



OFFICE FOR THE COORDINATION OF HUMANITARIAN AFFAIRS
occupied Palestinian territory

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Humanitarian Monitoring Report – February 2005 Bertini Commitments

The Humanitarian Monitoring Report is produced monthly by the Office for the Coordination of Humanitarian Affairs (OCHA). It draws on information from the Access, Closure and Information System (ACIS) and other data sources that humanitarian agencies have submitted to OCHA. The report is provided to the Task Force on Project Implementation (TFPI) as a basis for discussions with the government of Israel. It is available on the website www.ochaopt.org

Context

UN Secretary-General Kofi Annan appointed Ms Catherine Bertini as his Personal Humanitarian Envoy to address the humanitarian needs arising from the ongoing Israeli-Palestinian conflict since September 2000. Ms Bertini was requested to assess the nature and scale of the humanitarian needs, and to clarify the respective responsibilities of all actors involved.

This report monitors the humanitarian commitments made by the government of Israel to Ms Bertini during a mission to the region from 12 to 19 August 2002. It concluded that there were serious humanitarian problems linked to the ongoing conflict and, specifically, to the measures implemented by the government of Israel to safeguard its citizens from Palestinian attacks.

These security measures, including curfews, closures and roadblocks, led to a crisis of access and mobility, instigating a drastic decline in the Palestinian economy. A large part of the Palestinian population has difficulty accessing basic services such as health and education. Humanitarian service providers, such as UN agencies, NGOs, the Palestine Red Crescent Society (PRCS) and Palestinian Ministry of Health (MoH) ambulances, have experienced problems providing assistance and services to beneficiaries.

Commitments made by Israel

Health

- Ambulances will wait no more than 30 minutes at checkpoints.
- Mechanisms will be set in place to ensure patients, seeking critical medical services (child delivery, dialysis, chemotherapy), can pass all checkpoints quickly.

Water

- Problems relating to water deliveries in Palestinian towns and villages will be addressed to ensure that daily provision of adequate amounts of water can be supplied by Palestinian water tankers.

Facilitation for International Humanitarian Organisations

- The government of Israel will fully facilitate the activities of international organisations, with particular reference to UNRWA.
- The government of Israel agreed to review and strengthen the liaison arrangements between international agencies and the Israel Defense Forces (IDF).

Additional Commitments

On previous occasions, the government of Israel has made the following commitments, which were confirmed to the mission:

- The fishing zone for Palestinian boats off the Gaza coast will be extended to 12 nautical miles
- Olive farmers will be allowed access to their fields
- Increased shipments will be allowed at Karni crossing in the Gaza Strip
- The number of permits for Palestinian workers in Israel will be increased

The Bertini Commitments represent a minimum and specific set of humanitarian standards agreed to by the government of Israel. The Bertini Commitments are not a substitute for compliance with International Humanitarian Law (IHL) as laid down in the Fourth Geneva Convention. The maximum waiting period of 30 minutes for an ambulance at a checkpoint, for example, while an improvement on the situation in August 2002, falls short of the intent of provisions of IHL.

Executive Summary

Health

Palestinian ambulance operators reported a total of at least 15 access incidents in February 2005 (the same number reported in January 2005; 72 incidents were reported in February 2004). While access for health operators has improved, there are still reports where women have given birth at checkpoints due to delays or denials of access by Israeli officials.

Water

The effect of closure measures, including checkpoints, earth mounds and curfews had a severe effect on water transport (due to a blocked location) for at least six communities in the West Bank; additional communities were affected to a lesser degree (for example, delays ranging from one hour to six hours on water transport were experienced). Damaged infrastructure was also reported.

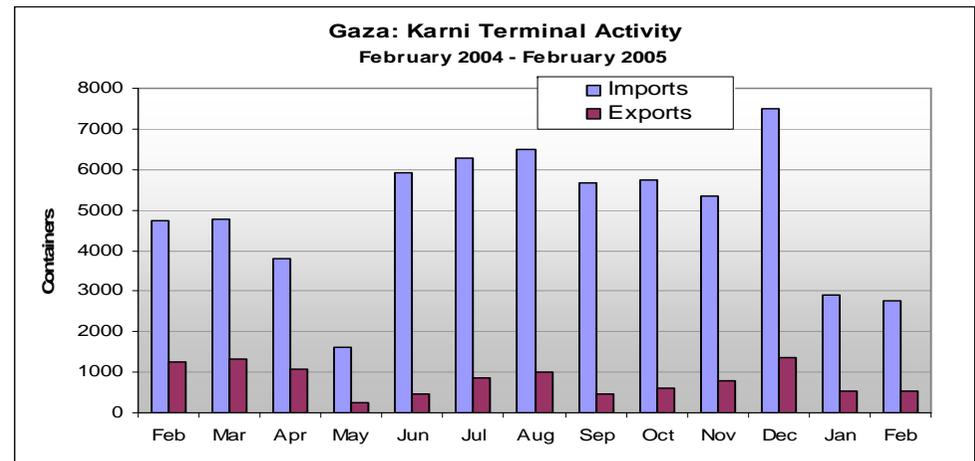
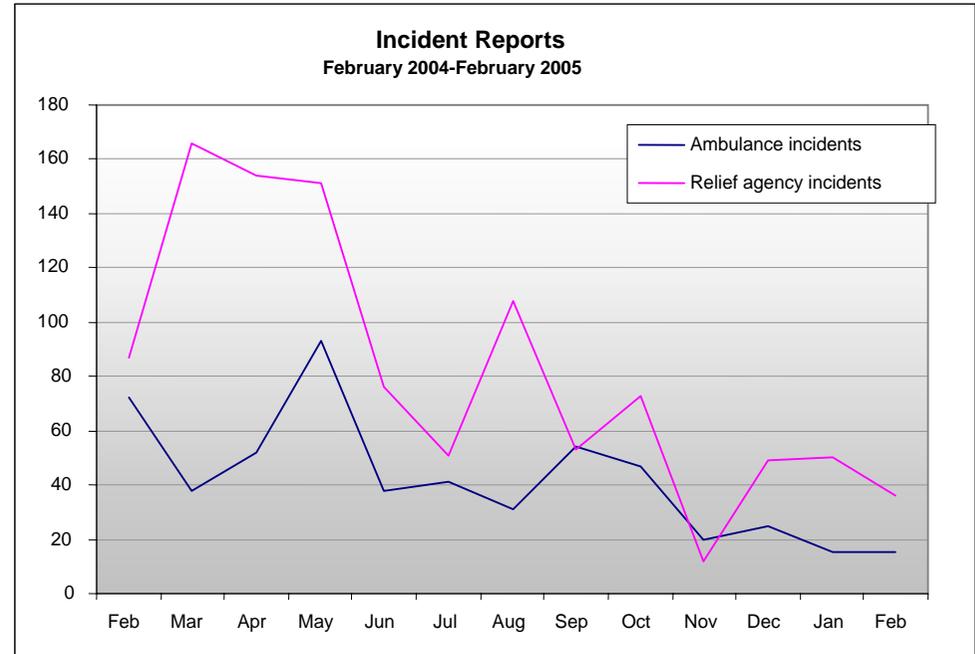
Facilitation for International Humanitarian Organisations

In February 2005, international relief agencies filed at least 36 reports (compared to 50 reports in January 2005) in which the delivery of aid and/or the movement of personnel were obstructed by the IDF or Israeli Border Police. Most incidents reported included delays and disrespect by the IDF of international humanitarian organisations’ mandates, privileges and immunities.

Additional commitments

The total number of containers entering the Gaza Strip in February 2005 was 2,749 (compared to 2,919 in January); no imports or exports were allowed the first six days of the month. The total number of containers exiting the Gaza Strip was 551 (compared to 545 in January 2005). The import figures reported in both January and February 2005 are among the lowest reported in a year. February 2005 imports are approximately 58 percent of the February 2004 figure, which was 4,738. The export figures are also among the lowest reported in a year and less than half of the exports reported in February 2004: 1,258.

The movement of Gaza Strip fishermen remained subject to strict restrictions.



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Commitment	Benchmarks	Status	Remarks
<p>1. Health</p> <p>Palestinian ambulances will wait no more than 30 minutes at any checkpoints</p> <p>(government of Israel to Bertini mission, 12 to 19 August 2002)</p> <p>Effective mechanisms will be put in place to ensure that Palestinians seeking critical medical services (child delivery, dialysis, chemotherapy, etc) can quickly pass all checkpoints.</p> <p>(government of Israel to Bertini mission, 12 to 19 August 2002)</p>	<p>Instructions issued to all checkpoint commanders concerning maximum time for ambulance delay at checkpoints</p> <p>Palestinian Ministry of Health, PRCS, UNRWA and hospitals no longer report ambulance delays at checkpoints</p> <p>Mechanisms established and Palestinian public informed</p> <p>No more reported instances of Palestinians in need of critical medical services being denied passage at checkpoints.</p>	<p><i>West Bank and the Gaza Strip: 15 incidents¹</i></p> <p>In February 2005, Palestinian ambulance operators reported a total of at least 15 access incidents (the same number reported in January 2005, in which the provision of first aid and/or medical evacuations were delayed, obstructed and/or prevented by the IDF).</p> <p><i>Ambulance Access Denials</i></p> <p>Of the 15 incidents reported, at least four included humanitarian access denials. Included in the incident reports is the example below.</p> <p>10 February 2005: A PRCS ambulance transporting a pregnant woman from Al Mawassi to Nasser hospital in Khan Younis was denied access after being delayed for more than two hours.</p> <p>14 February 2005: A PRCS ambulance was stopped and denied access by the Israeli soldiers in the Al Sahleh area, while en route to evacuate a 15-year-old injured person in the Abu Sneineh area, Hebron. Two hours later, Israeli soldiers transferred the injured person to the PRCS crew; the youth had no vital signs. The youth was immediately transported to the nearest hospital, where he was pronounced dead.</p> <p><i>Ambulance Delays</i></p> <p>There were 10 documented incidents of delays.</p> <p>22 February: In one incident, three MoH ambulances were delayed for six hours at Erez crossing while transporting patients from the Gaza Strip to Israel.</p> <p><i>Other Reports</i></p> <p>In February, one incident was reported in which a PRCS ambulance was subject to Israeli Army teargas and stun grenade fire while attempting to evacuate injured persons from Ramallah on 22 February. The crew did not suffer injuries, but damage to the ambulance was reported.</p>	<p>While access for health operators has improved, there are still reports where women have given birth at checkpoints due to delays or denials of access by Israeli officials.</p> <p>In addition to the incident on 10 February 2005 noted in the status column, on 15 February, it was reported that a woman (Jerusalem ID holder) in labour was denied permission to cross the Qalandiya checkpoint by Israeli soldiers. (This incident is not included in the 15 reports because she not travelling with a Palestinian ambulance operator). The woman and her husband were en route to one of the Palestinian hospitals in Jerusalem. The soldiers claimed that her husband did not have authorization to enter Jerusalem. A PRCS ambulance was in the area and its crew assisted the woman, who delivered at the checkpoint. According to the United Nations Population Fund, the treatment of pregnant women and women in labour at checkpoints is an ongoing human rights and health issue.</p>

¹ Figures are based on incident reports from PRCS and the MoH.

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Commitment	Benchmarks	Status	Remarks
<p>2. Water</p> <p>Problems related to water deliveries to Palestinian towns and villages will be addressed to ensure that daily water deliveries in proper quantities can be supplied by Palestinian water tankers.</p> <p>(government of Israel to Bertini mission, 12 to 19 August 2002)</p>	<p>Instructions issued to all checkpoints allowing for the easy transfer of water tankers through all checkpoints</p> <p>The IDF removes barriers that prevent the access by water tankers to villages that rely on tankered water</p> <p>No reports on lack of water or delay/stoppage of water tankers at checkpoints.</p>	<p><i>The West Bank</i>²</p> <p>The effect of closure measures, including checkpoints, earth mounds and curfews had a severe effect on water transport (due to a blocked access point) for at least six communities in the West Bank: Kharbatha al Mishah in Ramallah; ‘Iraq Burin in Nablus; Ad Dab’a and Ras at Tira in Qalqiliya; and Imneizel and Fuqeiqis in Hebron. Other communities were affected to a lesser degree (for example delays ranging from one hour to six hours on water transport were experienced): Beit Liqya in Ramallah; Beit Amin, in Qalqiliya; and Hureiz, Beit Mirsim, Beit ar Rush al Fauqa, Umm Lasafa, As Sura, and Al Karmil in Hebron.</p>	<p>Palestinians continue to face difficulties accessing safe water.</p>
Commitment	Benchmarks	Status	Remarks
<p>3. Facilitation for International Humanitarian Organisations</p> <p>Israel will fully facilitate the assistance activities of international organisations with particular reference to UNRWA.</p> <p>(government of Israel to Bertini mission, 12 to 19 August 2002)</p> <p>Israel agrees to review and strengthen the liaison arrangements between international agencies and the IDF to facilitate assistance activities.</p>	<p>Free access for all international staff of international organisations throughout the West Bank and the Gaza Strip, and at international crossings, at all times</p> <p>Free access for all Palestinian staff of international organisations throughout the West Bank and the Gaza Strip at all times.</p> <p>No delays/ stoppage of international organisations’ transport of development and humanitarian goods at any point (that is, at international borders, borders between Israel and</p>	<p>In February 2005, international relief agencies filed at least 36 reports³ in which the delivery of aid and/or the movement of personnel were obstructed by the IDF or Israeli Border Police. Most incidents reported included delays and disrespect by the IDF of international humanitarian organisations’ mandates, privileges and immunities.</p> <p><i>Access by UNRWA staff</i></p> <p>UNRWA⁴, the largest humanitarian organisation operating in the oPt, reported a total of 35 incidents in the West Bank and the Gaza Strip in which there were access problems at IDF checkpoints (compared to 49 in January 2005).</p> <p>In the West Bank, 31 access problems were reported. Of these, 23 incidents involved delays, affecting 79 staff members. There were eight incidents in which access was denied. The agency lost more than 138 working hours as a result.</p>	<p>UN staff members continued to report incidents where IDF soldiers at checkpoints refused to cooperate with DCL officers and/or accept the validity of UN identity cards, insisting instead that UN staff show their national passports.</p>

²These reports are based on two Water and Sanitation, Hygiene (WaSH) Monitoring Project reports: one in which 42 West Bank communities were surveyed between 16 January and 15 February 2005; and one which 34 communities were surveyed between 16 and 28 February.

³ These figures apply only to the humanitarian aid organisations that reported incidents at checkpoints to OCHA.

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<p>(Government of Israel to Bertini mission, 12 to 19 August 2002)</p> <p>Israel will improve the situation at checkpoints, including the deployment of more experienced IDF personnel.</p>	<p>the West Bank or the Gaza Strip, within the West Bank or the Gaza Strip) at any time. Palestinian drivers (with either Jerusalem or West Bank IDs) allowed to drive humanitarian vehicles for international organisations, in particular UNRWA, WFP and ICRC.</p> <p>Procedures will be established that provide direct access by international organisations to operational and command structures within the IDF.</p>	<p>In the Gaza Strip there were four incidents reported, three of which were delays. In the other incident, when Abu Houli junction was closed on 5 February 2005, 375 people were affected including students, teachers and health staff.</p> <p><i>Other reports</i> In February 2005, there was one additional report of an access delay reported by an international non-governmental organisation.</p>	
Commitment	Benchmarks	Status	Remarks
<p>4. Additional Commitments</p> <p>The fishing zone for Palestinian fishing boats off the Gaza Strip coast will be extended to 12 nautical miles.</p>	<p>Extension of fishing zone fully implemented</p> <p>No arrests of fishermen or confiscation of fishing boats within the 12 nautical mile zone.</p>	<p>Restrictions remained over a large stretch of the Gaza Strip coastline. However, since January 2005, the Israelis are permitting fishing up to 10 nautical miles from the Gaza Strip coast compared to 6 nautical miles previously. Fishing is still not permitted over most of the Al Mawasi coastline as has been the case since October 2003.</p>	<p>Though the distance allowed for fishing increased in January, fishermen are still denied the right to fish up to the 12 nautical mile limit, as was agreed by the Israeli government.</p> <p>Under the Oslo Accords, Gaza Strip fishermen are entitled to fish as far as 20 nautical miles from the coast.</p>
<p>An increase in shipments at Karni crossing, Gaza Strip.</p>	<p>Quantifiable increase in humanitarian aid shipments permitted through the crossing.</p>	<p>The total number of containers⁵ entering the Gaza Strip in February 2005 was 2,749 (compared to 2,919 in January); no imports or exports were allowed the first six days of the month. The total number of containers exiting the Gaza Strip was 551 (compared to 545 in January 2005). The import figures reported in both January and February 2005 are among the lowest reported in a year. February 2005 imports are approximately 58 percent of the February 2004 figure, which was 4,738. The export figures are also among the lowest reported in a year and less than half of the exports reported in February 2004: 1,258.</p>	<p>On 14 January 2005, Karni Terminal was closed following an attack in the area that killed six Israelis. On 7 February 2005, Karni Terminal reopened. Increased security measures introduced on the Palestinian side of the terminal led to significant delays in the processing of cargoes.</p>

⁵ Trade figures are reported by Palestinian officials at Karni to OCHA. These figures represent the most accurate figures available to OCHA at the time of publication.

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			<p>Truckloads of containers were reported waiting at Erez crossing because of vehicular congestion at Karni Terminal.</p> <p>On 9 February 2005, Erez crossing and Erez industrial zone opened for workers. The crossing had been closed since 14 January 2005 following an attack by Palestinian militants in the Karni area, which is noted above.</p>
<p>Increase in the number of work permits for workers in Israel.</p>	<p>Quantifiable increase in the number of work permits issued for workers to work inside Israel.</p>	<p>The total number of workers from the Gaza Strip entering Israel in February 2005 was 8,545. According to UNRWA, 5,560 entered the industrial estate. The total number of traders entering Israel was 1,552. These numbers are significantly higher compared to the last two months, due to the closures noted in the far-right column.</p> <p>The number of workers entering Israel in January 2005 was 1,073 while 205 entered the industrial estate. The total number of traders entering Israel was 373. In December 2004, the number of workers entering Israel in December was 1,388 while 742 were able to return to the industrial estate. The total number of traders entering Israel was 1,094.</p>	