarian needs overview”.

³³ United Nations, Office for the Coordination of Humanitarian Affairs, [Humanitarian Bulletin: Occupied Palestinian Territory, December 2017](#).

43. Over one third of Area C is formally designated as public land, referred to as “State land” by Israel. The vast majority of “State land” declarations took place before the start of the Oslo peace process in the early 1990s. It is estimated that between 750 km² and 900 km² were declared “State land” by Israel between 1979 and 1992. “State land” has been allocated exclusively for use by Israel and its citizens, rather than for the benefit of the local population (see [A/73/87-E/2018/69](#), para. 20). A recent report by Kerem Navot revealed that, using military orders, Israel seized more than 101,380 dunams in the West Bank between 1967 and 2014, 67 per cent of which are privately owned by Palestinian residents of the West Bank.³⁴

44. During 2018 and the first two months of 2019, the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) recorded 39 Israeli military orders confiscating 2.8 dunams of land owned by Palestinians in the West Bank.

Israeli settlement activity

45. The General Assembly, in its resolution [73/255](#), stressed that the wall and the settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law. This is confirmed in other resolutions, such as Security Council resolution [2334 \(2016\)](#), in which the Council reaffirmed that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of a lasting and comprehensive peace.

46. Settlement expansion, involving expropriation, evictions and demolitions, together with a planning and zoning regime, impedes the development, employment and livelihoods of Palestinians, as well as their full enjoyment of their socioeconomic rights.³⁵

47. Successive Israeli governments have supported population growth in the settlements by providing State-led public services, opening new economic activities, advancing housing plans and providing tax benefits to some of the settlements (see [A/71/355](#), para. 4). Areas surrounding the settlements are usually declared off-limits to Palestinians, citing “security reasons”; they are defined officially as part of the jurisdictional areas of the settlements and are eventually annexed to them (see [A/71/86-E/2016/13](#), para. 5).³⁶ Combined with the settlements themselves, these areas comprise 9.6 per cent of the West Bank.³⁷

48. There are currently approximately 215,000 Israelis living in East Jerusalem, and the settler population in Area C in the occupied West Bank, excluding East Jerusalem, is some 413,000. This brings the settler population to approximately 630,000 Israeli settlers in 143 settlement locations in the West Bank (132), including East Jerusalem (11), and 106 outposts.³⁸

49. From January to September 2018, actual construction of 1,456 housing units began in West Bank settlements, excluding East Jerusalem, compared with 1,213

³⁴ See Kerem Navot, *Seize the Moral Low Ground: Land Seizures for “Security Needs” in the West Bank* (2018).

³⁵ International Labour Organization (ILO) input.

³⁶ See also Din, “[Through the lens of Israel’s interests: the civil administration in the West Bank](#)”, position paper, December 2017).

³⁷ Palestinian Central Bureau of Statistics, press release, 28 March 2019.

³⁸ Office of the European Union Representative, “Six-month report on Israeli settlements in the occupied West Bank, including East Jerusalem (reporting period July–December 2018)”, 4 February 2019.

construction starts from January to September 2017, which represents a 20 per cent increase.³⁹

Movement and access restrictions

50. As freedom of movement is a prerequisite to the exercise of other human rights, such as the rights to family, health and education, the closures and related practices imposed by the Israeli authorities, in particular restrictions on movement, have had a devastating impact on the lives of Palestinians, in particular on families. About a third of Gaza residents have relatives in the West Bank, including East Jerusalem. As family visits are not one of the criteria for travel, many families remain separated for years (see [A/73/420](#), para. 25).

Gaza closures

51. Imposed on Gaza since June 2007, following the takeover by Hamas, the closures in Gaza, which entail severe restrictions on the movement of goods and people, continue to undermine the civil, political, economic, social and cultural rights of Palestinians in Gaza (see [A/HRC/34/38](#), para. 29; [A/71/364](#), paras. 28–29; [A/70/421](#), paras. 15–22; and [A/HRC/31/44](#), paras. 40 and 43). The blockade may amount to collective punishment, which is prohibited under international law (see [A/73/420](#), paras. 7, 9 and 65, and [A/72/565](#), para. 28).

52. The closures continue to severely erode the productive base of the economy of Gaza, and restrictions on the entry of raw materials, essential equipment and spare parts have consistently delayed efforts to reconstruct Gaza and to strengthen basic public services (see [A/73/420](#), paras. 32 and 64).

53. As a general rule, every Palestinian in Gaza who needs to travel through Israel through Beit Hanoun (Erez) crossing can do so only with an Israeli-issued permit.

54. Permit approval rates for patients seeking medical treatment that is unavailable in Gaza continue to decline, from 92.5 per cent in 2012 to 62.1 per cent in 2016 and 59 per cent in the first half of 2018. Between 30 March and 27 August, only 23 per cent of 270 people injured in the mass demonstrations during the Great March of Return who applied for permits for Erez were approved, with 37 per cent denied and the remaining pending.⁴⁰

55. According to data collected by WHO, 15 per cent of applications on behalf of health partners in Gaza were approved for exit in 2018. The World Food Programme (WFP) reports that 27 per cent of permits requested in 2018 for its national staff from Gaza were rejected for undefined “security reasons”.

56. In practice, the permit regime is characterized by lack of transparency. Countless Palestinians, including terminally ill patients, wait with continued uncertainty about the status of their applications. Furthermore, there is generally little or no communication by the Israeli authorities to inform or advise the affected population when new measures are introduced and existing procedures amended (see *ibid.*, paras. 15 and 24).

57. Israeli authorities regularly request that Palestinians go through a security interview at the Beit Hanoun crossing as a precondition to obtaining a permit. Palestinians have reported being subjected to degrading treatment and intimidation

³⁹ *Ibid.*

⁴⁰ World Health Organization (WHO), Occupied Palestinian Territory, “Monthly report: December 2018”, 29 January 2019; and United Nations, Office for the Coordination of Humanitarian Affairs, “2019 Humanitarian needs overview”.

during such interviews. There have also been reports of pressure on applicants to provide security-related information about Gaza (see *ibid.*, para. 18).

58. In 2018, the Rafah crossing was open for 198 days during daytime, compared with 36 days in 2017.⁴¹

59. The import into Gaza of goods deemed by Israel to have dual civilian and military use is prohibited unless an Israeli-issued licence to import can be acquired (see *ibid.*, para. 29). Traders have reported that the Israeli authorities may deem nearly any item dual-use, even if it was previously allowed in with no special controls.⁴²

60. Although the volume of imports to Gaza gradually increased over the years, it declined to 106,171 truckloads in 2018, including in view of the dire economic situation and the security context, compared with 118,509 in 2017,⁴³ and is still not sufficient for the needs of the population of Gaza (see [E/ESCWA/30/5](#)).

61. The severe restrictions on exports from Gaza remain in place, albeit with some easing as at 2014. In 2018, 693 truckloads⁴⁴ were allowed to exit, compared with 651 in 2017; however, this is still a fraction of the pre-closures levels, with 9,324 truckloads having exited the Gaza Strip in 2005 alone (*ibid.*).

62. The temporary Gaza Reconstruction Mechanism, established in 2014, has facilitated the entry of large quantities of construction material, otherwise restricted by Israel, into Gaza. Nearly 100,000 people were displaced owing to the destruction or severe damage of their homes during the 2014 conflict. More than 85 per cent of these homes were rebuilt by the end of 2018. There was a decline in cement imports in 2018, however, owing to the general economic decline in Gaza, reduced donor funding and the fact that the reconstruction process is drawing to an end.⁴⁵ Israel and the Palestinian Authority, together with the United Nations, conducted a joint review of the Gaza Reconstruction Mechanism towards the end of 2018 and agreed on a number of measures to increase its functionality, transparency and predictability.

63. In addition to the access restrictions, Israeli security forces enforce buffer zones by land and sea as “access- restricted areas”. While Israeli authorities have declared that up to 100 metres from the perimeter fence is a “no-go” area for individuals and up to 200 metres there is no access for heavy machinery, humanitarian partners in the field have reported that in practice, up to 300 metres from the perimeter fence is considered by most farmers as a no-go area and up to 1,000 metres a “high-risk” area. By sea, while varying and at times increased to 12 to 15 nautical miles, the restricted area is generally 6 nautical miles, less than a third of the 20 nautical miles agreed under the Oslo Accords.⁴⁶

⁴¹ United Nations, Office for the Coordination of Humanitarian Affairs, “Gaza crossings’ operations status: monthly update – December 2018”, 14 January 2019.

⁴² World Bank, “Economic monitoring report to the Ad Hoc Liaison Committee”, 18 September 2017.

⁴³ United Nations, Office for the Coordination of Humanitarian Affairs, Gaza crossings: movement of people and goods database, available at www.ochaopt.org/data/crossings (accessed on 24 March 2019).

⁴⁴ United Nations, Office for the Coordination of Humanitarian Affairs, Gaza crossings: movement of people and goods database (accessed on 24 March 2019).

⁴⁵ United Nations, Office for the Coordination of Humanitarian Affairs, Humanitarian Bulletin: Occupied Palestinian Territory, February 2019; and Office of the United Nations Special Coordinator for the Middle East Peace Process, “Report of the Ad Hoc Liaison Committee”, 27 September 2018.

⁴⁶ United Nations, Office for the Coordination of Humanitarian Affairs, “2019 Humanitarian needs overview”.

Movement restrictions in the West Bank

64. The movement of Palestinians within the West Bank, including to and from East Jerusalem, is subject to physical and administrative obstacles, impeding access to services as well as economic and social activity. In this regard, as at 2018, there had been a total of 705 road closures⁴⁷ and physical obstacles that exacerbate the ability of Palestinians to move freely in the West Bank.

65. Palestinians living in Area C, in particular, have to contend with the restrictions on movement and access as well as harassment from the Israeli military and settler violence.⁴⁸

66. Israel continues to construct the “barrier” in the West Bank, of which at least 465 km have been completed. Some 85 per cent of its 712 km-long planned route runs inside the West Bank rather than along the 1949 Armistice Line (Green Line),⁴⁹ even after the International Court of Justice concluded that the wall built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime, were contrary to international law.⁵⁰ Once construction is completed along the planned route, about 9.4 per cent of the West Bank will be severed from the rest of the West Bank.⁵¹

67. As at November 2017, some 11,000 Palestinians were living in the seam zone, the area located between the wall and the Green Line, which was declared a closed military area. Many of them are unable to gain access to the rest of the West Bank.⁵² They, as well as other Palestinians who need to enter the seam zone, must apply for a special permit from the Israeli military authorities. By November 2018, the approval rates for permits for landowners and agricultural workers had decreased from 76 per cent in 2014 to 28 per cent and from 70 per cent to 50 per cent, respectively.⁵³

68. In East Jerusalem, access by communities to health care is also challenged by the route of the “barrier”, given that certain communities find themselves on the West Bank side and need to cross checkpoints to access the health-care services to which they are entitled as residents of Jerusalem.⁵⁴ The majority of other West Bank patients must apply for permits to access East Jerusalem hospitals.⁵⁵

69. Access to East Jerusalem also remains problematic for Palestinian ambulances, which are stopped and delayed for security checks. In 2018, according to the Palestinian Red Crescent Society, 84 per cent of the 1,462 recorded journeys by ambulances requiring entry to Jerusalem from other parts of the West Bank had to transfer patients to another ambulance at checkpoints, which delayed transit.⁵⁶

70. Israeli restrictions continue to hinder access by UNRWA to refugee communities in the West Bank. Between April 2018 and January 2019, UNRWA reported 59 access-

⁴⁷ Ibid.

⁴⁸ UN-Women input.

⁴⁹ United Nations, Office for the Coordination of Humanitarian Affairs, “Occupied Palestinian Territory: humanitarian facts and figures”, December 2017.

⁵⁰ *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004.*

⁵¹ B’Tselem, “The separation barrier”, 11 November 2017.

⁵² Ibid.

⁵³ According to data obtained from Israeli authorities by the non-governmental organization, HaMoked, on the basis of the Freedom of Information Act. See United Nations, Office for the Coordination of Humanitarian Affairs, “Humanitarian Bulletin: Occupied Palestinian Territory, February 2019”.

⁵⁴ United Nations, Office for the Coordination of Humanitarian Affairs, “2019 Humanitarian needs overview”.

⁵⁵ WHO input.

⁵⁶ Ibid.

related incidents, which negatively affected the delivery of services. UNRWA also recorded another 33 access incidents at East Jerusalem checkpoints.

Exploitation, endangerment and depletion of Palestinian natural resources

71. Area C of the West Bank continues to be almost entirely off-limits for the Government of Palestine, producers and investors, even though it contains the most valuable natural resources (see TD/B/65(2)/3, para. 25).

Water

72. Israeli restrictions on the drilling and rehabilitation of wells in the West Bank exacerbate water shortages and continue to disrupt daily life and impede development interventions in the West Bank and the Gaza Strip. The resulting shortage in water supplies for the Palestinian population of the West Bank prompts the Government of Palestine to regularly purchase water from Israel,⁵⁷ in particular from the Israeli water company Mekorot.⁵⁸ Israeli settlements and discriminatory policies in the West Bank regarding water allocation further exacerbate the situation (see [A/HRC/40/73](#)).⁵⁹

73. Approximately 22 per cent of the estimated total population suffers from lack of access to water and poor water quality. Owing to Israeli restrictions, some 294,000 people are either not connected to a water network or receive water only once a week or less, mainly through unsecure water resources and/or tankered water. About 95,000 Palestinians in Area C receive less than 50 litres of water per capita per day and more than 83,000 people receive bad-quality drinking water.⁶⁰ According to a recent estimate, residents of Israel and Israeli settlers consume approximately three times as much water per person per day (250 litres) as West Bank Palestinians (84 litres) (see [A/HRC/40/73](#), para. 51).⁶¹

74. Palestinian communities in East Jerusalem also suffer from inadequate water, sanitation and hygiene services, with only 59 per cent of residents connected legally and properly to the water grid.⁶²

75. The Israeli Civil Administration has built seven dams in the West Bank, which will reportedly allow Israel to control a significant amount of surface water and to divert an estimated 260,000 to 1 million m³ of surface water annually to settlement agricultural areas.⁶³

76. In Gaza, the coastal aquifer, which is the sole natural water source, has been virtually depleted by over-extraction and the intrusion of seawater, rendering more than 97 per cent of its water unfit for human consumption.⁶⁴ Only 10.5 per cent of Palestinians in Gaza have access to safe drinking water through the public water

⁵⁷ Association for Civil Rights in Israel, “Water provision and drillings in the West Bank 2010–2016”, 5 June 2018.

⁵⁸ See data in Palestinian Central Bureau of Statistics, press release, 21 March 2019, available at www.pcbs.gov.ps/portals/_pcbs/PressRelease/Press_En_21-3-2019-water-en.pdf.

⁵⁹ B’tselem, “Water crisis”, 11 November 2017; and European Parliamentary Research Service, “Water in the Israeli-Palestinian conflict”, briefing, January 2016.

⁶⁰ United Nations, Office for the Coordination of Humanitarian Affairs, “2019 Humanitarian needs overview”, according to Palestinian Central Bureau of Statistics census.

⁶¹ B’tselem, “Water crisis”; and European Parliamentary Research Service, “Water in the Israeli-Palestinian conflict”.

⁶² United Nations, Office for the Coordination of Humanitarian Affairs, “2019 Humanitarian needs overview”, according to Palestinian Central Bureau of Statistics national census in 2018.

⁶³ According to information received by the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories. See [A/73/499](#), para. 34.

⁶⁴ See data in Palestinian Central Bureau of Statistics, press release, 21 March 2019.

network, down from 98.3 per cent in 2000. Reliance on the much more expensive, unregulated and unreliable water tanks, containers and bottled water rose from 1.4 per cent to 89.6 per cent during the same period.⁶⁵

77. By 2018, the whole population of Gaza had been negatively affected by ongoing deficits and needs in the water, sanitation and hygiene sector. This includes 983,623 women and 991,428 children who are exposed to public health risks associated with poor water quality, poor wastewater collection and treatment, lack of storm water infrastructure and lack of proper hygiene practices.⁶⁶

78. A failure to continue programmes supported by the United Nations in Gaza, such as the emergency fuel programme for generators, would reduce the average water quota from 80 litres per capita per day to 45 litres per capita per day; water production from 280 domestic water wells and 30 water reservoirs would be reduced from 220,000 m³ to 40,000 m³ a day; and drinking water from 48 public desalination plants would be reduced by 80 per cent, generating only 4,000 m³ per day of the plants' nominal capacities of 20,000 m³ per day. In addition, 55 sewage lifting and collection pumping stations in heavily populated areas would be at risk of flooding, with raw sewage overflowing in the streets during cut-off hours. The performance of the five existing wastewater treatment plants would decrease by 50 per cent, adding to the more than 116 million litres of raw untreated sewage that enters the Mediterranean Sea every day.⁶⁷

Pollution

79. In addition to the pollution caused by inadequate infrastructure, the reduction in the income of municipalities owing to the inability of Gaza residents to pay the monthly cost of services has led to further deterioration in municipal services. This is exemplified by the announcement by the head of the Gaza City municipality that large areas along the beach have been closed because, owing to the lack of fuel and electricity, most of the treatment plants have stopped working and untreated sewage is being pumped directly into the sea, thereby contaminating these areas.⁶⁸

80. There are 15 waste treatment facilities or waste dumps in the West Bank which are, in some cases, close to Palestinian towns or villages and in which proper precautions to protect the land and nearby residents from pollution and possible hazardous materials are not taken. These facilities or dumps are managed by Israel and at least six of them handle hazardous waste (see A/73/499, para. 31).

Agricultural resources

81. Area C in the West Bank contains the majority of its agricultural lands. Access and mobility restrictions, in particular in the seam zone and areas close to settlements, as well as discriminatory water allocation policies, curtail the ability of Palestinians to farm and cultivate their lands. For example, data collected over the past four years

⁶⁵ United Nations, Office for the Coordination of Humanitarian Affairs, "2019 Humanitarian needs overview", according to the WHO/UNICEF Joint Monitoring Programme for Water Supply, Sanitation and Hygiene in 2018. See <https://washdata.org>.

⁶⁶ United Nations, Office for the Coordination of Humanitarian Affairs, "2019 Humanitarian needs overview".

⁶⁷ United Nations, Office for the Coordination of Humanitarian Affairs, "2019 Humanitarian needs overview", according to the Water Supply, Sanitation and Hygiene Cluster and the Coastal Municipalities Water Utility; and January sewage dump data in United Nations, Office for the Coordination of Humanitarian Affairs, "Gaza Strip: early warning indicators – January 2019", February 2019.

⁶⁸ Norwegian Refugee Council, "Assessment report: Gaza internally displaced persons – assessment of the vulnerability situation for IDPs in Gaza, three years after the 2014 conflict", June 2018.

show that, as at November 2017, olive tree yields in the seam zone had reduced by 55 per cent to -65 per cent compared with yields in areas that can be accessed all year round.⁶⁹

82. Furthermore, since 1967, more than two thirds of grazing land and more than 2.5 million productive trees have been destroyed under the occupation (see [A/73/201](#), para. 6, and [TD/B/63/3](#), para. 42 (d)).

83. In Gaza, land and maritime access-restricted areas imposed by Israel render 85 per cent of fishery resources inaccessible to Palestinian fishermen, and half of the cultivable area remains unreachable for producers (see [A/73/201](#), para. 7).

84. The Israeli practice of spraying herbicides along the border fence areas, allegedly for a better sight line into Gaza, is also reportedly responsible for damaging agricultural production. This affects crops up to at least 1,000 metres from the border fence (see [A/73/420](#), para. 44).

Exploitation of mineral resources

85. Ten Israeli-owned quarries (the number of quarries fluctuated between 7 and 11 over the years) are active in Area C of the West Bank, located for the most part in Israeli-declared State land. Israeli firms do not face the limitations placed on their Palestinian counterparts and continue to acquire permits to quarry and extract in the Occupied Palestinian Territory (see [A/73/87-E/2018/69](#), para. 73).⁷⁰

86. The Israeli authorities have not issued new permits for Palestinian companies to quarry in Area C since 1994, even though the Oslo agreements provided for this. Area C has an estimated 20,000 dunums of quarriable land and potential mineral reserves worth an estimated \$30 billion (see [E/ESCWA/30/5](#)).⁷¹ According to the Palestinian Union of Stone and Marble, existing licences have not been renewed. This has caused several Palestinian quarries in Area C to cease operations or shut down. Quarry closures have been accompanied by equipment confiscation and fines.⁷²

Social and economic conditions in the Occupied Palestinian Territory

87. The physical fragmentation of the Occupied Palestinian Territory caused by a system of complex restrictions on movement and access imposed by the Israeli military has resulted in the emergence of different economies in the Gaza Strip and the West Bank, including East Jerusalem. This not only significantly damages peace and development prospects, but has led to the deterioration of the living conditions of the Palestinians.

88. The deterioration is exacerbated by significant shortfalls in donor support for the Government of Palestine, UNRWA and humanitarian operations in general and by intra-Palestinian division. This is undermining the ability of the international community to effectively respond to increasing needs, with some 2.5 million

⁶⁹ United Nations, Office for the Coordination of Humanitarian Affairs, Humanitarian Bulletin: Occupied Palestinian Territory, November 2017.

⁷⁰ See also Yesh Din, “The great drain: Israeli quarries in the West Bank — High Court sanctioned institutionalized theft”, position paper, September 2017.

⁷¹ See also World Bank, *West Bank and Gaza: Area C and the Future of the Palestinian Economy*, report No. AUS2922 (2013).

⁷² Yesh Din, “The great drain”; Human Rights Watch, *Occupation, Inc.: How Settlement Businesses Contribute to Israel’s Violations of Palestinian Rights* (2016); and World Bank, *West Bank and Gaza: Area C and the Future of the Palestinian Economy*.

Palestinians across the Occupied Palestinian Territory, or nearly half of the population, identified as in need of humanitarian assistance and protection.⁷³

Economic conditions

89. The economy of the Occupied Palestinian Territory continues to suffer from occupation-related measures, including restrictions on movement and access to resources and trade combined with almost 12 years of closures in the Gaza Strip. As a result, investment in the Palestinian economy has remained low, leading to a process of de-industrialization. According to preliminary data by the Palestinian Central Bureau of Statistics, real growth in the gross domestic product (GDP) of the Occupied Palestinian Territory slowed to 0.9 per cent in 2018, significantly down from 3.1 per cent in 2017.

90. The overall decline in growth for the Occupied Palestinian Territory is weighed down by a slower growth rate in the West Bank and declining activity in Gaza, the latter mainly owing to Israeli policies and practices and the closures. This is exacerbated by internal Palestinian divisions, which have resulted in a decline in transfers from the budget of the Government of Palestine, among other measures, and decreased funding for UNRWA.

91. In this context, Gaza continues its trajectory of de-development. Its GDP further contracted by 6.5 per cent in 2018 after contracting by 12.5 per cent in 2017. Significantly, the contribution by Gaza to the Palestinian economy declined to 19.6 per cent in 2018 from nearly 31 per cent in 2000.⁷⁴

92. On 17 February, the Government of Israel began implementing the law adopted by the Knesset in July 2018 obliging the Government of Israel to freeze, from the clearance revenues it collects on behalf of and transfers to the Palestinian Authority, an amount equal to the sums paid by the Palestinian Authority “directly or indirectly” to Palestinians or to the families of Palestinians convicted by Israeli courts of involvement in alleged “terrorist activities” or other security-related offences, as defined by Israeli law, or who were killed while carrying out such activities (see [S/2019/251](#), paras. 42–43).⁷⁵ Accordingly, on 17 February, Israel announced that it would freeze approximately \$139 million from the clearance revenues of the Palestinian Authority over the course of 2019, amounting to a little over 6 per cent of the total amount of revenue transfers in 2018. On 21 February, the Palestinian Authority informed the Government of Israel of its rejection of this unilateral decision, stating that under the Protocol on Economic Relations between the Government of the State of Israel and the Palestine Liberation Organization (Paris Protocol), no amount may be deducted without the consent of both parties, and that it will not cease its social welfare payments to the families of prisoners. The Palestinian Authority has since refused to accept any clearance revenue transfers from Israel, noting that it will accept the revenue only if the full amount payable is transferred. Clearance revenues from Israel constitute up to 65 per cent of the total revenues of the Government of Palestine. This decision has prompted the Government of Palestine to take severe austerity measures (see [S/2019/251](#), para. 42). The situation is expected to result in a further increase in financing gaps and to lower growth prospects and employment opportunities.

⁷³ United Nations, Office for the Coordination of Humanitarian Affairs, “2019 Humanitarian needs overview”.

⁷⁴ ESCWA calculations based on data from the Palestinian Central Bureau of Statistics. Growth rates are calculated as the year-on-year percentage change for each quarter.

⁷⁵ See also Noa Landau and Jack Khoury, “Israel freezes transfer of 500 million shekels of Palestinian Authority taxes”, *Haaretz*, 17 February 2019.

93. Even before February 2019, the Palestinian Ministry of Finance had reported that at least \$350 million per year was being lost in fiscal leakages owing to Israeli policies regarding the implementation of the Paris Protocol arrangements. According to the Government of Palestine, some sources of fiscal leakage include handling fees (3 per cent deduction from the clearance revenue); taxes and fees on fuel purchases; the value-added tax clearance mechanism; indirect imports; passenger exit fees; and taxes on Israeli commercial activity in Area C and the rest of the West Bank.⁷⁶

94. In Gaza, if transfers through the budget of the Government of Palestine continue to decline and the financial gap of UNRWA is not offset, there will be serious negative consequences for economic activity and social conditions and a further deepening of the humanitarian crisis.

95. Given that economic opportunities remain scarce, labour force participation in the Occupied Palestinian Territory in 2018 was 46 per cent; 21 per cent for women and 72 per cent for men. The unemployment rate in the Territory remained high and continued to increase, reaching 31 per cent in 2018 compared with 28 per cent in 2017. Unemployment was much worse in Gaza, registering 52 per cent in 2018 compared with 44 per cent in 2017.⁷⁷ Almost 7 out of 10 young Gazans, and 49.6 per cent of Gazans with 13 or more years of schooling, were unemployed.

96. Living conditions have worsened in recent years, driven by a significantly deteriorating humanitarian situation in Gaza. Poverty remains severe and is becoming more entrenched. The 2017 household survey by the Palestinian Central Bureau of Statistics revealed that 53 per cent of Gazans were living below the national poverty line (the poverty line translates to an expenditure of \$692 per month for a family of two adults and three children), compared with 38.8 per cent in 2011. Moreover, the incidence of deep poverty increased in Gaza from 21.1 per cent in 2011 to a high of 33.8 per cent in 2017 (deep poverty is defined as being unable to meet the minimum required for food, clothing and housing).⁷⁸

Food security

97. Food insecurity affects nearly a third of the population, or some 1.56 million people, and is driven by high poverty and unemployment rates. Food prices are driven by Israeli markets, in which the average purchasing power per capita is six times higher than in the Occupied Palestinian Territory. Food is thus unaffordable for poor Palestinian families.⁷⁹

98. According to a 2018 food security survey, food insecurity in the Occupied Palestinian Territory remains at very high levels, with a third of households (32.7 per cent) being food insecure. In the Gaza Strip, food insecurity levels in 2018 reached the highest rate in the past 20 years, at 68.5 per cent.⁸⁰

99. The deterioration in food security in Gaza is caused by many factors, including the continuously deteriorating economic situation, the closures, continued intra-Palestinian divisions, the shortage of UNRWA funding and salary cuts and late pay for government employees.

⁷⁶ For details, see State of Palestine, “Stopping fiscal leakages: the Government of Palestine’s report to the Ad Hoc Liaison Committee meeting”, September 2018.

⁷⁷ Palestinian Central Bureau of Statistics, press release, 30 April 2019, available at www.pcbs.gov.ps/portals/_pcbs/PressRelease/Press_En_30-4-2019-labour-en.pdf.

⁷⁸ Palestinian Central Bureau of Statistics data, available at www.pcbs.gov.ps/Portals/_Rainbow/Documents/Levels%20of%20living_pov_2017_02e.htm.

⁷⁹ World Food Programme (WFP), “WFP Palestine Country Brief”, January 2019.

⁸⁰ WFP and Palestinian Central Bureau of Statistics data.

100. The level of food insecurity reached 61 per cent among Bedouin and herding communities in Area C, where 40 per cent have poor to borderline food dietary intake. This increases their reliance on WFP and UNRWA assistance to meet their basic food needs.⁸¹

Education

101. Approximately 505,285 children (249,327 boys and 255,958 girls) across the Occupied Palestinian Territory face challenges in accessing quality education in a safe, child-friendly environment. Some 13,973 teachers (5,942 men and 8,031 women) are in need of support.⁸²

102. In the West Bank, including East Jerusalem, access to education is heavily compromised, affecting 39,245 students and teachers. This includes 26,387 in Area C, 11,481 in East Jerusalem and 1,377 in other areas of the West Bank.⁸³

103. In addition, 46 schools are under threat of full or partial demolition in East Jerusalem and Area C, following the issuance of demolition orders. This is likely to affect more than 5,000 children.⁸⁴

104. Palestinian children in East Jerusalem face obstacles in accessing inclusive, quality education in the city. For example, children living on the West Bank side of the wall face long and, at times, insecure commutes to schools located on the other side of the wall. They also face the threat of arrest and detention by Israeli authorities.⁸⁵

105. Compared with the previous school year, the student population in the UNRWA schools in Gaza increased by some 7,000 children. The average class size has increased from 39 to 41 students per class.⁸⁶ The shortage of schools, unpaid teacher salaries and lack of school budgets in Gaza has led 70 per cent of UNRWA schools and 63 per cent of Ministry of Education schools to operate on double- or triple-shift systems.⁸⁷

106. The ability of university students from Gaza to attend universities in the West Bank has been severely curtailed owing to Israeli restrictions since the outbreak of the second Intifada, in 2000. While they represented 35 per cent of the West Bank student population at one point, they are currently almost absent from its universities (see [A/73/420](#), para. 26).

Health

107. Approximately 1,163,618 people in the West Bank and Gaza need assistance in accessing quality and affordable essential health-care services.⁸⁸ There are also pockets of acutely vulnerable people in East Jerusalem, who are isolated from

⁸¹ WFP input.

⁸² United Nations, Office for the Coordination of Humanitarian Affairs, “2019 Humanitarian needs overview”, Education Cluster estimate.

⁸³ United Nations, Office for the Coordination of Humanitarian Affairs, “2019 Humanitarian needs overview”.

⁸⁴ United Nations, Office for the Coordination of Humanitarian Affairs, “2019 Humanitarian needs overview”, Education Cluster estimate.

⁸⁵ UNICEF, *State of Palestine: Country Report on Out-of-School Children* (East Jerusalem, 2018).

⁸⁶ UNRWA input.

⁸⁷ United Nations, Office for the Coordination of Humanitarian Affairs, “2019 Humanitarian needs overview”.

⁸⁸ United Nations, Office for the Coordination of Humanitarian Affairs, “2018–2020 Humanitarian response strategy – January–December 2019 humanitarian response plan”, December 2018.

services in Jerusalem and the West Bank, with approximately 140,000 people, including some 40,000 refugees, in need of health assistance.⁸⁹

108. The health-care system in Gaza is on the verge of collapse following years of closures and de-development and is now overburdened with massive casualties from the ongoing Great March of Return demonstrations.⁹⁰

109. The prevalence of stunting was estimated at 10 per cent during 2018 in Gaza and was highest among children from refugee and low-income families; 92,430 children under the age of five are particularly vulnerable, with 10,000 cases of rickets, and approximately 36,000 suffer from watery or bloody diarrhoea owing to the sewage crisis and deteriorating access to safe drinking water.⁹¹

110. The limited and unpredictable electricity supply to the Gaza Strip has severe implications for the health sector, putting the lives of patients in hospitals and clinics at risk. This includes patients on life support machines in intensive care units, vulnerable newborn babies in incubators and patients requiring emergency life-saving surgeries.⁹²

111. The mass influx of casualties during the Great March of Return has further strained an already fragile health-care system and has had an impact on the capacity of the wider health sector to deliver services to the population. In the hospitals, trauma patients are prematurely discharged to make room for new patients.⁹³

112. In addition to the estimated 210,000 people who are already acutely vulnerable and who suffer from severe or moderate mental health disorders, developments in Gaza have had mental health and psychosocial consequences, with approximately 52,098 people, including 26,049 children, in need of mental health and psychosocial support.⁹⁴

113. The legislative and physical fragmentation of the West Bank creates barriers to the right to health for Palestinians, in particular those living in vulnerable communities such as Area C, the seam zone and H2 in Hebron. One third of the population of these areas has limited access to primary health care. A total of 135 communities are served by mobile clinics. Efforts to establish more permanent facilities for some communities are hampered by restrictive planning policies.⁹⁵

III. Occupied Syrian Golan

114. The Secretary-General continues to reaffirm the validity of Security Council resolution 497 (1981), in which the Council decided that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights was null and void and without international legal effect.

115. The Economic and Social Council, in its resolution 2018/20, reaffirmed that the construction and expansion of Israeli settlements and related infrastructure in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan, were illegal and constituted a major obstacle to economic and social

⁸⁹ United Nations, Office for the Coordination of Humanitarian Affairs, “2019 Humanitarian needs overview”.

⁹⁰ Ibid.

⁹¹ WHO input.

⁹² WHO input.

⁹³ WHO input; and WHO Regional Office for the Eastern Mediterranean, “Gaza: waiting for treatment”, 21 November 2018.

⁹⁴ United Nations, Office for the Coordination of Humanitarian Affairs, “2019 Humanitarian needs overview”.

⁹⁵ WHO input.

development. The continued establishment and expansion of Israeli settlements in the Occupied Palestinian Territory and the occupied Syrian Golan amount to the transfer by Israel of its own civilian population into the territory it occupies, which is prohibited under international humanitarian law (see [A/73/410](#), para.63).

116. Ninety-five per cent of the Syrian population of the Golan was displaced or expelled and 340 communities were razed following the occupation by Israel of the 1,159 km² territory in 1967.⁹⁶ There are currently almost as many Israelis as Syrians in the occupied Syrian Golan, yet the Syrian population is restricted to a very small portion of the land. As at April 2018, 26,261 Israeli settlers lived in 34 Israeli settlements throughout the occupied Syrian Golan and controlled, together with the army, 95 per cent of the land, whereas 26,600 Syrians lived in five villages (see [A/73/499](#), para. 83). Israeli settlers are supported by the Government of Israel through financial incentives that reach up to \$12,000 per family as well as by the development of residential and industrial areas.⁹⁷

117. Concern persists regarding the situation in the occupied Syrian Golan, with Syrian residents facing ongoing problems owing to discriminatory land, housing and development policies established by the Israeli authorities (see [A/73/410](#), para. 60).

118. Israeli zoning and planning policies make it almost impossible for Syrians to obtain building permits. This has resulted in increasingly overcrowded villages and limited opportunities for development, as well as constraints to the expansion of the villages to accommodate the growing population.⁹⁸ In this context, the Israeli authorities have issued more than 1,570 demolition orders for Syrian structures since 1983.⁹⁹

119. Israeli law allows settlements comprised of 400 houses or less to discriminate against Syrian Arabs through the 2011 Amendment to the Cooperative Societies Ordinance, which authorizes admission committees to decide on an applicant's eligibility to reside in the community based on "compatibility with the social-cultural fabric" or the "[u]nique characteristics of the community town".¹⁰⁰

120. With severely limited access to job opportunities in their country, young Syrians in the Golan are increasingly seeking work in Israel or abroad, which further pressures them into obtaining Israeli citizenship. There are concerns that this will lead to further intensification and entrenchment of the occupation.¹⁰¹

121. Only 43 per cent of working-age persons were employed in 2016. Regardless of the strong attachment that the Syrians have to the land, the agriculture sector has been in decline owing to discriminatory policies relating to water and land access rights. Such policies have led to a deterioration in the quality of crops and, consequently, in their marketability.

⁹⁶ Al-Marsad, "Parallel report to the United Nations Committee on Economic, Social and Cultural Rights: Israel", 14 January 2019.

⁹⁷ Al-Marsad, "Observations and topics to be included in the list of issues: on the occasion of the Human Rights Committee's 2018 review of the State of Israel's implementation of the International Covenant on Civil and Political Rights", 11 April 2018; see also Israel, Law to Amend the Cooperative Societies Ordinance (No. 8), 5771–2011.

⁹⁸ ILO input.

⁹⁹ Al-Marsad, "Parallel report to the United Nations Committee on Economic, Social and Cultural Rights: Israel", 14 January 2019.

¹⁰⁰ Al-Marsad, "Observations and topics to be included in the list of issues: on the occasion of the Human Rights Committee's 2018 review of the State of Israel's implementation of the International Covenant on Civil and Political Rights", 11 April 2018; see also Israel, Law to Amend the Cooperative Societies Ordinance (No. 8), 5771–2011.

¹⁰¹ ILO input.

122. When Syrians do find work, they tend to settle for low-paying jobs for which they are massively overqualified, owing to the lack of prospects for other employment.¹⁰² Settlements in the Golan tend to use contractors who hire Syrian workers because they do not have to secure full employee privileges for their workers. Many of these contracting companies do not provide proper benefits for workers and pay extremely low wages. Syrians in the Golan are offered few alternatives to this structure (see [A/73/499](#)).¹⁰³

IV. Conclusion

123. The protracted Israeli occupation of the Palestinian territory and the Syrian Golan continues to have a detrimental effect on the living conditions of the Palestinian and Syrian populations, as well as on social and economic development in the occupied territories. The negative impact of the occupation and the Israeli policies and practices is multilayered, and their cumulative repercussions affect the future of the populations living under occupation.

124. Current social and economic trends in the Occupied Palestinian Territory indicate that the attainment of the Sustainable Development Goals will be almost impossible if there are no drastic positive changes to the existing conditions. Israeli-imposed restrictions, expansion of the illegal settlements and other practices not only prevent development in the occupied territories, but also cause humanitarian crises that necessitate the diversion of national and international efforts from development to immediate relief.

125. The funding crisis facing UNRWA is another factor that only exacerbates the conditions of hundreds of thousands of Palestinians who already live in harsh conditions. The Secretary-General reiterates his appeal to the international community to guarantee that the vital support for the rights of the Palestinian refugees is upheld and to maintain the same level of financing for UNRWA in 2019.

126. The closures imposed on Gaza, other restrictive Israeli measures, recurrent escalations and declining donor funding have created a severe situation in Gaza that requires further and immediate action by the international community.

127. Israel continues to employ policies and practices that are contrary to relevant Security Council resolutions, international humanitarian law and international human rights law. Some of these practices may be considered discriminatory and others may amount to the forcible transfer or collective punishment of protected persons, which would be a grave breach of the Fourth Geneva Convention and is prohibited under international law.

128. Adherence to international law is imperative, ensuring that no party enjoys impunity and securing justice and peace for all the people living in the region, including Palestinians and Syrians living under occupation.

129. The United Nations maintains its long-standing position that lasting and comprehensive peace can be achieved only through a negotiated two-State solution. The Secretary-General will continue to ensure that the United Nations works towards the establishment of an independent, democratic, contiguous and viable Palestinian State, living side by side in peace with a secure Israel, with Jerusalem as the capital of both States, consistent with relevant Security Council resolutions and international law.

¹⁰² Al-Marsad, "Parallel report to the United Nations Committee on Economic, Social and Cultural Rights: Israel", 14 January 2019, para. 22.

¹⁰³ Ibid., para. 25.