

**INTER-AGENCY STANDING COMMITTEE WORKING GROUP  
53rd MEETING**

**8-9 July 2003**

**UNHCR Headquarters, Geneva  
Room MBT04A (Basement)**

**Occupied Palestinian Territory: Background Note**

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Summary:

Following the initiation of peace talks between the Government of Israel and the Palestinian Authorities in Acaba in the beginning of June, the situation remains fluid with rapidly emerging developments. While the resistance of various factions on both sides to sign-up to a peace deal or even a truce or ceasefire remains the main obstacle to the “Road Map to Peace”, the exchange of hostilities between IDF and Palestinians are still ongoing, leading to deterioration in the humanitarian situation of Palestinians in specific geographic locations.

Rendering assistance to beneficiaries in closed-off locations remains the main challenge to international agencies and their implementing partners. In fact the lack of freedom of movement for civilians remains the paramount reason for the decline of the humanitarian situation in OPT. In fact the crisis could be described as political in nature, with serious humanitarian effects. During much of May access to and from the Gaza strip was practically denied for non-diplomatic personnel at Erez, the only crossing point. More than 100 checkpoints, combined with 300-400 ditches and earth mounds subject all movements in the West Bank and Gaza to decisions by the IDF.

Several locations within the Gaza ‘strip such as Beit Hanoun, Al Mawasi, Rafah, Siyafa are under tight closure and access to deliver humanitarian aid to the people totally confined in these areas is intermittent and requires lengthy procedures.

Recent discussions between the Government of Israel and members of the International Community united front (donors and the UN) under the umbrella of the LACC show some signs of progress with respect to access. As developments show, access is easing, with the ability of international staff to move improved. However the situation remains unpredictable and subject to frequent setbacks: spontaneous closures effectively continue to bar staff from reaching their offices in Jerusalem or project staff reaching their destinations. Access to and from Gaza remains almost impossible for local staff and at times restricted for internationals in an unpredictable fashion. It is worth noting that important decisions on access made at high-level meetings do not necessarily translate into practical improvement on the ground.

A number of inter-agency committees and working groups exists that coordinate strategy and policy issues as well as addresses practical operational questions, including access:

- OCG (Operational Coordination Group) Members: UNRWA (chair) comprised of operational humanitarian organisations, including NGOs, OCHA as Secretariat.
- SMT (Senior Management Team) Members: heads of all UN agencies working in OPT.

- TFPI (Task Force for Project Implementation) Members: UNSCO (representing the UN family), World Bank, EC, USAID.
- HEPG (Humanitarian Emergency Policy Group) Members: UNSCO (representing the UN family), EC, Norway, USAID, US consulate, World Bank, OCHA as secretariat.
- LACC (Local Area Coordination Committee) Members: UNSCO (representing the UN family), World Bank as co-chairs, local representatives of AHLC and other bilateral and multilateral donors active in the West Bank and Gaza. . Representatives of the PA. UN Agencies attend as observers.
- Ad Hoc Liaison Committee (AHLC): Norway (chair), Canada, EU, Japan, Russia, Saudi Arabia, US. Associated members are the PLO/PA, Israel, Egypt, Jordan, Tunisia and the UN (with UNSCO representing the UN Family). World Bank as Secretariat.
- Sector Working Groups covering a range of sectors including a joint advocacy working group on health, chaired by WHO

The TFPI has been tasked to negotiate problems of access with the Government of Israel based on the Bertini recommendations, including the Israeli Defense Forces, and is meeting with senior commanders and liaison officers regularly.

UN agencies with mandates ranging from military truce supervision to developmental approaches to humanitarian interventions have at times found it hard to tune into one common line which would clearly determine the attitude towards the IDF and the Government of Israel. This common line in return is vital for the enforcement of humanitarian laws which regulate protection of civilians in times of conflict and freedom of movement of relief workers. For this reason, humanitarian agencies are especially dependent on a strong representation in these working groups.

UNICEF is in the process of adapting its programme to the difficult access situation by opening outpost antennas in the locations most affected by the ongoing conflict: Jenin, Nablus, Tulquarem, Hebron and Rafah, in addition to its already existing office in Gaza. These offices will be permanently staffed with local personnel and effectively provide the opportunity to continue monitoring and facilitation of ongoing projects “behind the lines.”

OCHA is following a similar approach with out-posting of five international staff-members in strategic locations like Ramallah, Gaza, Hebron, Nablus and Tulquarem who will be tasked with coordination and monitoring functions.

WFP has already 5 sub-offices in Gaza, Kheir-Yunis, Nablus, Jenin and Hebron with 3 permanent internationals and 22 national staff members.

The ICRC already has 10 outpost offices in strategic locations, each of which being staffed with two to three international staff members.

Being tasked with the most comprehensive task of rendering assistance to the Palestinian refugee population, UNRWA as a quasi-public service provider, is running a full network of area offices throughout the West Bank and Gaza, as well as the surrounding countries Jordan, Lebanon and Syria, maintaining its ability to operate under almost any political or military situation.

This strategy of geographic focussing will not only bring the benefit of continuing to work during closures and curfews, but will also provide the capacity to be prepared and “on the ground” if the peace plan currently followed bears fruits. Agencies are at present discussing internally the state of preparation towards such a scenario.

## Key issues

### **Access:**

#### To be discussed:

- There is an urgent **need to reunite the UN family** in their perception on how to effectively advocate for the need for access and respect of humanitarian law. Whereas ongoing policy discussions on the ground are fruitful and desirable, the UN is in need of a unified profile vis-à-vis the Government of Israel and in doing so will become recognized as a viable and trustworthy counterpart. A number of small steps need to be initiated in order to move towards this long-term objective: UN personnel need to be clearly identifiable in order to correspond with the security needs of the IDF. A protocol for the treatment of international, officially accredited organizations agreed upon by the Government of Israel needs to be put in place in order to make both partners accountable and liable for their actions on the one hand, and fully underlines and preserves the immunities and privileges of the UN on the other. Last but not least offences against the provisions made under this protocol need to be collected and flagged by a dedicated working group in order to achieve the envisaged goal. It should be discussed which positive consequences a strengthened role of OCHA in these working groups could have for agencies with a specific humanitarian programme agenda.
- Israel has shown a very critical attitude towards the report coming out of an inter-agency mission headed by Catherine Bertini in 2002. The Bertini report enlists a number of recommendations and suggested standards, which have become important cornerstones of the UN programmes. The exclusion of the Bertini report from the Road Map to Peace as suggested by the Government of Israel threatens the backbone of the UN humanitarian policy in OPT.

#### **Expected outcome:**

- The IASC endorses the outcomes of the talks held with the Ministry of Foreign Affairs and the coordinator for Governmental Activities in the Territories (COGAT) on 29<sup>th</sup> May in Jerusalem and Tel Aviv, where the UN was able to highlight its concerns with the access situation at the Erez crossing and agree on free movement across the Erez crossing for international staff members and free movement with permits and UNLPs for national staff members.
- The IASC endorses the decision of the UN country team, not to cease activities due to limited access.
- The IASC endorses the outcomes of the last LACC meeting, where a number of standards in the code of conduct at checkpoints, searches and interrogation of staff was agreed upon
- The IASC endorses the validity and importance of the Bertini report and calls on the Secretary General to ensure its reflection in the Quartet consultation.
- The IASC endorses the issuing of unified UN identity cards, which was initiated in Jerusalem in May 2003.
- The IASC endorses that the Access and Closure Information System (ACIS), designed to monitor and document violations of conventions and agreements regulating access, will be running under the supervision of OCHA.

#### **Programme strategy:**

#### To be discussed:

- There is a **need for the UN to formulate strategic preparedness** for a positive outcome of the present peace talks (the “Road Map”). Up to now all projections and expected scenarios outlined by the UN country team were anticipating a “slow but steady decline in the humanitarian situation”. For the first time in many months there seems to be a real chance to achieve peace with the Map to Peace driven by the Quartet, of which the UN is an integral part. An improvement of the access situation and consequently the humanitarian situation in OPT emerging from a positive development in the peace talks should take into account and adopt as possible scenario for future strategic planning. The UN has to seize the opportunity to demonstrate its credibility and effectiveness by closely checking and ensuring that it is planning against progress made in the peace process. Secondly it can be expected that donors will be increasingly looking for good immediate concepts / initiatives to fund in order to bolster the progress made towards sustainable peace. The UN needs to be seen to be ready for this moment and should not spare any effort in order to seize this important opportunity. Once the peace process is established on a solid path and humanitarian needs have significantly declined, mechanisms have to be put in place to facilitate a substantive rehabilitation of infrastructure and development programmes, benefiting the growth of a viable Palestinian state, an aspect that goes well beyond the mandate of the IASC.

#### **Expected outcome:**

- The IASC agrees on inter-agency consultations that will lead to initiating a strategic transition plan based on the positive outcome of the peace plan. This strategic plan should be ready when donor conferences for OPT are held and will furthermore contribute to the preparation of the 2004 HAP and on any other rehabilitation / recovery plans.
- The IASC endorses that the issue of a revised UN strategic transition plan based on the assumption of a successful implementation of the Roadmap to Peace will be brought up at the next ECHA meeting.

#### **The Separation Wall:**

To be discussed:

- Since the starting of the construction of the Separation Wall in June 2002, more than 190km of wall in the Northwest of the West Bank have been completed. After 145km of wall with electric and barbed-wire fences and trenches separating Palestinian-inhabited from Israeli territories completed in the first phase of construction in July 2003, the second phase with 24-around the clock working is moving ahead at high speed. The separation is not following the “green line” but rather cuts through parts of the West Bank, separating an estimated 95,000 Palestinians residing in 27 towns and villages from the remaining West Bank (source: LACC). It is estimated that at least 200,000 inhabitants of the West Bank living in more than 65 towns and villages will be directly affected (source: B’Tselem). It is effectively interrupting access to safe drinking water of Palestinians in the areas neighbouring the wall. Furthermore the wall creates loops, which in a variety of locations effectively cuts off whole towns from their surroundings, like in the example of Tulquarem. It is destroying farmland and hence livelihoods of tens of thousands of Palestinians, disrupting economic, educational and social functions and services.

The UN country team has been following the process closely and repeatedly stressed its illegal character in a specially designed working group hosted by OCHA. The Under-Secretary-General for Political Affairs underlined in his latest briefing on the Situation in

the Middle East to the Security Council the Separation Wall's adverse implications for the peace process and called for a halt of the construction.

**Expected Decisions/Action Points by IASC-WG:**

- The IASC highlights the serious humanitarian consequences of the construction of the Separation Wall, which directly contravenes humanitarian laws and SC resolutions 242 and 338, endorsed by the Government of Israel.
- The IASC recommends the issue to be raised at the level of ECHA and ECPS meetings.
- The IASC recommends that the Secretary General takes up the issue of the Separation Wall in the Quartet consultation.

Prepared by: UNICEF