

**NICKOLAY MLADENOV
SPECIAL COORDINATOR FOR THE MIDDLE EAST PEACE PROCESS
BRIEFING TO THE SECURITY COUNCIL ON THE SITUATION IN THE MIDDLE
EAST, REPORTING ON UNSCR 2334 (2016)**

20 SEPTEMBER 2018

Madame President,

Members of the Security Council,

On behalf of the Secretary-General, I will devote this briefing to presenting the seventh report on the implementation of Security Council resolution 2334 covering the period from 13 June to 12 September this year.

I will focus on developments on the ground in accordance with the provisions of the resolution, including on regional and international efforts to advance peace.

Let me reiterate from the very beginning that these developments cannot be divorced from the broader context: Israel's continued military occupation of Palestinian territory; uncertainties about the future of the peace process and the two-state solution; Hamas' continuing hold on Gaza, its militant activity, including rocket attacks and tunnel construction; unilateral actions that undermine peace efforts; reduced donor support for the Palestinian Authority; and turmoil in the wider region.

I would like to highlight from the outset the very serious financial situation UNRWA continues to face. We welcome the contributions several member states recently announced and urge additional new funding be provided for its critical work. On September 27, a Ministerial Meeting in support of UNRWA will be held on the margins of the General Assembly, I urge all participants to engage constructively and ensure the continuity of the Agency's vital services.

Madame President,

No steps have been taken during the reporting period to "cease all settlement activity in the occupied Palestinian territory, including East Jerusalem", as required by the resolution.

I reiterate that all settlement activities are a violation of international law and a major obstacle to peace.

Some 2,800 housing units in settlements in Area C of the occupied West Bank were advanced, approved or tendered by Israel. Approximately one third of those units are in outlying settlements deep in the West Bank. Plans for some 1,100 units were advanced in the approval process, plans for an additional 600 units reached the final approval stage, and tenders were announced for about 1,100 units. A tender was also announced for 603 housing units in the Ramat Shlomo neighborhood, the first tender in East Jerusalem since 2016.

On August 28th, the District Court in Jerusalem ruled that the illegal outpost of Mizpe Kramim can be legalized under Israeli law, despite being built partially on private Palestinian land. The ruling was the first to rely on the so-called “market regulation” principle, which would allow houses built “in good faith” on private land without the consent of the owner to be retroactively legalized and the owner compensated. If the ruling were to be upheld in Israel’s High Court of Justice, it would enable the legalization of additional outposts and housing units in settlements.

Madame President,

Demolitions and seizures of Palestinian-owned structures by Israeli authorities continued across the West Bank and East Jerusalem. Citing the absence of Israeli issued building permits, which are nearly impossible for Palestinians to obtain, 117 structures were demolished or seized, 61 in Area C and 56 in East Jerusalem. According to OCHA, this resulted in the displacement of 145 Palestinians, including 82 children, and affected the livelihoods of some 950 people.

In Khan al-Ahmar/Abu al-Helu, a Bedouin community of 181 people, Israeli authorities requisitioned land, levelled access routes and temporarily declared the area a closed military zone, in advance of the expected demolition of its structures. Following a protracted legal process, on the 5th of September the High Court of Justice denied several petitions by residents to prevent the demolition.

On 4 July, in Abu Nuwar, a Bedouin community of around 600 residents, 19 structures were demolished. OCHA reported that 51 people, including 33 children, were displaced. Later that month a donor-funded caravan in the Bedouin community of Jabal al-Baba, serving as a kindergarten for 28 children and as a women’s center, was also confiscated and dismantled.

These communities are located in or next to an area that is slated for settlement plans in the E1 area, which, if constructed, would create a continuous built-up area between the Ma’ale Adummim and East Jerusalem.

In July, the Israeli Knesset approved a law transferring the jurisdiction over certain petitions against decisions by Israeli authorities in the West Bank from the High Court of Justice to the Administrative Affairs Court in Jerusalem. This step could make it more difficult and costly to challenge the demolition or seizure of Palestinian properties in Area C.

On 11 September, the European Union High Representative / Vice-President, Federica Mogherini, called on Israeli authorities to reconsider the decision to allow the demolition of Khan al-Ahmar, warning that it “would have grave humanitarian consequences” and contravene international humanitarian law. This call was reiterated by Germany, France, Italy, Spain and the United Kingdom. I also issued a statement expressing the same concern over such action. On the 13th of September, the European Parliament also called for monetary compensation for financial losses, should Khan al-Ahmar be demolished.

Madame President,
Members of the Security Council,

Let me turn now to the issue of violence, which remains an obstacle to peace. The reporting period saw significant incidents and escalation that brought Israel and Hamas almost to war on at least three occasions.

Palestinian protests at the Gaza fence continued on almost a daily basis. While on most occasions remained fairly peaceful, militants placed improvised explosive devices, attempted to breach the fence and continued to send incendiary kites and balloons across the border. The Israel Defense Forces (IDF) responded with riot dispersal means and live fire. During protests throughout the reporting period, 29 Palestinians were killed or died of wounds sustained previously, including 10 children. Some 900 people were injured by live ammunition. one Israeli soldier was killed and another injured.

In successive rounds of hostilities, Hamas and other Palestinian militants fired some 500 rockets, Grad missiles and mortars from Gaza towards Israel. In response, the IDF fired some 400 missiles and tank shells at targets inside Gaza. It destroyed three tunnels leading from Gaza into Israel. 18 Palestinians were killed, including 5 children, 118 injured, and 37 Israelis were injured in these exchanges.

On at least three occasions the situation escalated dramatically. Calm was only restored only after Egypt and the United Nations intervened to de-escalate tensions.

Incendiary kites and balloons continued to be launched from Gaza into neighbouring Israeli communities.

In the West Bank, including East Jerusalem, 266 Palestinians, including 5 women and 54 children, were injured in clashes with Israeli security forces during search and arrest operations and demonstrations.

On 23 July, a 15-year-old Palestinian was killed during clashes in Bethlehem's al-Duheisha refugee camp. Three days later, in the settlement of Adam, a 17-year-old Palestinian stabbed and killed an Israeli man and injured two others. On 17 August and 3 September, the ISF shot dead an Israeli Arab and a Palestinian in Jerusalem's Old City and in Hebron, respectively, after they reportedly attempted to carry out stabbing attacks against the ISF.

On 27 July, clashes erupted at the Temple Mount/Haram Al-Sharif compound between Palestinians and Israeli security where ten Palestinians and four Israeli police officers were injured.

On 16 September, in another attack a Palestinian teenager stabbed and killed an Israeli-American outside of a shopping mall in the occupied West Bank. It is reprehensible that Hamas and other factions chose to glorify this attack.

Madame President,

Despite the call in Security Council resolution 2334 for the parties to refrain from acts of provocation, incitement, and inflammatory rhetoric, such statements continued.

Hamas leaders continued to incite violence, with one senior official speaking of “cleansing Palestine of the filth of Jews,” and threatening to decapitate Israeli leaders. Fatah’s official social media pages continued to glorify perpetrators of previous attacks against Israelis and failed to condemn terror attacks against civilians. Some religious leaders and officials made inflammatory statements, accusing Israel of plotting to destroy the al-Aqsa Mosque and denying Jewish historic and religious connection to Jerusalem.

Meanwhile, some Israeli officials called for the targeting of Palestinians launching incendiary kites and balloons into Israel from Gaza and the extrajudicial killings of Hamas officials. One Member of the Knesset called for Israel to reconquer Gaza and insisted that Palestinians in Gaza either acquiesce to Israel’s sovereignty or emigrate. Others continued to provoke by rejecting the Palestinian right to statehood, supporting settlement growth and annexation of parts of the West Bank.

Resolution 2334 (2016) reiterated calls by the Middle East Quartet for “affirmative steps to be taken immediately to reverse negative trends on the ground that are imperiling the two-State solution.”

Some positive steps were taken, including Israel releasing some USD 44 million of withheld Palestinian health stamp revenues. This is the result from continuing direct engagement of the finance ministers of both sides, as well as continued progress on reconstruction in Gaza.

The Rafah crossing between Gaza and Egypt remained largely open during the reporting period with the number of people crossing reaching over 12,000 in both June and July.

Madame President,

The negative developments however outweigh the positive news.

Most worrying perhaps is the continuing deterioration of the humanitarian, security and political situation in Gaza, as the implementation of the Egyptian brokered October (2017) agreement remains stalled and the Palestinian Authority has not been enabled to take up its responsibilities in Gaza.

As we meet today, the power crisis in Gaza is coming to a head. The United Nations has run out of funding for emergency fuel. This puts critical health, water and sanitation facilities at immediate risk of shutting down while essential medicines are at critically low levels, with almost half of essential medicines at less than one-month’s supply and 40 per cent completely depleted. On 5 September, the United Nations delivered the final stocks of available emergency fuel. Despite calls for donors to urgently contribute, little additional funding has been forthcoming.

The situation was worsened by the temporary closures of the Kerem Shalom crossing and reductions in the fishing zone that were introduced by Israel during the periods of escalation, as well as the continuing measures by the Palestinian Authority to reduce salaries, energy supply and overall spending in Gaza. The UN Humanitarian Coordinator has released 1 million USD from the emergency pooled fund to cover fuel for hospitals and water and sanitation facilities to prevent a full collapse of essential services.

To address the chronic crisis in the occupied Palestinian territory, the humanitarian community appealed for nearly USD 540 million this year, through the Humanitarian Response Plan (HRP), 75 per cent of which is for projects targeting Palestinians in Gaza. At present, Madam President, the appeal is less than 29 per cent funded, one of the most poorly funded in the world.

Madame President,

Security Council resolution 2334 (2016) called on Member States “to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied in 1967.” No such steps were taken during the reporting period.

The resolution also called upon “all parties to continue, *inter alia*, to exert collective efforts to launch credible negotiations”. No progress was achieved in this respect.

The United States has repeatedly announced that it is continuing its efforts aimed at a comprehensive peace plan. In August, the administration suspended more than USD 200 million in fiscal year 2017 Economic Support Funds for the West Bank and Gaza and a further USD 25 million, for the East Jerusalem hospitals network. On September 10th, it closed the Palestine Liberation Organization (PLO) Office in Washington citing its failure to take steps towards meaningful negotiations with Israel and concerns with Palestinian attempts to prompt an investigation of Israel by the International Criminal Court.

The Palestinian Central Council convened in August and ratified the continued severance of political relations with the United States, until the latter revisits its decisions regarding Jerusalem, Palestine refugees and settlements.

On the 5th of September, the Government of Paraguay announced that it would reverse the previous decision from May 2018 to relocate its embassy in Israel to Jerusalem and move it back to Tel Aviv.

Since the escalation of hostilities in Gaza in July, the United Nations has led unprecedented efforts, with the Governments of Egypt, Israel and other international partners, to prevent another outbreak of hostilities, respond to the most urgent humanitarian needs, and support the return of the legitimate Palestinian government to Gaza, a crucial element in any political effort to resolve the wider conflict.

The United Nations has enhanced its capacity in Gaza to work with the Palestinian Government and Israeli counterparts to support donor implementation on all issues related to the Gaza Reconstruction Mechanism and provide accountable and transparent reporting to donors.

The World Bank has increased its allocation from USD 55 million to USD 90 million for the West Bank and Gaza over the next year, part of which will be used to create some 4,400 short-term employment opportunities. UNDP has also accelerated its emergency economic assistance programme with support from several donors.

Madame President,

In closing, I would like to share some broad observations concerning the implementation of the provisions of resolution 2334 during the reporting period.

1. The expansion of Israeli settlements is illegal under international law and continues to erode the viability of a two-state solution. Particularly alarming are legal and administrative steps which could consolidate and expand settlement activity deep in the West Bank, further undermining the contiguity of a future Palestinian state.
2. The persistent threat of demolitions and displacement of Palestinians in Area C, including in Khan al Ahmar – Abu al- Helu, is of great concern. The 5 September decision of the High Court of Justice places the Bedouin community at imminent risk of demolition. Demolitions undermine the prospects for a two-state solution and are in violation of international law.
3. Violence, terror and the risk of conflict in Gaza remain an obstacle to peace. I welcome the calm since 9 August but am very concerned by consistent attempts to undermine it. All sides, and I underline – all sides - must continue their positive engagement with the Egypt and the United Nations and do their part; Hamas and other armed militant groups must stop all provocations and attacks; Israel must improve the movement and access regime for Gaza; the Palestinian Authority must remain engaged with Gaza; the international community must address the urgent humanitarian needs ;and finally – Fatah and Hamas must engage in earnest with Egypt in order to bring back the legitimate government to Gaza.
4. I, once again, call for all violent actions that continue to endanger the lives of both Israelis and Palestinians to stop immediately. Indiscriminate attacks are prohibited under international humanitarian law. I urge Hamas and other Palestinian militants to end the indiscriminate firing of rockets into southern Israel.
5. I also reiterate that Israeli security forces have a responsibility to exercise maximum restraint in the use of live fire and must not resort to lethal force unless in response to an imminent threat of death or serious injury. The continued use of live fire by the IDF is deeply concerning. The killing of children is absolutely unacceptable.
6. I call on the international community to join the United Nations in condemning violence and incitement, which continue to fuel a climate of mutual fear and mistrust while hindering efforts to bridge the gaps between both sides.
7. As explicitly outlined in the 2016 Report of the Middle East Quartet, current trends are imperiling the viability of the two-state solution. There has been no positive movement by the parties to take steps to reverse negative trends on the ground. By complying with their obligations under previous agreements and relevant United Nations resolutions, the parties can, and must, reverse the current course.
8. Israel should make progress on the transition to greater Palestinian civil authority of powers and responsibilities in Area C, on improving Palestinian economic prospects, as well as access to housing, water, energy, communications, agriculture, and natural resources, and on significantly easing Palestinian movement restrictions.

9. The United Nations has been working tirelessly to address the deepening humanitarian and economic crisis on the ground. Support for the emergency fuel is urgently needed to avoid a total collapse of critical care services in hospital care and sewage treatment in Gaza. The Deputy Special Coordinator, Jamie McGoldrick, has made two emergency appeals to donors in August for new funding, and I reiterate the urgency of his calls. It is also critical that UNRWA be able to continue to deliver its vital services.

10. In addition, the United Nations is working with several donors to advance key interventions that will immediately improve the situation on the ground both in Gaza and the West Bank. I urge donors to consider support for these activities, which play a vital role in preventing further escalation.

Madam President,

Members of the Security Council,

Twenty-five years have now passed since the signing of the Oslo Accords. It was a historic moment that captured the world's attention and filled Palestinians, Israelis and the region with hope that a genuine peace could be realized. Sadly, that courageous vision of a lasting peace now lies in tatters.

We must restore hope – that there is an alternative to this perpetual cycles of violence. We must overcome the current impasse and refocus our efforts on ultimately returning to meaningful negotiations to end the occupation and bring a just, lasting and comprehensive resolution to the Israeli-Palestinian conflict. A resolution based on two states, Israel and Palestine, living side by side in peace and security with Jerusalem as the capital of both States, based on the 1967 lines and in line with relevant United Nations resolutions and previous agreements.

I urge all sides to continue to engage with each other and with the international community to preserve and advance its achievement.

Madam President,

Members of the Security Council,

Finally, I want to underline today that the urgency of the situation we face on the ground is really desperate. Gaza can explode any minute. We have a humanitarian responsibility to react but we must also understand that it cannot be solved only on the basis of humanitarian action. It must be solved with a political perspective to resolving the Israeli-Palestinian conflict and we have a responsibility to recreate it and to support the parties in this prospect.

Thank you.