

NICKOLAY MLADENOV
SPECIAL COORDINATOR FOR THE MIDDLE EAST PEACE PROCESS
BRIEFING TO THE SECURITY COUNCIL ON THE SITUATION IN THE MIDDLE
EAST – REPORT ON UNSCR 2334 (2016)
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Mr. President,

Members of the Security Council,

On behalf of the Secretary-General, I devote my regular briefing on the situation in the Middle East today to presenting the fifth report on the implementation of Security Council resolution 2334 that covers the period from 18 December last year to 25 March this year.

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

Let me reiterate from the beginning that developments on the ground cannot be divorced from the broader context: continued military occupation of Palestinian territory, uncertainties about the future of the peace process and the two-state solution, unilateral actions that undermine peace efforts and continued turmoil in the wider region.

Allow me to also express my continued concern over UNRWA's USD 446 million funding gap. It must be bridged urgently to ensure that UNRWA can provide basic services to Palestine refugees, including to school half-a-million children across the Middle East until a just and lasting peace is achieved. I welcome the approximately 100 million dollars pledged at the recent Extraordinary Ministerial Conference in Rome. I also encourage Member States to consider urgently providing additional new funding for UNRWA's critical work.

Mr. President,

Resolution 2334 calls on Israel to “immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem” and to fully respect all its legal obligations in this regard. No such steps were taken during the reporting period.

I reiterate that the United Nations considers all settlement activities to be a violation of international law and a major obstacle to peace.

Israel advanced 22 plans for some 1,500 housing units in Area C settlements. Around a dozen units were approved for construction – significantly lower than the 1,200 units approved during the previous three-month period. Ten tenders for some 900 housing units in seven Area C settlements were also announced. Official figures released last week show that construction starts in Area C settlements declined in 2017 to nearly half the number in 2016, which in itself was the highest in over a decade.

The plans include 15 temporary housing units near Gush Etzion, south of Bethlehem, in an area outside the jurisdiction of nearby settlements. These units are planned for residents of the Netiv Ha'Avot outpost whose homes are slated for demolition on 15 June.

In response to the January shooting attack on 4 February that killed a rabbi from the Havat Gilad outpost, the Israeli Government approved the establishment of a new settlement to absorb its residents. Havat Gilad is built almost entirely on privately owned Palestinian land.

In related potentially significant legislative developments, in January, the Knesset passed an amendment to the “Basic Law: Jerusalem, Capital of Israel.” This change will make it more difficult for Israel to transfer territories that are currently within the Israeli-defined Jerusalem municipality boundaries to a future Palestinian state by requiring a super-majority of 80 votes in the Knesset. It also makes it somewhat easier to change Jerusalem’s municipal boundaries by lowering the required Knesset threshold to a simple majority.

On 7 March, the Knesset also approved an amendment to the “Entry to Israel Law” allowing the revocation of permanent residency status of Palestinians in East Jerusalem involved in terrorist activities, treason or espionage, as defined under Israeli law.

The Israeli Government, on 25 February, endorsed a bill transferring jurisdiction over certain categories of petitions related to decisions by Israeli authorities in the West Bank from the High Court of Justice to the Court for Administrative Affairs in Jerusalem. The sponsors of the bill have described it as a step towards equating legal procedures and norms in the West Bank and Israel.

Mr. President,

Demolition of Palestinian-owned structures by Israeli authorities continued across the occupied West Bank, including East Jerusalem, albeit at the relatively low rate which characterized the past year. Ninety-two structures, including 15 that were donor-funded, were demolished, including for a lack of building permits, which are nearly impossible for Palestinians to obtain. Consequently, 104 Palestinians were displaced, including 42 children, affecting the livelihoods of over 360 people.

Particularly concerning was the demolition of two donor-funded classrooms in the Palestinian Bedouin community of Abu Nuwar. For at least three years now, the United Nations has been warning of steady Israeli pressure on Abu Nuwar residents to move. The community is in the strategic E1 area planned for the expansion of Ma’ale Adumim that would result in the creation of a continuous built-up area between the settlement and East Jerusalem, further dividing East Jerusalem from the rest of the West Bank.

Similarly, the Bedouin village of Umm al-Hiran also came under renewed threat on 21 March as Israeli authorities posted eviction notices on homes, indicating that evictions can take place anytime between the 14th and 29th of April.

In late December in the Massafer Yatta area of Hebron, where most structures face demolition orders, the IDF blocked several access routes and issued a military order requiring Palestinians to obtain permits to cross, limiting access to services and livelihoods for some 1,400 residents in 12 communities.

Mr. President,

Allow me to turn to the persistent problem of violence. The reporting period was characterized by continuing demonstrations and clashes following to the U.S. announcement on December 6 recognizing Jerusalem as Israel’s capital, and to the growing tensions in the West Bank, including East Jerusalem, and along the Gaza fence.

Twenty-three Palestinians, including six children, were killed by Israeli security forces (ISF) in various incidents, including reported attacks against Israelis, demonstrations, clashes, or military operations in the occupied Palestinian territory.

Five Israelis – three civilians and two soldiers were killed by Palestinians in separate attacks in the West Bank, including East Jerusalem. On the 5th of February, a resident of the Har Bracha settlement was stabbed to death at the entrance to the settlement of Ariel. On 9 January, a rabbi from the Havat Gilad outpost was killed in a drive-by shooting. Two of the three alleged perpetrators were killed by the ISF during subsequent search and arrest operations. On 18 March, an Israeli civilian was stabbed and mortally wounded in Jerusalem's Old City. The alleged assailant, a Palestinian man from the West Bank town of Aqraba, was shot dead by Israeli Security Forces.

On 10 March, a Palestinian teenager was shot dead during clashes with Israeli security forces and settlers in the village of Urif, after confrontations between Palestinian villagers and residents of the nearby Yitzhar settlement turned violent.

During the reporting period, there was a concerning escalation of violence in and around the Gaza Strip. Improvised explosive devices (IEDs) placed by Palestinian militants near the Gaza fence exploded on three occasions, wounding four Israeli soldiers in one incident on the 17th of February. On each occasion, Israeli forces responded with airstrikes and shelling against Hamas targets. The Israeli military also announced that it had destroyed three tunnels either fully inside Gaza or leading from Gaza into Israeli territory. Prior to the escalation, on 13 January, the IDF also destroyed a tunnel extending from Gaza into Israel and Egypt under the Kerem Shalom crossing.

In addition, 33 rockets were fired from Gaza towards Israel, with 11 landing in Israel itself. The Israel Defense Forces (IDF) retaliated against Hamas military sites in Gaza. No injuries were reported on either side.

On the 13th of March, an IED exploded in Gaza targeting the convoy of the Palestinian Prime Minister Hamdallah and the Head of Intelligence, lightly injuring six people. There have been no claims of responsibility.

On 22 March, Hamas security forces conducted an operation in the an-Nuseirat Camp in Gaza, reportedly targeting the chief suspect in the 13 March bombing. During the operation, the suspect and an accomplice were critically wounded and later succumbed to their wounds. Two members of Hamas' security forces were also killed during the incident.

Mr. 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.

Fatah's official social media pages continued to feature posts glorifying perpetrators of past violence against Israeli civilians, including terror attacks that killed civilians and children. In addition, Palestinian officials continued to make statements denying the historical and religious connection of Jews to Jerusalem and its holy sites. One senior religious leader falsely claimed Jews had lived in historical Jerusalem for only 70 or 80 years. Others continue to describe Israel as "a colonial project."

I urge the Palestinian leadership to continue to speak against violence in general, and to condemn specific attacks against civilians.

Senior Israeli officials made provocative statements encouraging annexation of all or parts of the occupied West Bank and categorically rejecting the two-state solution. Some claimed that Palestinians are an “invented people”, others referred to Palestinians as “blood thirsty barbarians”, and one political leader called for more “injuries and deaths” in Gaza, complaining that Israeli military strikes responding to rocket fire were not producing enough casualties among militants.

I urge political leaders to refrain from provocative statements and actions that fuel an already tense environment.

Mr. President,

Resolution 2334 reiterated the calls by the Middle East Quartet for affirmative steps to be taken to “reverse negative trends on the ground that are imperiling the two-state solution.” The period has witnessed both positive and negative actions by the parties in this regard.

In January, after years of negotiations, Israel approved the operation of local Palestinian 3G service in the West Bank, allowing Palestinian telecom companies to offer higher speed data services and somewhat improve their competitiveness.

There were two high-level meetings between the Israeli and Palestinian Ministers of Economy on 15 February in Paris and between the Israeli Minister of Finance and the Palestinian Prime Minister and the Palestinian Minister of Finance as well on 19 February in Ramallah – to discuss a range of economic and infrastructure issues concerning the West Bank and Gaza.

On 18 February, Israel’s Ministerial Committee for Legislation endorsed a bill which would allow Israel to withhold tax revenues that are collected by Israel on behalf of the Palestinian Authority. The amount withheld would be equivalent to the money used for payments to the families of Palestinian perpetrators of attacks against Israelis or for prisoners held in Israeli jails. On 5 March, the Knesset advanced a more restrictive version of the same bill.

Meanwhile, implementation of the 12 October intra-Palestinian agreement between Fatah and Hamas has stalled. In February and March, Egypt hosted delegations from the two parties in an effort to advance the process of returning Gaza under the control of the Palestinian Authority. I also held multiple meetings with senior Palestinian and Egyptian officials in support of the process.

On 4 March, the Palestinian Government approved a USD 5.1 billion budget for 2018, while presenting the option that if it were empowered in Gaza, it could amend the budget and absorb up to 20,000 Gaza civil servants as well.

In Gaza, electricity supply remains far below needs, with cuts of up to 20 hours-per-day. Without emergency fuel, 55 sewage pools are at significant risk of overflowing and the functioning of 48 water desalination plants has been reduced to around 20 per cent of their working capacity. Water is piped to households for a few hours only every four-to-five days. Basic services continue to function thanks to UN-distributed, donor-funded fuel for generators, which is expected to last, at best, only until September 2018.

Over 40 per cent of essential medicines remain at zero stock due to a lack of funding.

After a ten-year delay, the Northern Gaza Emergency Sewage Treatment (NGEST) plant finally began operating on March 1st, albeit at minimum capacity. More sustainable energy supply and other infrastructure projects needs to be urgently pursued to allow for the plant to function at full capacity. In addition to a rapidly deteriorating humanitarian situation, Gaza's economy remains on the brink of collapse. Urgent interventions alongside increased commitment to short, medium and longer-term projects provided the basis for discussions at the Ad Hoc Liaison Committee (AHLC) on 20 March in Brussels. Two preparatory meetings, one in Cairo and one in Washington on 8 and 13 March, respectively, helped develop a series of priority engagements aimed at improving the electricity, water and health situations in Gaza.

An EU-hosted pledging conference for the Gaza Central Desalination Plant, also took place on 20 March, saw Member States commit some USD 565 million, nearly 80 per cent of the project costs, enabling the tendering process to begin. This is a positive development for the people and infrastructure of Gaza. Nevertheless, it is only one, albeit important, project required to ensure that Gaza remains livable beyond the foreseeable future. In a welcome development, over the past two months, Israel has approved thousands of pending residential cases, more than 130 private sector projects and over 1,200 requests for the import of items that Israel considers to be of dual civilian and military use.

On the 14th of February, at a trilateral meeting convened by the United Nations, Israel and the Palestinian Authority agreed to continue with the Gaza Reconstruction Mechanism and conduct a joint review in order to improve functionality, transparency and predictability of the mechanism.

Mr. President,

Resolution 2334 calls upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967. There are two developments to report in this regard.

On 23 January, the Danish Parliament passed a resolution with reference to Security Council resolution 2334, and in line with European Union policy, urging that future agreements between Denmark and Israel clearly state their inapplicability to occupied territory and encouraging the Government to strengthen its guidance to private and public investors.

Also in January, the European Commission signed a financing agreement with Israel allowing the latter's participation in the Joint Operational Programme "Mediterranean Sea Basin" under the European Neighbourhood and Partnership Instrument for 2014-2020. In continuation of an existing European Union practice, the agreement includes a territorial clause stating that "in accordance with EU policy the agreement shall not apply to the geographic areas that came under the administration of the State of Israel after 5 June 1967."

Regrettably, Mr. President. the reporting period has seen no progress towards advancing the goal of a lasting peace as called for in the resolution.

On 31 January, Norway and the European Union convened an extraordinary Ministerial meeting of the Ad Hoc Liaison Committee, in which support for the two-state solution in line with relevant UN resolutions was reiterated. The participants stated their support to ongoing efforts to restore unity between the west Bank and Gaza under the control of the legitimate Palestinian Authority, by focusing, inter alia, on urgent projects that address urgent electricity, water and humanitarian needs.

Speaking at the Security Council on 20 February, Palestinian President Abbas called for an international peace conference to be held by middle of this year, that would form a multilateral mechanism in support of the parties to negotiate all permanent status issues within a specific timeframe, and attain full UN membership for the State of Palestine and mutual recognition of Palestinian and Israeli statehood on the 1967 lines.

On 23 February, the U.S. announced that it would move its embassy to Jerusalem on 14 May 2018 to coincide with the 70th anniversary of Israel's declaration of independence.

Mr. President,

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

Firstly, Israel's illegal settlement expansion and related activities continue further threatening the viability of the two-state solution and eroding the prospects for peace. The latest decision to establish a new settlement for the second time since the adoption of Security Council resolution 2334, following Amihai in May 2017, is particularly troubling

Meanwhile, Palestinian development remains extremely restricted. In Area C alone, there are nearly 13,000 outstanding demolition orders against Palestinian-owned structures, of which some 500 are ready for execution. Less than one per cent of Area C, comprising over 60 percent of the West Bank and critical for the contiguity of a future Palestinian state, is available for Palestinian construction under approved plans.

Secondly, violence and incitement continue to fuel hatred, division, distrust and fear. Continuing terror attacks on Israelis and the attempt on the life of the Palestinian Prime Minister illustrate the growing risk of destabilization and the empowerment of radicals and extremists.

The use of force by Israel must also be calibrated. Israel must uphold its responsibilities under international human rights law and humanitarian law. Lethal force should only be used as a last resort, with any resulting fatalities properly investigated by the authorities. I once again, urge the security forces to exercise maximum restraint to avoid casualties.

I note the developing Palestinian plans for a march on the Gaza fence on the 30th of March. I call on all sides to exercise restraint and to take the necessary steps to avoid a violent escalation. It is imperative that civilians, in particular children, not be targeted and that all actors refrain from putting children at risk at any time.

I also take this opportunity to reiterate my call to Hamas to provide full information on the two Israeli soldiers and two civilians who are being held in Gaza, as required by international humanitarian law.

Thirdly, steps taken on the ground in Area C and Gaza are welcome, but far from transformative. The relaxation on the import of certain "dual-use" items and the increased number of permits issued to business people in Gaza are, nevertheless, important developments that need to be sustained and augmented. Economic development, critical as it is, is no substitute for sovereignty and statehood. Efforts aimed at achieving both must proceed in parallel.

Forthly, the terrorist attack against the convoy of PM Hamdallah on 13 March in Gaza was a serious attempt to derail the Cairo process and its perpetrators must be brought to justice. In this respect, I call on Palestinian factions to engage earnestly with Egypt and move forward on the implementation of the Cairo agreement. This includes the paying of salaries for civil servants and the full empowerment of the government in Gaza. A fully empowered PA in Gaza remains key to lifting the closures, to alleviating the humanitarian and development crisis in Gaza, and to furthering national aspirations for statehood.

I commend the Prime Minister's commitment to continue his efforts towards reconciliation and commend Egypt for its tireless efforts in this regard. The United Nations remains committed to supporting Egyptian efforts to advance this process and welcome the efforts of the international community for a more coordinated engagement in alleviating the humanitarian crisis in Gaza.

I note with concern however that, reports have emerged today, indicating that Hamas has set up a checkpoint outside the Erez/Beit Hanoun crossing, controlling the entrance of national and international personnel into Gaza and the exit of all Gaza ID holders. As per the 12 October intra-Palestinian agreement, all checkpoints should be handed over to the Palestinian Authority.

Firth, Mr. President, I remain greatly concerned by the state of our collective efforts to advance peace. Long-held international consensus positions on final status issues, including on Jerusalem and refugees, and United Nations principles must remain the guiding framework of a negotiated process towards the ultimate goal of a two-state solution. Any deviation from these principles would be dangerous. UN Security Council resolution 2334 states that “it will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations.” All final status issues should be resolved on the basis of relevant UN resolutions, bilateral agreements and international law.

Mr. President,

As the Secretary-General repeatedly reminded this Council, the UN strongly urges Israelis, Palestinians and the international community to take concrete measures that will reverse the current course of the conflict and advance the goal of a just and sustainable peace based on the two-state solution.

Generations of Palestinian and Israeli lives have been shaped by this conflict. It is time to begin constructing a different future, a future built on mutual respect, on dignity, and the belief that even the deepest and most painful divisions can be resolved if there is a genuine desire for change.

Thank you.