



OFFICE FOR THE COORDINATION OF HUMANITARIAN AFFAIRS
occupied Palestinian territory

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Humanitarian Monitoring Report – March 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 23 access incidents in March 2005 (compared to 15 in February 2005), in which the provision of first aid and/or medical evacuations were delayed, obstructed and/or prevented by the IDF. The incidents reported are lower than the 38 reported incidents a year ago in March 2004.

Water

Palestinians in the occupied Palestinian territory face difficulties accessing safe water. In addition, 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 two Palestinian communities.

Facilitation for International Humanitarian Organisations

In March 2005, international relief agencies filed at least 62 reports (compared to 36 in February 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. The number of incidents reported is the highest since October 2004 (73 reports), but significantly lower than March 2004, when 166 incidents were reported.

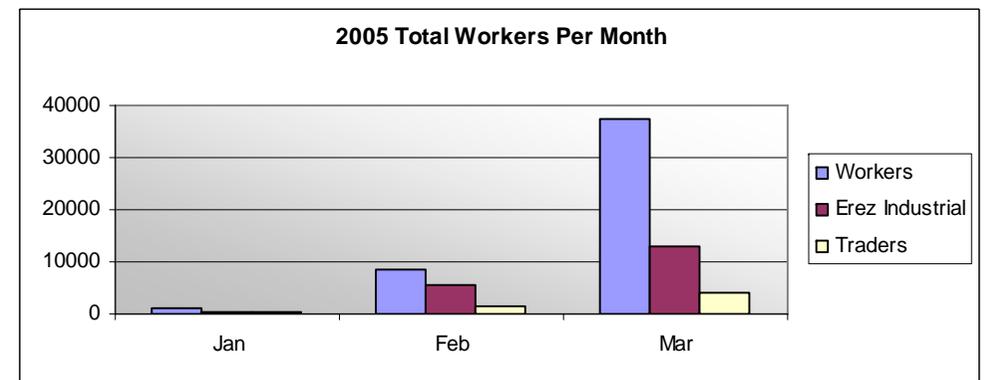
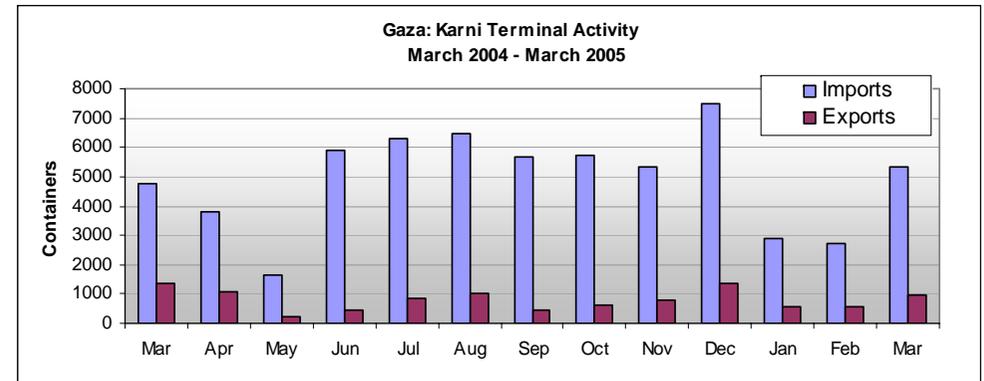
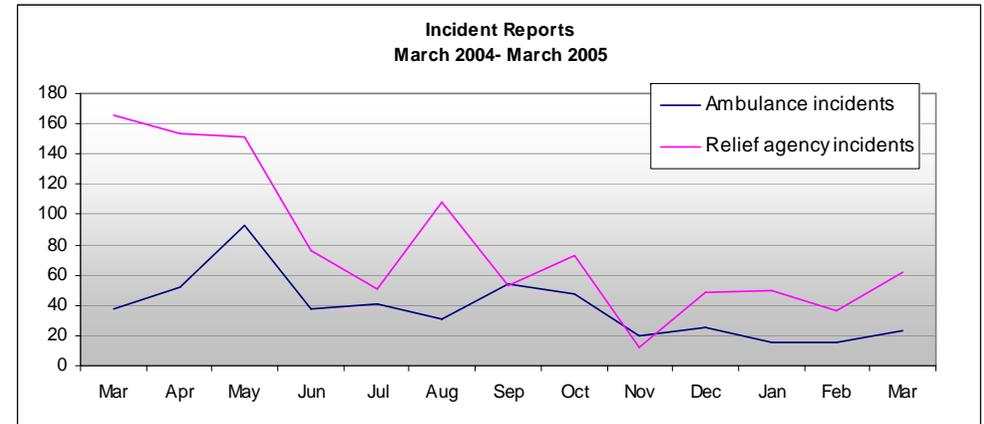
The majority of access problems in March 2005 occurred at the Tunnels, Khamra, Hizma and Gilo checkpoints and at Bartaa gate in the Barrier.

Additional commitments

The total number of containers entering the Gaza Strip at Karni in March 2005 was 5,340; the total number of containers exiting the Gaza Strip was 957. These numbers are the highest recorded in 2005.

The total number of Gaza Strip workers entering Israel in March 2005 was 37,286. According to UNRWA, 12,936 entered Erez industrial estate. The total number of traders entering Israel was 4,055. These figures are significantly higher than the figures reported during January and February 2005.

Gaza Strip fishermen are consistently denied the right to fish up to the 12 nautical mile limit, as was agreed by the Israeli government.



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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: 23 incidents</i></p> <p>Palestinian ambulance operators reported a total of at least 23 access incidents in March 2005 (compared to 15 in February 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 23 incidents reported, at least six included humanitarian access denials. Included in the incident reports is the example below.</p> <p>7 March 2005: Two MoH ambulances were denied access at Erez crossing while transporting patients from the Gaza Strip to Israel; before being denied the ambulance waited for four hours.</p> <p><i>Ambulance Delays</i></p> <p>There were 16 documented incidents of delays, in excess of 30 minutes. Several lengthy delays were reported, including the incidents noted below.</p> <p>2 March 2005: A PRCS ambulance was delayed at Wadi Al Nar for five hours. 24 March 2005: A PRCS ambulance was delayed for three hours at Al Mawasi, the Gaza Strip. At the same checkpoint, delays of two hours and two hours and forty-five minutes were reported 27 and 30 of March respectively.</p> <p><i>Other Reports</i></p> <p>In March 2005, one incident was reported in which a medical crew came under IDF assault.</p>	<p>There was an additional report (not included in the 23) where the work of medical crews was impeded. On 5 March 2005, an Israeli Army patrol entered the PRCS's Emergency Medical Station in Yatta village, near Hebron. The search, which lasted an hour, impeded work as it prevented the medical crew from answering incoming calls.</p>
<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</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</p>	<p><i>The West Bank¹</i></p> <p>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 one community in the West Bank: 'Asira ash Shamaliya, Nablus. Other communities were affected to a lesser degree (delays by water tankers were experienced): Beit Imrin, Nablus; At Tira, Ramallah; and Al Buweib, Hebron.</p>	<p>Palestinians in the occupied Palestinian territory face difficulties accessing safe water.</p>

¹These reports are based on Water and Sanitation, Hygiene (WaSH) Monitoring Project reports; 78 communities in the Gaza Strip and the West Bank communities were surveyed in March.

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<p>water tankers. (government of Israel to Bertini mission, 12 to 19 August 2002)</p>	<p>villages that rely on tankered water No reports on lack of water or delay/stoppage of water tankers at checkpoints</p>	<p>In addition, on 13 March, Israeli forces damaged five agricultural wells (with the capacity for 70 to 90 cubic metres per well) in ‘Illar community, according to WaSH. <i>The Gaza Strip</i> The effect of closure measures had a severe effect on water transport (due to a blocked location) for at least one community: Al Qarya as Suwaydiya, Rafah.</p>	<p>In addition, WaSH reports, waste water flowing from Israeli settlements in the Gaza Strip is polluting Palestinian land and causing health problems.</p>
Commitment	Benchmarks	Status	Remarks
<p>3. Facilitation for International Humanitarian Organisations Israel will fully facilitate the assistance activities of international organisations with particular reference to UNRWA (government of Israel to Bertini mission, 12 to 19 August 2002) Israel agrees to review and strengthen the liaison arrangements between international agencies and the IDF to facilitate assistance activities (Government of Israel to Bertini mission, 12 to 19 August 2002) Israel will improve the situation at checkpoints, including the deployment of more experienced IDF personnel</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. Free access for all Palestinian staff of international organisations throughout the West Bank and the Gaza Strip at all times. No delays/ stoppage of international organisations’ transport of development and humanitarian goods at any point (that is, at international borders, borders between Israel and 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>In March 2005, international relief agencies filed at least 62 reports² (compared to 36 in February 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. <i>Access by UNRWA staff</i> UNRWA, the largest humanitarian organisation operating in the oPt, reported all of the received reports in the West Bank and the Gaza Strip in which there were access problems at IDF checkpoints. In the West Bank, a significant increase was reported throughout March in the number of access problems at checkpoints and gates in the Barrier. In March 2005, 59 incidents were reported compared to 31 in February, recording by that the highest number since October 2004. Of these, 36 incidents involved delays to vehicles, affecting 166 staff members, and 23 incidents in which access was refused, affecting 105 staff members. In total, 271 staff members were affected compared to 97 in February and the number of working hours lost by UNRWA also significantly increased from 138 in February to 244. The majority of access problems particularly occurred at the Tunnels, Khamra, Hizma and Gilo checkpoints and at Bartaa gate in the Barrier at which 206 hours were lost. In the Gaza Strip, three delays were recorded by UNRWA. In one delay of 13 vehicles at Abu Houli Juncion on 15 March 2005, 440 persons were affected including students and health staff; a similar incident was reported the next day at the same location.</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 another form of identification.</p>

² These figures apply only to the humanitarian aid organisations that reported incidents at checkpoints to OCHA.

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	Procedures will be established that provide direct access by international organisations to operational and command structures within the IDF.		
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>Since January 2005, the Israelis are now 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>Gaza Strip fishermen are consistently denied the right to fish up to the 12 nautical mile limit, as was agreed by the Israeli government. 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 containers³ entering the Gaza Strip at Karni in March 2005 was 5,340; the total number of containers exiting the Gaza Strip was 957. These numbers are the highest recorded in 2005. 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).</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 in to work inside Israel.</p>	<p>The total number of Gaza Strip workers entering Israel in March 2005 was 37,286. According to UNRWA, 12,936 entered Erez industrial estate. The total number of traders entering Israel was 4,055. These figures are significantly higher than the figures reported during January and February. The average daily crossing (accounting for the days entrance could have been permitted and excluding weekends days: Friday and Saturday⁴) of the first three months of 2005 is as follows.</p> <p><i>Daily average</i></p> <p>January: 49 workers; 17 traders; nine Erez industrial estate February: 390 workers; 70 traders; 278 Erez industrial estate March: 1,451 workers; 158 traders; 537 Erez industrial estate</p>	

³ Trade are figures reported by Palestinian officials at Karni to OCHA. These figures represent the most accurate figures available to OCHA at the time of publication.

⁴ Weekend figures are excluded because, in general, fewer crossings are recorded on Fridays and Saturdays.