



OFFICE FOR THE COORDINATION OF HUMANITARIAN AFFAIRS
occupied Palestinian territory

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Humanitarian Monitoring Report – May 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 14 access incidents in May 2005 (compared to 18 in April 2005), in which the provision of first aid and/or medical evacuations were delayed, obstructed and/or prevented by the IDF. The number of incidents reported in May 2005 is the lowest in more than a year and far lower than the 93 reports received in May 2004.

Water

Palestinians in the occupied Palestinian territory face difficulties accessing safe water. The effect of closure measures, including checkpoints, earth mounds and curfews continue to have a severe effect on water transport; closures often result in the inability of water tankers to reach their destination.

Facilitation for International Humanitarian Organisations

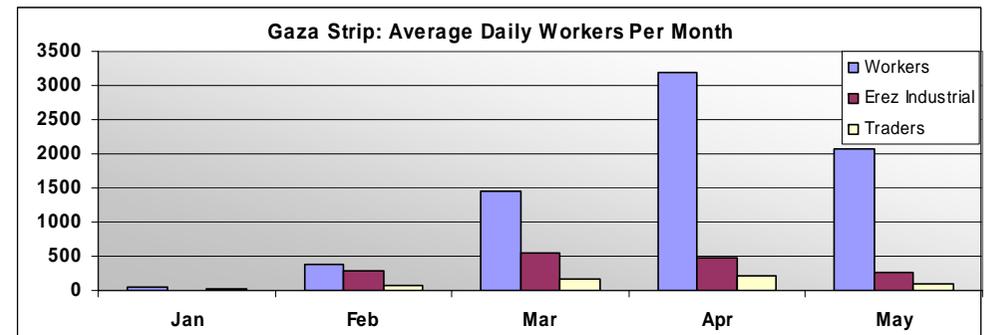
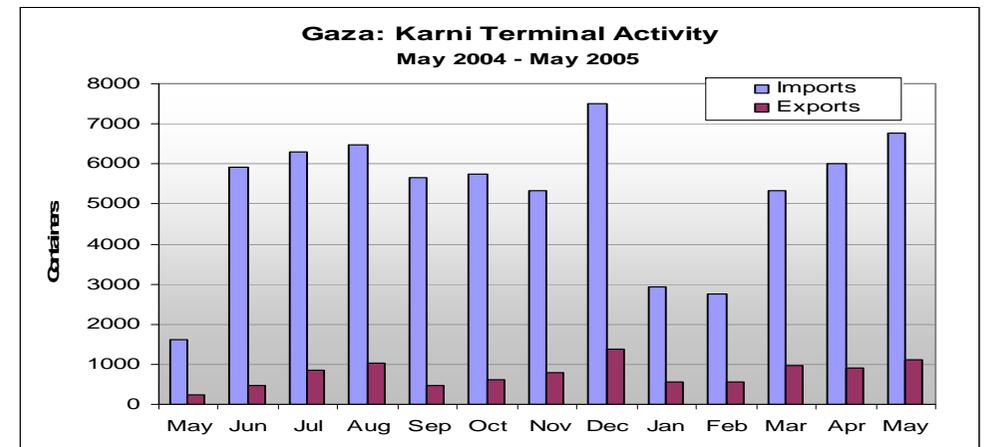
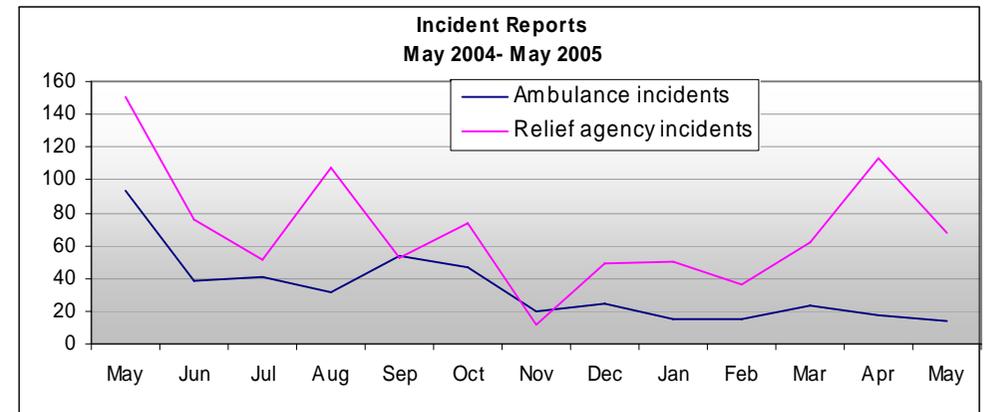
In May 2005, international relief agencies filed at least 68 reports (compared to 113 in April 2005) in which the delivery of aid and/or the movement of personnel were obstructed by the IDF or Israeli Border Police. Many access problems occurred at fixed and mobile checkpoints, predominantly those located at the entrances to Jerusalem, and at the gates in the Barrier. In May 2004, one year ago, 151 incidents were reported.

Additional commitments

The total number of containers entering the Gaza Strip at Karni in May 2005 was 6,769; the total number of containers exiting the Gaza Strip was 1,107. These numbers are the highest recorded in 2005; and significantly higher than the figures recorded a year ago in May 2004: 1,626 imports, 239 exports.

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

In the Gaza Strip, the average daily crossings in May 2005 for Palestinian workers, traders and those entering Erez industrial estate were significantly lower than those report in April 2005. The numbers are as follows: May: 2,067 workers, 103 traders, 259 Erez industrial estate; April: 3,200 workers, 224 traders, 487 Erez industrial estate.



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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: 14 incidents¹</i></p> <p>Palestinian ambulance operators reported a total of at least 14 access incidents in May 2005 (compared to 18 in April 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 14 incidents reported, at least four included humanitarian access denials. Included in the incident reports is the example below.</p> <p>17 May 2005: The PRCS Emergency Medical Services station in Jenin received a call regarding an injured person in an area between Ajja and Jaba'a villages in the West Bank. When the PRCS crew reached the scene they found a person bleeding and provided care. The crew requested permission to transport the person to hospital, but the soldiers ordered the ambulance to leave the scene; the injured person was not transported to the hospital.</p> <p><i>Ambulance Delays</i></p> <p>There were 10 documented incidents of delays, in excess of 30 minutes. Including the incident noted below.</p> <p>23 May 2005: A PRCS ambulance was stopped and delayed access by Israeli soldiers at Gilo checkpoint while en route to a Jerusalem hospital with a four-year-old child who had been hit by a car and was in critical condition after being hit by a car. Initially the soldiers denied the ambulance access, but after coordination efforts by the International Committee of the Red Cross, which took nearly an hour, the ambulance was finally allowed to cross the checkpoint.</p>	<p>From 11 to 15 May, as a result of the closure imposed on the Gaza Strip, ambulance movement in and out of the Gaza Strip was severely restricted, according to the MoH. Also on 17 May, Erez checkpoint was announced closed; no MoH ambulances were allowed to transport patients from the Gaza Strip to Israel or the West Bank. Furthermore, the MoH reported that between 1 and 16 May cancer patients were denied access into Israel through Erez; no reason was given for the denials.</p>
Commitment	Benchmarks	Status	Remarks
<p>2. Water</p> <p>Problems related to water</p>	<p>Instructions issued to all checkpoints</p>	<p>The effect of closure measures, including checkpoints, earth mounds and curfews</p>	<p>Nearly 31% of Palestinian communities are not connected</p>

¹ Data primarily from the Palestine Red Crescent Society and the Ministry of Health; figures have been updated since the May OCHA Humanitarian Update as additional incident reports were received.

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<p>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>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>continue to have a severe effect on water transport; closures often result in the inability of water tankers to reach their destination.</p>	<p>to water network; these communities rely on rainwater harvesting and on purchasing water from private or municipal water tankers, according to the Palestinian Hydrology Group (PHG).</p> <p>In addition, nearly 76% of the communities that rely on Israeli water company have encountered severe reductions and in some cases, a complete halt of supply, PHG said.</p> <p>Palestinians, in some cases, must use alternative water supplies, which are often contaminated. This has increased public health risks and led to the breakout of water-born diseases in several communities.</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</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>In May 2005, international relief agencies filed at least 68 reports² (compared to 113 in April 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 organizations' mandates, privileges and immunities</p> <p><i>Access by UNRWA staff</i></p> <p>UNRWA, the largest humanitarian organisation operating in the oPt, reported almost all of the received reports in the West Bank and the Gaza Strip in which there were access problems at IDF checkpoints.</p> <p>In the West Bank, 64 incidents involving access problems at fixed and mobile</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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<p>strengthen the liaison arrangements between international agencies and the IDF to facilitate assistance activities</p> <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>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.</p> <p>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>checkpoints, predominantly those located at the entrances to Jerusalem, and at the gates in the Barrier were reported to the UNRWA office in May 2005 (compared to 104 incidents reported in April). Of these, 50 involved delays to vehicles, affecting 284 staff members, in 14 incidents access was refused, affecting 48 staff members. In total, 332 staff members were affected compared to 389 in April and the number of working hours lost by UNRWA was 340 compared to 522 hours lost last month. From the total number of access problems, 37 occurred at checkpoints located at the entrances to Jerusalem, notably at the Tunnels, Gilo, Beitunia and Hizma checkpoints. In addition, seven incidents took place at Bartaa and Ras Atiya gates in the Barrier.</p> <p>In the Gaza Strip, a further two delays were reported by UNRWA. On 21 May, at Abu Houli Junction, 11 UNRWA buses were delayed for seven and a half hours; 405 people were affected</p> <p>In May 2005, there were an additional two incidents, both access denials, reported from other UN agencies.</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>Since January 2005, the Israelis have permitted 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 May 2005 was 6,769; the total number of containers exiting the Gaza Strip was 1,107. These numbers are the highest recorded in 2005; and significantly higher than the figures recorded a year ago in May 2004: 1,626 imports, 239 exports.</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.

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<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 average daily crossing (accounting for the days entrance could have been permitted and excluding weekends days: Friday and Saturday⁴) for Palestinian workers, traders and those entering Erez industrial estate of the five months of 2005 is as follows.</p> <p><i>Daily average</i> 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 April: 3,200 workers; 224 traders; 487 Erez industrial estate May: 2,067 workers; 103 traders; 259 Erez industrial estate</p> <p>Daily averages in May are significantly lower compared to April. There was a more than 50-percent decline in the number of traders; the number of workers and those entering Erez industrial estate also declined.</p>	<p>Between January and April, there was a steady rise in the number of Palestinian workers and merchants entering Israel and the Erez industrial estate. This trend ended following the closure at Erez with the onset of the Jewish Passover holidays in the third week of April. (23 April until 1 May). The closure continued until 15 May for Palestinian workers and merchants, and 16 May for access to Erez industrial estate. This closure was imposed on the grounds that some workers had been submitting false documents while trying to leave the Gaza Strip.</p> <p>Restrictions continued on international humanitarian organisations who need prior coordination with Israeli authorities to enter and leave the Gaza Strip.</p>
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⁴ UNRWA data; Weekend figures are excluded because, in general, fewer crossings are recorded on Fridays and Saturdays.