

Parliamentary Delegation to Palestine: August 7-14, 2009

Report published November 25, 2009



Volunteers from the Israeli Committee Against House Demolitions help to re-build the demolished home of a Palestinian family in East Jerusalem, West Bank

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MPS' FOREWORD

From August 7 to August 14, 2009 we undertook a humanitarian fact-finding mission to Jordan, the West Bank and Gaza in order to assess the humanitarian situation and gain firsthand knowledge and understanding to bring back to Parliament and citizens of Canada.

We recognize that a lengthy history and a number of different interests are staked in the Israeli-Palestinian conflict and its resolution. We wish to make it clear that during our visit we did not meet with representatives of either the Government of Israel or Hamas. We are firmly committed to the principle of non-violence and believe that the use of violence by any side of this conflict is unacceptable. We believe that the existence of two states, an Israeli state and a Palestinian state, with peace and security guaranteed for both is the only just end to this conflict.

Based on these principles and our experiences during our mission, we have produced this report and made seven key recommendations that we urge the Government of Canada to seek to implement. Where appropriate we have employed research and statistics to support our recommendations.

We would like to express our gratitude to all the people that helped in the planning and facilitation of our mission, especially to our fellow delegation members from Code Pink: Kim Elliott, Sarah Marois and Ehab Lotayef, who so tirelessly and successfully organized our mission to Gaza, and to professional film maker Jase Tanner. We particularly want to extend our deepest thanks to all the people we met during our mission, who took the time to share their knowledge and experiences with us. The unrelenting hope for a better future from everyone we met was humbling and surprisingly encouraging.

We would also like to gratefully acknowledge Ellie Russell, for her excellent research and writing assistance throughout the production of this report.

To the Government of Canada and our fellow Members of Parliament, we ask that you consider and respond to our recommendations. We invite open and measured debate on our recommendations and urge take-up and progress on the issues contained in this report.

We urge our fellow citizens to continue taking an interest in the issues contained in this report and to find ways to support the cause of peace.

To the Palestinian and Israeli activists who are working together to bring change, unity and hope for a peaceful future to their people, we dedicate this report to you.

ACRONYMS

AIDA- Association for International Development Agencies

GoI- Government of Israel

HCJ- Israel High Court of Justice

IDF- Israel Defence Forces

IMF- International Monetary Fund

nm- nautical mile

OCHA- United Nations Office for the Coordination of Humanitarian Affairs

oPt and OPT- occupied Palestinian territory

PA- Palestinian Authority

PLO- Palestine Liberation Organization

PHC- Primary Health Care

PMA- Palestinian Monetary Authority

TIPH- United Nations Temporary International Presence in Hebron

UN- United Nations

UNRWA- United Nations Relief and Works Agency

U.S.- United States

WHO- World Health Organization

MISSION DETAILS

Purpose

To assess the humanitarian situation in the West Bank and Gaza and gain first hand knowledge and understanding to bring back to Parliament and Canadians.¹

Context

There were a number of contextual factors that framed and informed our mission to Jordan, the West Bank and Gaza, the most influential of those being:

- I) That Canada has longstanding policy on the Israeli-Palestinian conflict² that includes stated opposition to permanent Israeli control over occupied territories and to the construction of the barrier in the West Bank and East Jerusalem by Israel.
- II) That we believe the Government of Canada's response to the Israeli-Palestinian conflict must be rooted in international law, including the Fourth Geneva Convention, as already specified in its longstanding policy³.
- III) That the mission was funded entirely by the delegates' own funds. The Government of Canada did assist in the planning and facilitation of the first part of our mission in the West Bank and Jordan, however, we received no assistance from the Government of Canada for the second part of our mission in Gaza.
- IV) That we are members of the Canada-Palestine Parliamentary Association.
- V) That there are growing civil movements across Canada, calling for decisive and effective action to bring about a peaceful solution to this conflict and an end to the occupation of the Palestinian territories.
- VI) That at the time of our mission, and indeed at the time of publication of this report, no Government of Canada or any other delegation of Canadian Parliamentarians has visited Gaza, neither before nor after the Israeli imposed blockade and despite many delegations making visits to Israel and the West Bank.
- VII) That the Israeli imposed sanctions on Gaza began in 2006 and since June 2007 has amounted to almost a full blockade. Only 35 types of goods are allowed to enter the Gaza Strip.⁴

¹ Media Advisory, 'Canadian MPs visit Jordan, the West Bank and Gaza', August 7, 2009

² Canadian Policy on Key Issues in the Israeli-Palestinian Conflict, Department of Foreign Affairs and International Trade available at http://www.international.gc.ca/name-anmo/peace_process-processus_paix/canadian_policy-politique_canadienne.aspx?lang=eng

³ Canadian Policy on Key Issues in the Israeli-Palestinian Conflict, Department of Foreign Affairs and International Trade available at http://www.international.gc.ca/name-anmo/peace_process-processus_paix/canadian_policy-politique_canadienne.aspx?lang=eng

- VIII) That the Egyptian border with Gaza has been in effect sealed since 2007.
- IX) That the infrastructure of Gaza remains severely fractured and the humanitarian situation in Gaza remains an urgent concern after the military operation undertaken by the Israel Defense Forces (IDF) from December 2008-January 2009 known as 'Operation Cast Lead'.

Delegation

The delegation consisted of Canadian Parliamentarians: Libby Davies (New Democratic Party), Richard Nadeau (Bloc Québécois) and Borys Wrzesnewskyj (Liberal Party); three members from the organization Code Pink⁵: Kim Elliott, Sarah Marois and Ehab Lotayef; and professional film maker Jase Tanner. All members of the delegation attended the first part of our mission in the West Bank and Jordan. Mr. Wrzesnewskyj did not take part in the Gaza portion of the mission.

Itinerary

Date	Location	Organizations/Persons met with
07.08.09	Travel from Canada to Amman, Jordan	Assisted by representative of Embassy of Canada (Amman) Andrew Turner
08.08.09	Amman, Jordan	Speaker of the Jordanian Parliament, Mr. Abdel Hadi
08.08.09	Amman, Jordan	Secretary General of the Department of Foreign Affairs, Mr. H.E Mohammed Al Sieaq
09.08.09	Ramallah, West Bank	Officers of the Canadian Office in Ramallah, Mr. Graeme McIntyre and Mr. Alexandre Bilodeau
09.08.09	Ramallah, West Bank	Members of the Negotiations Department of the Palestine Liberation Organization

⁴ Special Report: Two Years Through Siege from the Palestine Trade Centre (Under the supervision of: The World Bank), July 7, 2009, pp 3, available at <http://www.paltrade.org/cms/images/enpublications/Special%20Report%20-%20Gaza%202%20years%20thru%20siege.pdf>

⁵ Code Pink is an American non-governmental organization committed to working with women to ensure the existence of foreign policies based on diplomacy, compassion and a commitment to international law <http://www.codepink4peace.org/article.php?list=type&type=3>.

		(PLO), Mr. Gabriel R. Fahel and Ms. Hala Rashed
09.08.09	Ramallah, West Bank	Palestinian Minister of Foreign Affairs, Mr. Riad Malki
09.08.09	Ramallah, West Bank	Leader of the Palestinian National Initiative Party, Dr. Mustafa Barghouthi
09.08.09	Bil'in Village, West Bank	Bil'in Municipal Council and its Counsel, Ms. Emily W. Schaeffer
09.08.09	East Jerusalem, West Bank	Trainers of the Palestinian Police Department, Col. Fred Lewis, Mr. John Pullen, Mr. Paul Kernaghan and Mr. Walter Sutherland
10.08.09	East Jerusalem, West Bank	Founder of Ir Amim, Mr. Danny Seidemann
10.08.09	East Jerusalem, West Bank	Representative of UN Office for the Coordination of Humanitarian Affairs in Palestine (OCHA), Ms. Allegra Pacheco
10.08.09	Hebron, West Bank	UN Temporary International Presence in Hebron (TIPH), Mr. Mario Vignati and Mr. Philippe Puyo-Tschanz
10.08.09	Hebron, West Bank	Mayor of Hebron, Mr. Khaled Osaily
10.08.09	East Jerusalem, West Bank	Coordinator of Israeli Committee Against the Demolition of Palestinian Homes, Mr. Jeff Halper (including a tour of a new home being built by the Committee)
10.08.09	East Jerusalem, West Bank	Representatives of the UN Relief and Works Agency (UNRWA), Ms Barbara Shenstone, Ms. Lynn Hastings and Mr. Ian Mitchell , a representative of the Canadian International Development Agency, Ms. Sandra Choufani and Chief of Coordination Unit of Office of the United Nations Special Coordinator for the Middle East Peace Process (UNSCO), Mr. John Clarke

11.08.09	Travel from East Jerusalem to El Arish, via Amman, Jordan and Cairo Egypt	
12.08.09	Entry to Gaza through Rafah. Met by Representative of UNRWA, Ms. Stephanie Fox	
12.08.09	Gaza	Tour of Gaza with Representative of UNRWA, Ms. Stephanie Fox
12.08.09	Gaza	Family staying in an UNRWA refugee camp
12.08.09	Gaza	Business owners, Mr. Wadie El Masri and Ms. Ghaidaa Alameer
12.08.09	Gaza	Tour of UNRWA Children's Day Camp with Representative of UNRWA, Ms. Stephanie Fox
12.08.09	Gaza	Director General of UNRWA in Gaza, Mr. Christer Nordahl
12.08.09	Gaza	Psychiatrist, Dr. Eyad el-Sarraj
12.08.09	Gaza	Executive Director of the Union of Health Work Committees, Dr. Youssef Moussa
13.08.09	Gaza	President of Gaza fishermen's union, Mr. Nizar Ayash
13.08.09	Gaza	Tour of the illegal tunnel sites
13.08.09	Travel from Gaza to Amman, Jordan, via Rafah and Cairo	
14.08.09	Travel from Amman, Jordan to Canada	

RECOMMENDATIONS

For a list of the recommendations, please see Annex A. For photographs that relate to recommendations 2-5, taken during our mission by delegation member Kim Elliott, please see Annex B.

RECOMMENDATION 1: LASTING PEACE

We recommend that the Government of Canada reaffirm its commitment to the goal of a comprehensive, just and lasting peace in the Middle East, including the creation of a Palestinian state⁶, by doing all it can to encourage further progress from the U.S. Obama administration, on a peace plan for the Middle East.

The Obama Peace Plan

Throughout our mission we noted the hope and optimism that was expressed to us by the people we met, about the call from the U.S. Obama administration for a lasting peace plan for the Middle East.* We welcome the commitment from President Obama to publish a peace plan for the Middle East; the appointment of George Mitchell as Special Envoy for Middle East Peace; the public call from President Obama for a stop to Israeli settlements⁷; the public statement from President Obama on the creation of two states as a non-negotiable aspect of a legitimate peaceful resolution⁸; the trilateral talks hosted by President Obama between Prime Minister Netanyahu of Israel and President Abbas of the Palestinian Authority.

We believe it is clear that these steps taken by U.S. President Obama are consistent with what the Government of Canada has set out in its longstanding policy, *'Key Issues in the Israeli-Palestinian Conflict'*.

⁶ Canadian Policy on Key Issues in the Israeli-Palestinian Conflict, Department of Foreign Affairs and International Trade available at http://www.international.gc.ca/name-anmo/peace_process-processus_paix/canadian_policy-politique_canadienne.aspx?lang=eng

⁷ Remarks by the President on A New Beginning, Cairo University, Cairo Egypt, June 4, 2009 available at http://www.whitehouse.gov/the_press_office/Remarks-by-the-President-at-Cairo-University-6-04-09/

⁸ Remarks by the President on A New Beginning, Cairo University, Cairo Egypt, June 4, 2009 available at http://www.whitehouse.gov/the_press_office/Remarks-by-the-President-at-Cairo-University-6-04-09/

* We have noted with concern that since our mission and at the time of publication of this report, the optimism we witnessed has begun to dissipate. We believe that any issues that are causing this growing lack of hope need to be addressed.

RECOMMENDATION 2: FUNDING

We recommend that the Government of Canada immediately announce and swiftly meet a contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), of an amount equivalent to or greater than the contribution given in 2008.

UNRWA

Having met with representatives of UNRWA and recipients of their services, it is our firm belief that without a concrete contribution from the Government of Canada, the vital work of this organization will be seriously compromised. We believe that the current financial inaction by the Government of Canada is a counterproductive approach to its long standing policy *'Key Issues in the Israeli-Palestinian Conflict'*.

Given that children make up 50% of the population in Gaza⁹ we were particularly struck by our visit to the 'Summer Games', hosted by UNRWA at one of their summer day camps. The children we met were happily immersed in the activities being provided for them and it remains clear to us that the summer day camps provide a much needed outlet for these children and relief for their parents, all of whom are refugees. Some of the activities for children provided during the 'Summer Games' and summer day camps include arts and crafts, swimming training, kite making and sports activities including football and athletics¹⁰. UNRWA also provides 'access to free elementary and preparatory education for all Palestine refugee children'¹¹. It is these and future generations that will bear the burden of the destruction and degradation we witnessed in Gaza. Thus, it is our firm belief that programs such as those run by UNRWA must be allowed to continue and flourish in order that children are given the education and opportunities they need to secure a better future.

We have noted the comments made by the Honourable Bev Oda at a meeting of the House of Commons Standing Committee on Foreign Affairs and International Development on May 27, 2009, stating that 'we support UNRWA, because it does play an important role' and yet that 'there are some questions about UNRWA'.¹² We believe

⁹ UNRWA Gaza Field Office Publication, UNRWA Summer Games 2008, available at <http://www.un.org/unrwa/publications/GazaFO/SummerGames.pdf>

¹⁰ UNRWA Gaza Field Office Publication, UNRWA Summer Games 2008, available at <http://www.un.org/unrwa/publications/GazaFO/SummerGames.pdf>

¹¹ Education Programs: UNRWA's Achievements, available at <http://www.un.org/unrwa/programmes/education/achievement.html>

¹² Evidence from House of Commons Standing Committee on Foreign Affairs and International Development, May 27 2009, available at <http://www2.parl.gc.ca/HousePublications/Publication.aspx?DocId=3925584&Language=E&Mode=1&Parl=40&Ses=2#T1610>

it is important that the Government of Canada clarify its position on UNRWA and its intentions with regards to financially contributing to UNRWA.

Canada is listed as one of UNRWA's 'main supporters'¹³ having donated a total of USD\$28,052,235 in 2008, the 7th highest donation UNRWA received from a state in that year¹⁴. This total donation included separate donations to the UNRWA General Fund, emergency appeals and UNRWA's organizational reform.

At the time of publication of this report the Government of Canada has only pledged USD\$2,461,034 to the 2009 UNRWA Gaza Quick Response Plan. The Government of Canada has made no other pledges towards UNRWA's other two existing appeals, the 2009 oPt Emergency Appeal and the 2009 Relief and Recovery Appeal for Nahr el-Bared Camp- Lebanon¹⁵.

The Group of 78

We have noted the letter sent to Prime Minister Stephen Harper on behalf of the Group of 78¹⁶, urging financial support from the Government of Canada to UNRWA. (See Annex C)

RECOMMENDATION 3: THE BARRIER

- I) We recommend that the Government of Canada reaffirm its opposition to Israel's construction of the Barrier, and any actions carried out for this purpose, inside the Occupied Territories of the West Bank and East Jerusalem.¹⁷**
- II) We recommend that the Government of Canada do all it can to ensure that the Government of Israel fully upholds the 2007 Israel High Court of Justice (HCJ) ruling against Land Sequestration Order no. Tav/40/0 [Bil'in].¹⁸**
- III) We recommend that the Government of Canada affirm that the use of non-violent means by civilians to protest that which the Government of Canada itself calls unacceptable or illegal, be allowed to take place.**

¹³ Our Partners, UNRWA website available at <http://www.un.org/unrwa/donors/p02.html> and http://www.un.org/unrwa/donors/docs/top_20_overall_donors_2008.pdf

¹⁴ Top 20 State Donors to UNRWA in 2008, UNRWA website available at http://www.un.org/unrwa/donors/docs/top_20_state_donors_2008.pdf

¹⁵ Partners and Resources, UNRWA website available at <http://www.un.org/unrwa/donors/index.html>

¹⁶ The Group of 78 is an informal association of Canadians seeking to promote global priorities for peace and disarmament, equitable and sustainable development and a strong and revitalized United Nations system. <http://www.web.net/~group78/English/Who/history.shtml>

¹⁷ Canadian Policy on Key Issues in the Israeli-Palestinian Conflict, Department of Foreign Affairs and International Trade available at http://www.international.gc.ca/name-anmo/peace_process-processus_paix/canadian_policy-politique_canadienne.aspx?lang=eng

¹⁸ Point 42 of HCJ 8414/05 on February 18 2007, available at http://elyon1.court.gov.il/files_eng/05/140/084/n25/05084140.n25.pdf

Bil'in

Having met with members of the Bil'in Municipal Council we remain deeply concerned about the humanitarian impact of the continued existence and expansion of the Israeli constructed barrier. The Palestinian village of Bil'in has had close to 60% of its land, including agricultural lands, annexed by the Gol for Israeli settlements and the Gol continues to construct a separation barrier to partition the occupied land.¹⁹ The residents of Bil'in hold peaceful demonstrations every week to protest what they call the creation of 'an open air prison for Bil'in inhabitants' but these demonstrations have been met with violence, frequent night raids and arrests from Israeli soldiers²⁰. One such incident resulted in the death of a demonstrator in April 2009 when he was hit with a tear gas grenade.²¹ At the time of publication of this report the 2007 Israel High Court of Justice ruling against Land Sequestration Order no. Tav/40/0 (relating to Bil'in) remains unimplemented. According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), since 2007 the HCJ has rejected two proposals from the IDF, due to a lack of suitable consideration of the barrier's humanitarian impact on the villagers of Bil'in and has clarified that 'the alternative route of the barrier should only take into account the security needs of the currently inhabited areas of the neighbouring Israeli settlement, and not the needs of a planned expansion area'.²² We have noted developments in Bil'in since our visit, namely the arrest, following a complaint from human rights group Yesh Din to the Military Prosecution, of an IDF soldier for the alleged assault of a demonstrator in Bil'in.²³

The International Court of Justice

We have noted the advisory opinion given by the International Court of Justice on July 9, 2004 stating that 'construction of the wall severely impedes the exercise by the Palestinian people of its right to self-determination and is therefore a breach of Israel's obligation to respect that right'.²⁴

Infrastructure

We have noted the latest Economic Monitoring Report to the Ad Hoc Liaison Committee from the World Bank stating that 'the Gol has recently constructed commercial crossing

¹⁹ Bil'in, A Village of Palestine Website available at <http://www.bilin-village.org/english/discover-bilin/>

²⁰ Bil'in, A Village of Palestine Website available at <http://www.bilin-village.org/english/discover-bilin/>

²¹ The Humanitarian Monitor, OCHA, July 2009, pp 3, available at http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2009_june_english.pdf

²² The Humanitarian Monitor, OCHA, July 2009, pp 3, available at http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2009_june_english.pdf

²³ Ynet.com News Report available at <http://www.ynetnews.com/articles/0,7340,L-3786775,00.html>

²⁴ International Court of Justice Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, July 9, 2004, pp 137, available at <http://www.icj-cij.org/docket/index.php?p1=3&p2=4&k=5a&case=131&code=mwp&p3=4>

points in the Separation Barrier that have the potential to become another serious constraint to Palestinian businesses...once the Gol completes the Barrier and completely eliminates the ability of Palestinian shippers to use Israeli licensed trucks, the traffic and delays at the crossings can be expected to rise. Hence, the establishment of the commercial crossings and the requirement for back-to-back transfers creates yet another hardship for Palestinian businesses, no matter how efficiently the crossings are run'.²⁵

RECOMMENDATION 4: SETTLEMENT ACTIVITY

- I) We recommend that the Government of Canada support U.S. President Obama in publically calling for a stop to Israeli settlements²⁶ and that the Government of Canada publicly oppose any new Israeli settlement activity when it is reliably brought to its attention.**
- II) We recommend that the Government of Canada assert that the issue of dismantling many of the illegal Israeli settlements must be addressed and resolved as part of a comprehensive, just and lasting peace settlement and the creation of a Palestinian state.**
- III) We recommend that the Government of Canada examine the practicality of Canada becoming a member of the Temporary International Presence in the City of Hebron (TIPH), as a means of helping the pursuit of a comprehensive, just and lasting peace in the Occupied Territories and the Middle East.**

Hebron

Having visited the city of Hebron and met with the Mayor of Hebron and representatives of TIPH, we believe that the security situation in Hebron has an ongoing impact on the pursuit of a peaceful resolution to the Israeli-Palestinian conflict. We recognize that the city of Hebron is one of historical and religious significance, that there are many different interests staked in the city and that there is a history of tension and violence to be considered. We believe that it is vital that the situation in Hebron is peacefully resolved in order that a normal and just standard of living can be established for all its residents. Thus, we applaud the work of TIPH in helping to ensure that breaches of human rights, international humanitarian law and relevant accords are recorded. TIPH is a civilian observer mission stationed in the city of Hebron that acts as a neutral witness

²⁵ 'Palestinian Economic Prospects: Gaza Recovery and West Bank Revival', Economic Monitoring Report to the Ad Hoc Liaison Committee, The World Bank, June 8 2009, pp 30, available at <http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/AHLCJune09Reportfinal.pdf>

²⁶ Remarks by the President on A New Beginning, Cairo University, Cairo Egypt, June 4 2009 available at http://www.whitehouse.gov/the_press_office/Remarks-by-the-President-at-Cairo-University-6-04-09/

and monitors and reports on the situation in Hebron to the Israeli and Palestinian authorities and its six member states.²⁷

Infrastructure and Health

We have noted the latest Economic Monitoring Report to the Ad Hoc Liaison Committee from the World Bank stating that ‘the numerous Israeli road blocks, closed areas, restricted roads, and growing settlements have cut the Palestinian communities into isolated cantons, raising transportation costs and significantly limiting the ability of Palestinian enterprises to achieve economies of scale’.²⁸ The report also states that ‘recurrent destruction of trees, private homes, and public infrastructure, as well as settlers’ encroachments on private land, create a permanent state of insecurity that deters Palestinian investment in Area C’ [under the 1995 Oslo Interim Agreement].²⁹

We have also noted the ‘Thirsting for Justice’ report from Amnesty International, which highlights one of the starkest and indeed a dangerous inequality between ‘Palestinian communities and unlawful Israeli settlements’, that ‘In parts of the West Bank, Israeli settlers use up to 20 times more water per capita than neighboring Palestinian communities, who survive on barely 20 litres of water per capita a day- the minimum amount recommended by the WHO [World Health Organization] for emergency situations response’.³⁰

Evictions and Demolitions

We came face to face with the issue of evictions and house demolition during our chance encounter with members of the Hanoun family upon our arrival in East Jerusalem on 8th August. We witnessed some tension and police intervention in front of a small illegal Israeli settlement between Israeli settlers and a group of Palestinians that had recently been evicted from their homes. After witnessing some of this altercation we talked to the Hanoun family who were gathered on a street close by. They told us that they now sleep on the street opposite the house that had been in their family for generations and which now houses Israeli settlers. Despite the house being built in 1956 and belonging to the Hanoun family, the family had been forcibly evicted from their

²⁷ Temporary International Presence in the City of Hebron website, available at http://www.tiph.org/en/About_TIPH/

²⁸ ‘Palestinian Economic Prospects: Gaza Recovery and West Bank Revival’, Economic Monitoring Report to the Ad Hoc Liaison Committee, The World Bank, June 8, 2009, pp 30, available at <http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/AHLCJune09Reportfinal.pdf>

²⁹ ‘Palestinian Economic Prospects: Gaza Recovery and West Bank Revival’, Economic Monitoring Report to the Ad Hoc Liaison Committee, The World Bank, June 8, 2009, pp 28, available at <http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/AHLCJune09Reportfinal.pdf>

³⁰ ‘Thirsting for Justice: Palestinian Access To Water Restricted’, Amnesty International, October 2009, available at <http://www.amnesty.org/en/library/asset/MDE15/028/2009/en/634f6762-d603-4efb-98ba-42a02acd3f46/mde150282009en.pdf>

home in the early hours of the morning less than a week before we met them. One member of the family, a young psychology student at the University of Jerusalem, who was injured during the eviction, told us that they had been given no time to remove their belongings from their home and her laptop computer was completely broken during the eviction. It was later related to us by an official source that the Hanoun family's belongings had been taken from their house, thrown in to a truck and discarded in a vacant lot.

We have noted that in 2009 alone, OCHA has recorded the demolition of a total of 221 Palestinian-owned structures in the West Bank including East Jerusalem, which have displaced 513 people and affected a further 489³¹. During our visit we were encouraged by the tireless work of the Israeli Committee Against House Demolitions Yet we strongly feel that it is an inexcusable injustice that the re-building of Palestinian homes is firstly a necessity and secondly is left to organizations, such as the Israeli Committee Against House Demolitions, that are reliant on donations from individuals and other nations.

³¹ The Humanitarian Monitor, OCHA, July 2009, pp 5, available at http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2009_june_english.pdf

RECOMMENDATION 5: THE BLOCKADE

In light of the deteriorating economic, health and social conditions within Gaza as a result of the Israeli imposed blockade and exacerbated by actions leading up to and during 'Operation Cast Lead'³², we urgently recommend that:

- I) The Government of Canada assert that an end to the blockade on Gaza is an urgent and necessary means by which to normalize the day to day living conditions of people living in Gaza and to restore the civil and economic infrastructure of Gaza.
- II) The Government of Canada assert that the Israeli imposed blockade on Gaza is contributing to the growth of a non-viable and unsustainable economy in Gaza, including the smuggling of goods through illegal tunnels.
- III) The Government of Canada assert that the deteriorating economic, health and social conditions within Gaza as a result of the Israeli imposed blockade and the development and use of illegal tunnels in Gaza, are a barrier to a just, comprehensive and lasting peace settlement.
- IV) Thus, we recommend that the Government of Canada do all it can to support diplomatic efforts to secure a swift and sustainable end to the blockade on Gaza and the development and use of illegal tunnels in Gaza.

Health

When visiting Gaza we were struck by the devastated waste and wastewater sanitation due to the damage inflicted on the water treatment plant and other areas during 'Operation Cast Lead'. We remain deeply concerned that the Israeli imposed blockade is preventing the re-building or repair of these areas and is perpetuating the dire sanitary conditions in Gaza. We have noted that around 10,000 people in northern Gaza do not have access to running water.³³ We have noted the Gaza Health Assessment from the World Health Organization (WHO)³⁴ stating that 'contaminated water samples

³² Israel/Gaza Operation 'Cast Lead': 22 Days of Death and Destruction, Amnesty International, 2009, pp 61, available at <http://www.amnesty.org/en/library/asset/MDE15/015/2009/en/8f299083-9a74-4853-860f-0563725e633a/mde150152009en.pdf>; and Rebuilding Gaza: putting people before politics' Briefing note, Oxfam International, June 2009, pp 2 available at <http://www.oxfam.org/sites/www.oxfam.org/files/bn-rebuilding-gaza-0906.pdf>; and Press Statement: Humanitarian organisations deeply concerned about the ongoing water and sanitation crisis in Gaza; Call for an immediate opening of Gaza's crossings, OCHA and Association for International Development Agencies (AIDA), September 3, 2009, available at http://www.ochaopt.org/documents/hc_aida_statement_gaza_watsan_20090803_english.pdf

³³ OCHA Special Focus, August 2009, pp 4, available at http://www.ochaopt.org/documents/Ocha_opt_Gaza_impact_of_two_years_of_blockade_August_2009_english.pdf

³⁴ World Health Organization Gaza Health Assessment, July 2009, pp 6, available at [http://www.emro.who.int/palestine/reports/monitoring/WHO_special_monitoring/gaza/Gaza%20Health%20Assessment%20\(29Jun09\).pdf](http://www.emro.who.int/palestine/reports/monitoring/WHO_special_monitoring/gaza/Gaza%20Health%20Assessment%20(29Jun09).pdf)

have been found in the public water supply, water storage tanks, and in water wells in areas that were severely damaged during the war' and that 'watery diarrhea as well as acute bloody diarrhea and viral hepatitis remain the major causes of morbidity amongst reported infectious diseases in the refugee population of the Gaza Strip'. The report also states that 'structural damage to the hospitals and PHC [Primary Health Care] facilities has not been adequately addressed due to the lack of construction materials'.³⁵

We believe it is vital that the health services in Gaza become fully operational in order that accurate and far reaching health assessments can be carried out on the Gaza population. The WHO state that 'obtaining information on prevalence, distribution and characteristics of disabilities in Gaza is still a pending priority, and is necessary to inform more effective and appropriate interventions'.³⁶ During our visit we met with Dr. Eyad el-Sarraj, a Palestinian psychiatrist to discuss the psychological impact of 'Operation Cast Lead' on the people of Gaza. We were deeply concerned by the content presented to us at our meeting and we have subsequently noted an article by Dr. Eyad el-Sarraj which states that 'For children, the psychological effects of violence are severe and traumatising. While many injured children have acquired a permanent physical disability, many more have developed psychological impairments. The prevalence of neurotic symptoms and behavioural problems among children, such as disobedience or irritability, is high'. We have also noted the statistics from a study carried out by the WHO demonstrating signs of war related distress in children under the age of 14, including problems with concentration and sleep. We have also noted that the results of this WHO study found that 'the ability of GP's in PHC centres to identify psychiatric problems was very limited'.³⁷

Infrastructure and Investment

We have noted that UNRWA has had to halt all construction projects, including vital housing and re-housing, shelter reconstruction and wastewater infrastructure projects, due to construction materials not being sanctioned under the Israeli imposed blockade.³⁸

³⁵ World Health Organization Gaza Health Assessment, July 2009, pp 1, available at [http://www.emro.who.int/palestine/reports/monitoring/WHO_special_monitoring/gaza/Gaza%20Health%20Assessment%20\(29Jun09\).pdf](http://www.emro.who.int/palestine/reports/monitoring/WHO_special_monitoring/gaza/Gaza%20Health%20Assessment%20(29Jun09).pdf)

³⁶ World Health Organization Gaza Health Assessment, July 2009, pp 5, available at [http://www.emro.who.int/palestine/reports/monitoring/WHO_special_monitoring/gaza/Gaza%20Health%20Assessment%20\(29Jun09\).pdf](http://www.emro.who.int/palestine/reports/monitoring/WHO_special_monitoring/gaza/Gaza%20Health%20Assessment%20(29Jun09).pdf)

³⁷ World Health Organization Gaza Health Assessment, July 2009, pp 8, available at [http://www.emro.who.int/palestine/reports/monitoring/WHO_special_monitoring/gaza/Gaza%20Health%20Assessment%20\(29Jun09\).pdf](http://www.emro.who.int/palestine/reports/monitoring/WHO_special_monitoring/gaza/Gaza%20Health%20Assessment%20(29Jun09).pdf)

³⁸ UNRWA Gaza Field Office Report on Infrastructure available at <http://www.un.org/unrwa/publications/GazaFO/infrastructure.pdf>

During our visit we noted the extensive damage inflicted on the Karni industrial area during 'Operation Cast Lead'. We also noted during our visit to the fisheries at the Gaza City Wharf and our meeting with the President of the Gaza fisherman's union, the negative impact of Israeli imposed limits on Palestinians fishing, which prohibit fishing beyond 3 nautical miles (nm) from the shore. The 3nm limit not only undermines the volume of fishing catch available to fishermen, which has had a negative impact on the 3,500 households that are reliant on fishing, but the limit is also 17nm less than that stipulated in the Oslo Accords.³⁹

We have noted that as of June 2009, there are 1,090,932 refugees registered in the Gaza strip⁴⁰ and that in the first quarter of 2009 41.5% of Gaza's workforce was unemployed.⁴¹

We have noted the latest Economic Monitoring Report to the Ad Hoc Liaison Committee from the World Bank stating that 'the large sums of money pledged at the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza (Sharm El-Sheikh March 2, 2009) have not yet translated into tangible progress towards reconstruction of Gaza due to the extreme closure regime it is under'.⁴² The Israeli imposed blockade not only affects imported goods and funds but exported goods. We have noted the 'Rebuilding Gaza' briefing note from Oxfam International states that 'Despite some media attention on the export of carnations, negotiated by the Netherlands since 12th February 2009, only 14 truckloads carrying around 650,000 flowers were allowed to be exported out of an expected 6 million flowers being produced this season'. The report goes on to state that 'De-development resulting from the blockade has been exacerbated by Israeli military operation 'Cast Lead', which wreaked widespread damage and destruction on Gaza's civilian infrastructure'.⁴³ We have also noted that the International Monetary Fund (IMF) has stated that 'private sector growth and investment and reconstruction in the Palestinian territories will

³⁹ OCHA Special Focus, August 2009, pp 7-8, available at http://www.ochaopt.org/documents/Ocha_opt_Gaza_impact_of_two_years_of_blockade_August_2009_english.pdf

⁴⁰ UNRWA Figures as of June 30, 2009, available at <http://www.un.org/unrwa/publications/pdf/uif-june09.pdf>

⁴¹ OCHA Special Focus, August 2009, pp 5, available at http://www.ochaopt.org/documents/Ocha_opt_Gaza_impact_of_two_years_of_blockade_August_2009_english.pdf

⁴² 'Palestinian Economic Prospects: Gaza Recovery and West Bank Revival', Economic Monitoring Report to the Ad Hoc Liaison Committee, The World Bank, June 8, 2009, pp 5, available at <http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/AHLCJune09Reportfinal.pdf>

⁴³ 'Rebuilding Gaza: putting people before politics' Briefing note, Oxfam International, June 2009, pp 4, available at <http://www.oxfam.org/sites/www.oxfam.org/files/bn-rebuilding-gaza-0906.pdf>

continue to be hampered as long as border and movement restrictions are not lifted for both the West Bank and Gaza'.⁴⁴

We are concerned about the impact of the Government of Israel's restrictions on the entry of cash in to Gaza. We have noted the latest Economic Monitoring Report to the Ad Hoc Liaison Committee from the World Bank, which lists current and potential implications of this restriction. The report states that 'the living standards in Gaza have already been depressed by the blockade and the lack of liquidity has added an additional burden...' and that it has '...hit households relying on cash transfers by the PA, World Bank, European Union and UNRWA that are targeted to help the poorest households'. The report goes on to state that 'the lack of bank reserves has reduced the role of banks in Gaza's economic activity as most transactions have shifted to a cash basis and unregulated channels' and that this has '...reduced the effectiveness of the PMA's [Palestinian Monetary Authority] efforts to combat money laundering. It has also strongly benefited groups that have access to cash from outside the banking system and who control the informal non-bank channels'.⁴⁵

We believe it is vital that the infrastructure of Gaza be resorted in order that enterprise can grow, not least so that investment can be encouraged in areas other than the illegal tunnels that connect Gaza and Egypt.

The Tunnels

Having visited the site of the illegal tunnels used to smuggle goods from Egypt to Gaza, it is clear to us that due to the Israeli imposed blockade, the people of Gaza have consequentially been forced to turn to illegal and potentially fatally unsafe methods to obtain goods and services that will help them to lead normal lives. When the only methods that exist to obtain vital goods and services are illegal ones, the basic tenets of civil society begin to break down and disillusionment, anger and unrest begin to rise in their wake. There are other areas in which this can be the contributory impact; we have noted the latest Economic Monitoring Report to the Ad Hoc Liaison Committee from the World Bank stating that 'faced with diminishing employment opportunities and declining wages, men have retreated from the labor force and the public sphere more broadly, and are struggling with feelings of emasculation and disempowerment'.⁴⁶ A study carried out by the WHO suggests that of the patients with psychological distress

⁴⁴ Program Note on the West Bank and Gaza, International Monetary Fund, available at <http://www.imf.org/external/np/country/notes/wbg.htm>

⁴⁵ 'Palestinian Economic Prospects: Gaza Recovery and West Bank Revival', Economic Monitoring Report to the Ad Hoc Liaison Committee, The World Bank, June 8, 2009, pp 24, available at <http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/AHLCJune09Reportfinal.pdf>

⁴⁶ 'Palestinian Economic Prospects: Gaza Recovery and West Bank Revival', Economic Monitoring Report to the Ad Hoc Liaison Committee, The World Bank, June 8, 2009, pp 32, available at <http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/AHLCJune09Reportfinal.pdf>

studied, unemployed patients had a prevalence of 43.4% as compared to employed patients (25.6%).⁴⁷

We believe that the only way to end the day to day reliance on illegal goods and services is for a legal and competitive market to be established and allowed to flourish in Gaza. We believe that the only way that this can be achieved is through a swift and sustainable end to the Israeli imposed blockade and a regular flow of goods and services that meet the demands of the people of Gaza, being allowed to cross the border between Israel and Gaza. We believe that if this were to become a reality, it would need to be in tandem with the immediate ceasing of any support for or participation in the illegal tunnels system by all people in Gaza.

RECOMMENDATION 6: CANADIAN CITIZENS

We recommend that the Government of Canada immediately investigate and seek to rectify any practices being employed by the Government of Israel to prevent Canadian citizens of Palestinian origin from enjoying the rights of passage ordinarily granted to Canadian citizens, on the sole basis of their Palestinian origin.

RECOMMENDATION 7: INTERNATIONAL TRADE

- I) We recommend that the Government of Canada, as swiftly as possible, examine and make public their findings, as to whether Canada currently receives or could at any time receive, imported goods that have originated from areas that the Government of Canada itself considers to be illegally occupied, through the provisions under the Canada-Israel Free Trade Implementation Act.**
- II) We recommend that if such goods are currently received or could at any time be received, that the Government of Canada seek to amend the Canada-Israel Free Trade Implementation Act to exclude any goods from areas that the Government of Canada itself considers to be illegally occupied.**

The International Court of Justice

We have noted the advisory opinion given by the International Court of Justice on July 9, 2004 stating the 'obligation for all states not to recognize the illegal situation resulting

⁴⁷ World Health Organization Gaza Health Assessment, July 2009, pp 8, available at [http://www.emro.who.int/palestine/reports/monitoring/WHO_special_monitoring/gaza/Gaza%20Health%20Assessment%20\(29Jun09\).pdf](http://www.emro.who.int/palestine/reports/monitoring/WHO_special_monitoring/gaza/Gaza%20Health%20Assessment%20(29Jun09).pdf)

from the construction of the wall and not to render aid or assistance in maintaining the situation created by such construction'.⁴⁸

⁴⁸ International Court of Justice Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, July 9, 2004, pp 138, available at <http://www.icj-cij.org/docket/index.php?p1=3&p2=4&k=5a&case=131&code=mwp&p3=4>

ANNEX A: LIST OF RECOMMENDATIONS

RECOMMENDATION 1: LASTING PEACE

We recommend that the Government of Canada reaffirm its commitment to the goal of a comprehensive, just and lasting peace in the Middle East, including the creation of a Palestinian state, by doing all it can to encourage further progress from the U.S. Obama administration, on a peace plan for the Middle East.

RECOMMENDATION 2: FUNDING

We recommend that the Government of Canada immediately announce and swiftly meet a contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), of an amount equivalent to or greater than the contribution given in 2008.

RECOMMENDATION 3: THE BARRIER

- I) We recommend that the Government of Canada reaffirm its opposition to Israel's construction of the Barrier, and any actions carried out for this purpose, inside the Occupied Territories of the West Bank and East Jerusalem.
- II) We recommend that the Government of Canada do all it can to ensure that the Government of Israel fully upholds the 2007 Israel High Court of Justice (HCJ) ruling against Land Sequestration Order no. Tav/40/0 [Bil'in].
- III) We recommend that the Government of Canada affirm that the use of non-violent means by civilians to protest that which the Government of Canada itself calls unacceptable or illegal, be allowed to take place.

RECOMMENDATION 4: SETTLEMENT ACTIVITY

- I) We recommend that the Government of Canada support U.S. President Obama in publically calling for a stop to Israeli settlements and that the Government of Canada publicly oppose any new Israeli settlement activity when it is reliably brought to its attention.
- II) We recommend that the Government of Canada assert that a comprehensive, just and lasting peace settlement and the creation of a Palestinian state may require the dismantling of illegal Israeli settlements.
- III) We recommend that the Government of Canada examine the practicality of Canada becoming a member of the Temporary International Presence in the City of Hebron (TIPH), as a means of helping the pursuit of a comprehensive, just and lasting peace in the Occupied Territories and the Middle East.

RECOMMENDATION 5: THE BLOCKADE

- I) We recommend that the Government of Canada assert that an end to the blockade on Gaza is an urgent and necessary means by which to normalize the day to day living conditions of people living in Gaza and to restore the civil and economic infrastructure of Gaza.
- II) We recommend that the Government of Canada assert that the Israeli imposed blockade on Gaza is contributing to the growth of a non-viable and unsustainable economy in Gaza, including the smuggling of goods through illegal tunnels.
- III) We recommend that the Government of Canada assert that the Israeli imposed blockade on Gaza and the development and use of illegal tunnels in Gaza, are a barrier to a just, comprehensive and lasting peace settlement.
- IV) Thus, we recommend that the Government of Canada do all it can to support diplomatic efforts to secure a swift and sustainable end to the blockade on Gaza and the development and use of illegal tunnels in Gaza.

RECOMMENDATION 6: CANADIAN CITIZENS

We recommend that the Government of Canada immediately investigate and seek to rectify any practices being employed by the Government of Israel to prevent Canadian citizens of Palestinian origin from enjoying the rights of passage ordinarily granted to Canadian citizens, on the sole basis of their Palestinian origin.

RECOMMENDATION 7: INTERNATIONAL TRADE

- I) We recommend that the Government of Canada, as swiftly as possible, examine and make public their findings, as to whether Canada currently receives or could at any time receive, imported goods that have originated from areas that the Government of Canada itself considers to be illegally occupied, through the provisions under the Canada-Israel Free Trade Implementation Act.
- II) We recommend that if such goods are currently received or could at any time be received, that the Government of Canada seek to amend the Canada-Israel Free Trade Implementation Act to exclude any goods from areas that the Government of Canada itself considers to be illegally occupied.

ANNEX B: PHOTOGRAPHS RELATING TO RECOMMENDATIONS 2-5

All photographs were taken by delegation member Kim Elliott.

RECOMMENDATION 2: FUNDING



Meeting a family staying at an UNRWA beach refugee camp, Gaza



Children at an UNRWA day camp during their 'Summer Games', Gaza

RECOMMENDATION 3: THE BARRIER



Part of the Israeli constructed barrier running through the village of Bil'in and the site of weekly peaceful demonstrations



A recently constructed portion of the barrier in East Jerusalem

RECOMMENDATION 4: SETTLEMENT ACTIVITY



Meeting with the Mayor of Hebron, Mr. Khaled Osaily



A volunteer from the Israeli Committee Against House Demolitions and a Palestinian youth work together to rebuild a demolished home in East Jerusalem, West Bank

RECOMMENDATION 5: THE BLOCKADE



Illegal tunnels used to smuggle goods, Gaza



Buildings in Gaza destroyed during 'Operation Cast Lead'. Under the Israeli imposed blockade, construction materials are banned.

ANNEX C: LETTER FROM THE GROUP OF 78



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October 2, 2009

The Rt. Hon. Stephen Harper

Prime Minister

Langevin Block

80 Wellington St.

Ottawa, ON K1A 0A

Dear Mr. Prime Minister,

On behalf of the Board of Directors of the Group of 78, and reflecting views strongly expressed by the Group's recent annual policy conference, I wish to urge you to maintain and augment without delay the valuable financial support which your government has provided to help Palestine refugees through the United Nations Relief and Works Agency (UNRWA).

As you know, building on a long-established multiparty tradition, Canada contributed \$15 million (Canadian) to UNRWA's core funding in each of 2007 and 2008, and in response to emergency appeals for refugees in the West Bank and Gaza an additional \$10 million in 2007, increased to \$11 million in 2008. We also provided \$2 million in both years for UNRWA's organizational reform. So far this year, no Canadian contributions have yet been announced, apart from a special pledge of \$3 million in January in the context of the Gaza situation. Although the USA and the EU (along with its member states) have fully met their commitments this year, and the USA made a supplementary emergency contribution of US\$81 million this summer, UNRWA currently faces an unprecedented shortfall of US\$16.8 million in its core budget for 2009. If not met, this is bound to affect its ability to maintain its vital education facilities for hundreds of thousands of refugee children, public health measures, and assistance to the particularly disadvantaged among the refugees, not only in the West Bank and Gaza, but also in Jordan and Lebanon. All these activities make an important contribution to social stability and provide an alternative to extremist ideologies.

We believe that deteriorating conditions in the area and among refugees warrant early action by Canada to do its part to meet this situation. Also, such action would help to avert any mistaken impression that Canada is not fully in accord with President Obama's critical efforts to move towards settlement of the Israel-Palestine issue; and it would meet any ill-informed criticism of contrast between Canada and the

EU's current appeals to other countries to live up to their commitments and contribute financially to the future work of UNRWA.

Respectfully.

Richard Harmston

Chair, Board of Directors, Group of 78

/me

Cc: Michael Ignatieff, M.P., Leader, Liberal Party, Hon. Jack Layton, M.P., Leader, New Democratic Party, Gilles Duceppe, M.P., Leader, Bloc Québécois