

The President of the Security Council presents her compliments to the members of the Council and has the honour to transmit herewith, for their information, a copy of a **letter dated 27 April 2015 from the Secretary-General** addressed to the President of the Security Council, and its enclosure.

This letter and its enclosure will be issued as a document of the Security Council under the symbol S/2015/286.

27 April 2015



THE SECRETARY-GENERAL

27 April 2015

Dear Madam President,

During the course of the last conflict in the Gaza Strip and southern Israel, a number of incidents occurred between 8 July and 26 August 2014, affecting or involving United Nations personnel, premises and operations.

In my capacity as the Chief Administrative Officer of the Organization, I decided to establish a United Nations Headquarters Board of Inquiry in order to review and investigate ten of these incidents, in which death or injuries occurred at, or damage was done to, United Nations premises, or in which the presence of weaponry was reported at those premises.

My aim in taking this step was to develop a clear record of the facts of these serious incidents and their causes and to which persons or entities they might be attributable. This would make it possible for me, *inter alia*, to identify any gaps that there might have been in the Organization's procedures and to take any measures and put in place any arrangements that might be needed with a view to preventing a recurrence of such incidents in the future or at least to mitigate their effects. It would also put me in a better position to determine what steps I might need to take to protect the Organization's property and assets. I would emphasize in this connection that a Board of Inquiry is not a judicial body or court of law: it does not make legal findings and does not consider questions of legal liability.

I appointed Mr. Patrick Cammaert as head of the Board. The other Board members were Ms. Maria Vicien-Milburn, Mr. Pierre Lemelin, Mr. K.C. Reddy and Ms. Lee O'Brien (who for medical reasons resigned from the Board on 29 December 2014). Mr. Stephane Wohlfarht served as Secretary.

The Board was convened on 10 November 2014. It conducted a field visit from 26 November to 13 December 2014 and submitted its report to me on 5 February 2015. I would like to thank the Board of Inquiry for the successful conclusion of its work. In doing so, I recognize the difficulties that it naturally faced in obtaining clear and reliable evidence about what precisely happened in each of the incidents that it was tasked to investigate, occurring, as they did, in a situation of armed conflict and, in some but not all cases, in close proximity to where intense fighting was taking place.

Her Excellency  
Mrs. Dina Kowar  
President of the Security Council  
New York

I wish to place on record my appreciation for the cooperation provided by the Government of Israel to the Board, including its facilitation of the entry of the Board to the Gaza Strip and the convening of extensive meetings with the Board. I also appreciate the reception of the Board by representatives of the State of Palestine and meetings with the local authorities in Gaza. I further share the Board's appreciation for the cooperation extended to them by United Nations officials and entities on the ground. I welcome the efforts of the Government of Israel in establishing criminal investigations into certain incidents which occurred during the conflict, including some of those falling within the scope of the Board's terms of reference. I hope that the Government of Palestine will also conduct examinations into possible criminal activity during the conflict. Swift investigations must be undertaken, in accordance with international standards.

As with all United Nations Boards of Inquiry, the Board's report is an internal document and is not for public release. It contains significant amounts of information that was shared with the Board in strict confidence. It also contains a significant body of information the disclosure of which could prejudice the security or proper conduct of the Organization's operations or activities.

At the same time, I am aware that my decision to establish a Board of Inquiry into certain of the incidents that occurred in the Gaza Strip has given rise to considerable interest. In view of this and the seriousness of the events, I have accordingly taken the decision to release a summary of the Board's report, which is attached to this letter.

I wish to emphasize that this is a summary of the Board's report and not the report itself. Notwithstanding some difficulties in obtaining evidence, that report runs to some 207 pages and is accompanied with footnotes detailing relevant sources and citations, and some 160 appendices and annexes of relevant evidence, including witness statements, investigative reports including on weaponry, medical reports, photographs, video footage, audio recordings, submissions of non-governmental organizations, meeting notes and other materials.

I would also emphasize that this is the Secretariat's summary of the Board's report and that it has not been prepared by the Board. It contains a faithful and objective reflection of the Board's full report, including a description of the circumstances related to each of the ten incidents that the Board was tasked to review and investigate, together with a summary of the Board's key findings on the facts of each of those incidents, on its causes and on the persons or entity to which it is attributable. It also contains a summary of the Board's conclusions. The recommendations to me are reproduced in full from the Board's report.

With regard to the Board's recommendations concerning communication and coordination and safety and security, as well as the first of its two general recommendations, I have decided to establish an ad hoc group of senior managers, consisting of the Under-Secretaries-General for Political Affairs, Legal Affairs and Safety and Security, to carefully review these recommendations and advise me on what courses of action I should take.

With regard to the second of the Board's two general recommendations, I have already initiated actions with the United Nations Relief and Works Agency for Palestine Refugees in the Near East and relevant United Nations departments aimed at providing counselling to affected staff to address potential post-traumatic stress disorder.

Regarding the seven incidents in which death or injuries occurred at, or damage was done to, United Nations premises, I deplore the fact that at least 44 Palestinians were killed as a result of Israeli actions and at least 227 injured at United Nations premises being used as emergency shelters. United Nations premises are inviolable and should be places of safety, particularly in a situation of armed conflict. It is a matter of the utmost gravity that those who looked to them for protection and who sought and were granted shelter there had their hopes and trust denied. I will work with all concerned and spare no effort to ensure that such incidents will never be repeated.

On the discovery by the United Nations of weaponry on United Nations premises, I am dismayed that Palestinian militant groups would put United Nations schools at risk by using them to hide their arms. The three schools at which weaponry was found were empty at the time and were not being used as shelters. However, the fact that they were used by those involved in the fighting to store their weaponry and, in two cases, probably to fire from is unacceptable. It serves to undermine the confidence that all concerned should have that United Nations premises are civilian objects and may therefore not be made the object of attack. I am determined to take the necessary steps towards ensuring that there is no repetition of any such incident in the future, whether in times of armed conflict or not.

Above all, I intend, as and where appropriate, to address further issues arising out of the incidents that were the subject of the Board's report through dialogue with the Governments of Israel and Palestine.

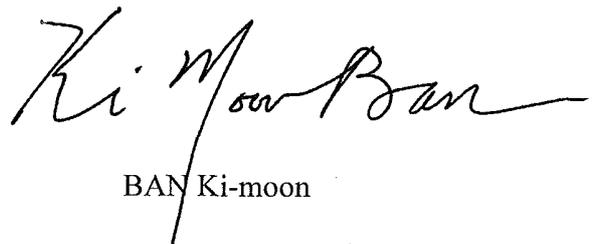
In conclusion, I note that this is the second time during my tenure as Secretary-General that I have been obliged to establish a Board of Inquiry into incidents involving United Nations premises and personnel in Gaza that have occurred during the course of tragic conflicts in the Gaza Strip. The implementation of recommendations of the 2009 Board of Inquiry, especially in the area of coordination and communication, certainly contributed to the implementation of improved protocols and procedures during the crisis in 2014. However, the recent crisis has brought about new challenges that need to be addressed and I intend to do so in the follow-up to the Board's report. In particular, I remain concerned for the security and safety of United Nations personnel working in Gaza, in particular, should a new crisis develop. In this regard, I wish to reiterate my profound appreciation to the Organization's staff for their relentless efforts on the ground during the recent conflict, 11 of whom paid the ultimate price.

Once again, I must stress my profound and continuing concern for the civilian population of the Gaza Strip and Israel, and their right to live in peace and security, free from the threat of violence and terrorism. It remains of the greatest importance that the parties should ensure that innocent civilians do not become victims of hostilities. The agony of Palestinian civilians in Gaza, and the tragic, decades-long predicament they endure there, is reflected in the report of the Board of Inquiry. We should also bear in mind that Israeli civilians in southern Israel continue to face the threat of rocket and terrorist attacks by Hamas and other militant groups.

Despite recent events, it is still my belief that the well-being and aspirations of both Palestinians and Israelis will best be secured through a successful peace process that achieves the goals of the resolutions adopted by this Council, including its resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2003), 1850 (2008) and 1860 (2009).

I would be grateful if you could bring the present letter and its attachment to the attention of the members of the Security Council for their information.

Please accept, Madam President, the assurances of my highest consideration.



BAN Ki-moon

**Summary by the Secretary-General of the report of the United Nations Headquarters Board of Inquiry into certain incidents that occurred in the Gaza Strip between 8 July 2014 and 26 August 2014**

1. On 10 November 2014, I convened a United Nations Headquarters Board of Inquiry to review and investigate the following incidents affecting schools of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) that occurred in the Gaza Strip between 8 July 2014 and 26 August 2014:

- (a) Injuries occurring at and damage done to the UNRWA Maghazi Preparatory Girls “A/B” School on 21 and 22 July 2014;
- (b) Injury occurring at and damage done to UNRWA Deir El Balah Preparatory Girls “C” School on 23 July 2014;
- (c) Deaths and injuries occurring at and damage done to the UNRWA Beit Hanoun Elementary Co-educational “A” and “D” School on 24 July 2014;
- (d) Injuries occurring at and damage done to Zaitoun Preparatory Girls “B” School on the night of 28/29 July 2014;
- (e) Deaths and injuries occurring at and damage done to the UNRWA Jabalia Elementary Girls “A” and “B” School on 30 July 2014;
- (f) Deaths and injuries occurring at and/or in the immediate vicinity of, and damage done to, the UNRWA Rafah Preparatory Boys “A” School on 3 August 2014;
- (g) Damage done to the UNRWA Khuza’a Elementary College Co-educational “A” and “B” School between 17 July and 26 August 2014;
- (h) Presence of weaponry at the UNRWA Gaza Beach Elementary Co-educational “B” School on 16 July 2014;
- (i) Presence of weaponry at the UNRWA Jabalia Elementary “C” and Ayyobiya Boys School on 22 July 2014;
- (j) Presence of weaponry at the UNRWA Nuseirat Preparatory Co-educational “B” School on 29 July 2014 and on 17 August 2014.

2. The Board was headed by Maj. Gen. (retd.) Patrick Cammaert, a former Military Adviser in the Department of Peacekeeping Operations. It also comprised: Ms. Maria Vicien-Milburn, a former General Counsel of the United Nations Educational, Scientific and Cultural organization (UNESCO); Ms. Lee O’Brien, a former Senior

Political Officer in the Department of Political Affairs (for medical reasons, Ms. O'Brien resigned from the Board on 29 December 2014); Mr. Pierre Lemelin, United Nations Mine Action Service (UNMAS) Programme Manager in Côte d'Ivoire and a former Chief Ammunition Technical Officer in the Canadian Forces; and Mr. Kovvurichina Reddy, a former Chief of Security for a number of United Nations field presences.

3. As set out in its terms of reference, the detailed tasks of the Board were:
  - (a) To gather and review all available investigation reports and other relevant source materials, including any available reports from national investigations;
  - (b) To identify and interview relevant witnesses and others who can help the investigation and make a record of their statements;
  - (c) To visit the sites where the incidents occurred; and
  - (d) To produce a Headquarters report on the incidents including:
    - (i) Findings on the facts and circumstances related to the incidents (to include the full names of the deceased and injured persons and the dates, times, places of deaths or injuries; if these persons were UN personnel whether they were on duty at the time of the incidents, if these persons were not UN personnel, the reason for their presence at or in the vicinity of the scene of the incident, descriptions of losses of and damage to property of the United Nations and of the deceased and injured persons and, in the case of Incidents (h) to (j), the nature, state and location of the weaponry);
    - (ii) Findings on the causes of the incidents;
    - (iii) Findings on the attributability of the incidents to any individuals or entities;
    - (iv) Recommendations concerning any action that, in the opinion of the team, should be taken by the United Nations, including any actions or measures that should be taken to avoid recurrence of such incidents;
    - (v) Relevant evidence, to be added as appendices and annexes, including photographs, post mortem reports and so on.
4. As is standard practice for United Nations Boards of Inquiry, the Board was directed not to include in its report any findings of law or any recommendations regarding compensation, disciplinary action or legal liability.
5. In its report, the Board noted that it was not within its terms of reference to address the wider aspects of the conflict in Gaza, its causes or the situation affecting the civilian

populations of Gaza and Israel in the period before “Operation Protective Edge” was launched. Its task was limited to considering the ten incidents identified in its terms of reference.

### **The Government of Israel’s position on Operation Protective Edge**

6. The Government of Israel provided background information to the Board regarding Operation Protective Edge. The Operation had taken place in several phases: an initial air campaign from 8 July to 17 July, which had been supplemented from 17 July to 5 August by a ground operation, following a militant attack inside Israel on 17 July carried out through a tunnel from inside Gaza, the launch of an unmanned aerial vehicle (UAV) into Israeli airspace, an attempted infiltration by sea into Israel by Hamas naval commandos, continued rocket fire from Gaza and Hamas’s refusal to accept a ceasefire. The Operation had had two objectives: to destroy the rocket arsenal in Gaza and to neutralize the “attack tunnels” leading into Israeli territory, the latter being the focus of the ground operation.

7. The Government highlighted the complexities of carrying out military operations in urban environments. It stated that Hamas had been better prepared and armed than at the time of Operation Cast Lead in 2009 and Operation Pillar of Defense in 2012. It had pre-positioned weapons and military equipment and prepared fighting positions in various locations to allow fighters to move freely without carrying weapons and to blend into the civilian population. Mosques, schools, hospitals and other civilian objects had been used to embed rockets, weapons caches and command centres. These conditions made it difficult for the IDF to distinguish “enemy” forces and activity from the civilian population, while the limited visual and communications contact with “friendly” forces decentralized the decision-making capacity of the higher command, with the consequence that junior commanders were required to make decisions in real time under fire.

8. The Government stated that instructions issued by the IDF to troops had had the objectives, inter alia, of ensuring compliance with the law of armed conflict and minimizing harm to civilians and sensitive sites. It stated that these instructions were more stringent regarding the use of force than international humanitarian law required. Legal advice was also integrated into IDF activities both in operational planning and in real time. Such advice was binding and generally could not be overridden by operational commanders. The Government further stated that there had been specific and separate directives for the approval of pre-determined and time-critical targets, for operations around sensitive sites and for safety ranges relating to civilian objects. Targeting processes had been improved based on lessons learned from previous operations in Gaza.

9. The Government identified the following specific measures that had been taken by the IDF to minimize harm to civilians: reliance on intelligence; selective choice of weapons and ammunition, including the use of precision-guided missiles; marking sensitive sites on command and control systems and on maps available down to forces operating on the ground; and the issuance of general and specific warnings to the civilian

population and to specific persons or officials. The IDF would cancel attacks or divert missiles if potential harm to civilians could be identified.

10. Specifically with regard to United Nations premises, the Government stated that it had routinely updated the location of all such premises on the IDF's command control system and coordination maps and had issued special and restrictive rules for engaging targets which would affect them. Based on lessons learned from previous operations in Gaza, the IDF had attempted to provide early warnings of possible attacks in the vicinity of United Nations premises, quickly and thoroughly investigated incidents involving death and injuries at or damage to those premises and provided warnings of abuses of them, as possible.

### **UN Premises**

11. On 11 July 2014, the United Nations Special Coordinator and UNRWA's Commissioner-General jointly addressed a letter to the Minister of Defence of Israel, attaching an updated list of all United Nations facilities in Gaza as well as their coordinates. The schools involved in the incidents enumerated in the Board's terms of reference were included in that list.

12. In their joint letter, the United Nations Special Coordinator and UNRWA's Commissioner-General warned that, in case of displacement as a result of military operations, some United Nations installations could be used to shelter civilians. They also expressed their reliance on the cooperation of the Minister of Defence to protect United Nations operations, personnel and premises, which, they said, had to remain inviolable, in accordance with applicable international law, including the 1946 Convention on the Privileges and Immunities of the United Nations.

13. UNRWA sent twice-daily communications to Israel's Coordinator of the Government Activities in the Territories (COGAT) and Coordination and Liaison Administration (CLA), informing them of the Global Positioning System (GPS) coordinates of premises currently being used as designated emergency shelters. All the UNRWA schools involved in the incidents enumerated in the Board's terms of reference were included in those communications. In its communications to COGAT and CLA, UNRWA consistently recalled the relevant provisions of the 1946 Convention on the Privileges and Immunities of the United Nations and reminded the Israeli authorities that they were obligated to respect the inviolability of the premises of the United Nations, including those of UNRWA, and to ensure the protection and security of its personnel, installations and property. UNRWA also reminded COGAT and CLA of the requirement that the IDF take all necessary actions to prevent any damage to UN facilities and threats to the safety and security of United Nations personnel.

### **The Board's findings on the causes of the incidents and their attribution**

14. As tasked by its terms of reference, the Board describes in detail in its report the on-site visits that it conducted during its stay in Gaza and its interviews with staff of the

Organization, including UNRWA, as well with relevant authorities and witnesses who could assist in its investigation. The Board refers to a number of investigation reports and other relevant source materials regarding the incidents, as well as to information provided by the Government of Israel.

15. The Board reached the following conclusions regarding the facts, causes and attribution of each of the incidents enumerated in its terms of reference. Complete findings of fact, together with supporting evidence and documentation and the rationale for the Board's conclusions, are contained in the Board's full report, which was submitted to the Secretary-General in strict confidence, consistent with its terms of reference and standard practice for United Nations Boards of Inquiry.

**Incident (a): Injuries occurring at and damage done to the UNRWA Maghazi Preparatory Girls "A/B" School on 21 and 22 July 2014**

16. The UNRWA Maghazi Preparatory Girls "A/B" school is located within the Maghazi refugee camp, in the Middle Governorate of the Gaza Strip. It is situated two kilometres from Israel and within the three-kilometre "buffer zone" that was created by the Israel Defence Forces (IDF) during Operation Protective Edge. The school is gated and surrounded by a high wall.

17. On 19 July 2014, the IDF issued messages to the residents of the Maghazi refugee camp asking them to evacuate to Deir Al Balah, further southwest. Despite shelling in the area from 19 to 21 July, people came to the school thinking it remained a safe place. On 19 July, it opened as a designated emergency shelter, with possibly as many as 2,000 persons sheltering there at some point.

18. On 21 July, the security situation in the Maghazi refugee camp rapidly deteriorated, with shelling increasing in the vicinity of the school. UNRWA management advised that persons seeking shelter there should be instructed to abandon the school and relocate to another school about 5 km away. By the time of the incident, most had done so, but up to 300 still remained. At about 16:50 hrs, the school was struck at roof level by direct fire from an IDF tank, likely involving a 120 MM High-Explosive Anti-Tank (HEAT) Multi-Purpose (MP) or High Explosive (HE) projectile. Injuries were caused to a man and a child sheltering at the school, as well as damage to the school premises. The Board noted that timely action by UNRWA's management and the shelter manager, in informing persons sheltering at the school that it was no longer safe and asking them to relocate to an alternative site, had prevented further injuries and perhaps deaths.

19. The Board noted that none of the witnesses who had testified to UNRWA had been aware of any activity by militant groups in the school or in its vicinity. The Board further noted that it appeared that the school gate was guarded at all times by UNRWA guards and was closed at night and that all persons who entered the school were registered. The Government of Israel, on the other hand, informed the Board that the IDF had identified significant enemy presence in the area around, and apparently also within, the school. The Government further informed the Board that the incident was under examination at

the request of the Military Advocate General (MAG), that IDF infantry and armoured units had been engaged in military activity approximately one kilometre south of the school at the time of the incident and that it was suspected that the school had been hit by 120 MM tank ammunition.

20. Later in the day of 21 July, UNRWA removed the school from its list of designated emergency shelters. In the morning of 22 July 2014, UNRWA and the IDF coordinated a two-hour window to allow safe passage for an UNRWA team to visit the school and investigate the previous day's incident. The team arrived at the school during that window. They were in clearly marked United Nations vehicles and parked in full view in the middle of the school courtyard. One of the team, wearing a vest with a luminescent United Nations sign, went to the roof to examine the previous day's strike. While there, two mortar rounds hit buildings in close proximity to the school. The team member ran from the roof. Two further mortar rounds then struck the roof of the school at the exact location where he had been standing. The UNRWA team immediately evacuated the area. No injuries resulted from this incident, but the school was damaged.

21. The Government of Israel informed the Board that, as a result of the examination that had been initiated at the request of the MAG, it had been found that, on 22 July, the IDF was engaged in mortar fire in the area of Maghazi, but that all fire was directed at open areas at least two kilometres away. Moreover, IDF munitions experts who had examined photographs of a fragment of a mortar round that had been collected by UNRWA at the scene of the incident had been unable to determine whether it was a remnant of an IDF 81 MM mortar round, as opposed, for example, to an 82 MM round, which, it was said, were in use by Hamas. Such determination would require physical examination of the remnant. The Board, however, found that the school had been hit by 81 MM mortar rounds fired by the IDF.

**Incident (b): Injury occurring at and damage done to UNRWA Deir El Balah Preparatory Girls "C" School on 23 July 2014**

22. The UNRWA Deir El Balah Preparatory Girls "C" School is located in an urban area in the Middle governorate of the Gaza Strip. The school has one gate and is protected by a high wall. The school was opened as a designated emergency shelter on 19 July. At the time of the incident, some 1,500 displaced persons were sheltering there.

23. The Board was informed that the IDF conducted operations around the Middle area of Gaza during the night of 22 to 23 July 2014, that air strikes were carried out by the Israel Air Force (IAF) on targets in Deir El Balah Camp and that heavy clashes took place to the east of Deir El Balah throughout the night. The Board noted that witnesses had testified to UNRWA that, during the night, they could hear shelling in the area, but not near the school. It also noted that witnesses had testified to UNRWA that there was no militant activity in or around the school at the time of the incident. The Board was further informed that UNRWA had put in place security measures to ensure that no armed persons entered the school.

24. Between 05:45 and 06:15 hrs in the morning of 23 July 2014, the medical isolation room on the third floor of the school was hit by a projectile, which passed through a window and two walls of an elevator shaft, partially striking the external veranda wall and exiting the school grounds. Three displaced persons, among the approximately 40 sleeping in the room at the time of the incident, suffered light injuries. No one was killed. There was relatively minor damage to the school.

25. The Government of Israel informed the Board that the incident was under examination further to a request by the Military Advocate General (MAG) and that it had not been possible to identify any IDF operations that could be connected to the incident. The Board, however, found that the school had been hit by direct fire from the IDF, using a 120 MM High Explosive Anti-Tank (HEAT) projectile.

**Incident (c): Deaths and injuries occurring at and damage done to the UNRWA Beit Hanoun Elementary Co-educational “A” and “D” School on 24 July 2014**

26. The UNRWA Beit Hanoun Elementary Co-educational “A” and “D” School is located in Beit Hanoun town. Portions of Beit Hanoun, including the school, fell within the so-called “buffer zone” that was created by the IDF during Operation Protective Edge. During the Operation, the area surrounding the school was particularly dangerous and, as hostilities intensified, the entire area was exposed to fierce combat. As a result of the mass displacement of civilians and their need for shelter, UNRWA designated the school as an emergency shelter on 18 July.

27. The Board noted that most witnesses described shelling in the vicinity of the school as a daily occurrence and that some of the residents at the school were injured as a result of shrapnel from the shelling outside the school. The Board also noted that an UNRWA security official testified to having received multiple calls from Israel’s Coordination and Liaison Administration (CLA) during the three or four days prior to the incident indicating that, according to the IDF, rockets were being fired from and around the school and that it needed to be evacuated. On the other hand, the Board noted that witnesses interviewed by UNRWA had said that there was no militant activity either inside or in the near vicinity of the school, though rocket launching could be heard from areas further away.

28. The Board noted that the school is enclosed by a high wall and has one gate, which was watched by at least one guard and closed at night. In the period prior to the incident, UNRWA was sometimes unable to provide food, water and other supplies to the school because of lack of authorization by the IDF. Residents of the school would therefore be obliged to obtain their own supplies by going to their homes or asking others to go out and buy them. The Board noted that residents had testified that, to this end, they had opened two holes in the school wall. There was evidence that these holes had been closed with desks and tables on the night prior to the incident.

29. On the day prior to the incident, the situation around the school worsened. The ICRC visited the school in an attempt to evacuate the school, but the majority of the

residents refused to leave. That night, witnesses described shelling in the vicinity of the school, causing shrapnel to fall into the school, and gunfire hitting the school. UNRWA's Gaza Field Office received calls from the IDF indicating that they would target the school and that IDPs should be evacuated.

30. In the morning of 24 July, military activity appeared to have de-escalated and many of the residents chose to leave. As a result, the number of residents in the school had decreased to approximately 450 people by the time of the incident, from the 2,000 to 4,000 who had been there earlier. That same morning, UNRWA decided to evacuate its staff from the school, given the risk of an imminent attack by the IDF. UNRWA contacted the CLA and repeatedly requested that a window of opportunity be granted for this purpose. No such window was granted by the time of the incident. An attempt was made by UNRWA to persuade the residents of the school to leave, but they said that they would remain. UNRWA called the CLA and stated that UNRWA would not be evacuating the residents and recalled that the school was a civilian object.

31. The same morning, UNRWA's Gaza Field Office received a call from an IDF field commander indicating that the IDF was going to target a cluster of four other schools in Beit Hanoun, 800 metres away from the Elementary Co-educational "A" and "D" School. The Field Commander said that they were sitting on a Hamas arsenal and that UNRWA should evacuate any people from them. The CLA also contacted local officials in Beit Hanoun and told them to prepare the residents at the Elementary Co-educational "A" and "D" School for evacuation. At 14:00 hrs, an employee of the municipality, who was also a mukhtar, arrived at the school, together with another mukhtar. He told the remaining residents that the school was not safe and that, with the cooperation of the ICRC and UNRWA, they would arrange for buses to evacuate the residents. The residents then went to the schoolyard to await evacuation and the guards opened the gate in anticipation.

32. At approximately 15:00 hrs on 24 July, the school was hit by indirect artillery fire. At least two 120 MM high explosive (HE) mortar projectiles struck the school, one hitting the middle of the schoolyard and a second hitting the steps in front of the school's entrance. Between 12 and 14 residents were killed and 93 injured, some severely. No major damage was done to the school. The Board found that the incident was attributable to the IDF.

33. The Government of Israel stated that the CLA had made extensive attempts via UNRWA and the ICRC to evacuate the school in order to minimize the risk of incidental harm to civilians as a result of the intensive fighting in the area. It also stated that the school had not been the object of the attack. It further informed the Board that, as a result of fact-finding carried out by the IDF, there existed "grounds for a reasonable suspicion that the incident involved a deviation from IDF regulations" and that the Military Advocate General (MAG) had ordered a criminal investigation into the incident.

**Incident (d): Injuries occurring at and damage done to Zaitoun Preparatory Girls "B" School on the night of 28/29 July 2014**

34. The UNRWA Zaitoun Preparatory Girls “B” School is located in a densely built up neighbourhood of Gaza city, near the UNRWA headquarters compound. The school was opened as a designated emergency shelter on 19 July. By the evening of 27 July, it was sheltering some 1,700 persons. The Board noted that the UNRWA school guard testified that there were no militants or unregistered people inside the school. Guards were present at all times at the gate of the school, which was locked at night and entry and exit prohibited.

35. There were intense artillery shelling and air bombardment throughout 28 July, in the Gaza Governorate. In the evening, the shelling gained in intensity in the immediate vicinity of the school, where militant activity was also noted. On 29 July, at approximately 01:30 hrs, a projectile struck the roof of the school, penetrating the ceiling and striking the wall immediately adjacent to the door of a classroom in which approximately 40 people were sleeping. Seven residents were injured and damage was caused to the school.

36. The Government of Israel stated that an examination of the incident had been requested by the Military Advocate General (MAG) and that that examination was ongoing. It had not been possible to identify any IDF operational activity on the date in question that could be connected to the incident, including any aerial strike on the school or in its vicinity. IDF munitions experts had also been unable, from the photographic evidence available, to determine the type of munition that had hit the school. The Board, however, found that the school had been hit by a missile, possibly a “Spike” missile, launched from the air by the IDF.

**Incident (e): Deaths and injuries occurring at and damage done to the UNRWA Jabalia Elementary Girls “A” and “B” School on 30 July 2014**

37. The UNRWA Jabalia Elementary Girls “A” and “B” School is located in a heavily built up area in the centre of the Jabalia Refugee Camp. The school opened as a designated emergency shelter on 16 July 2014. By 30 July, it had approximately 3,000 registered residents, most from the towns of Beit Lahiya, Beit Hanoun, Jabalia and other areas in northern Gaza.

38. The school is enclosed by a three metre-high wall and has only one gate. Two UNRWA school attendants were looking after the school, one working the day shift and the other, the night. Guards hired as part of UNRWA’s Job Creation Programme (JCP) stayed awake throughout the night to monitor the school and ensure that residents abided by the rules. Weapons were prohibited inside the school and witness testimony appeared to the Board to confirm that this rule was strictly observed. The Board noted that it appeared from witness testimony that there were two guards at the school gate at all times, as well as additional guards within the school to maintain security and ensure that armed individuals did not enter. It also appeared from witness testimony that the gate was closed at night and that no one was seen climbing the school wall, including on the night before, and the morning of, the incident.

39. In the weeks and days prior to the incident, there were several incidents of shelling by the IDF of buildings in the vicinity of the School. In the days prior to the incident, armed clashes between militants and the IDF were taking place in the east of the Jabalia Camp and the IDF dropped leaflets requesting residents to move to Gaza City. The Board noted that witnesses interviewed by UNRWA had stated that there was no militant activity in the school or in its close vicinity, though one stated that she had heard rockets not far from the school in the days before the incident.

40. The Board noted that most witnesses had testified to UNRWA that the hours before the incident were relatively calm. However, at some time between 04:30 and 04:45 hrs in the morning of 30 July, an explosion occurred outside the school, causing shrapnel to fall into the schoolyard. At approximately 04:45 hrs, the school was hit by a barrage of four 155 MM high explosive (HE) projectiles, an artillery indirect fire weapon. Between 17 and 18 people were killed, including an UNRWA staff member and two of his sons and a guard hired by UNRWA under its Job Creation Programme (JCP). Ninety-nine shelter residents suffered injuries. Very significant damage was done to the school. Injuries were also caused to persons and animals and damage to buildings in the immediate vicinity of the school. The Board found that the incident was attributable to the actions of the IDF and that no prior warning had been given by the Government of Israel of the firing of 155 MM high explosive projectiles on, or in the surrounding area of, the school.

41. The Government of Israel stated that 155 MM shells had been fired towards military targets and that the school had not been the object of the attack. The Military Advocate General (MAG) had ordered a criminal investigation into the incident.

**Incident (f): Deaths and injuries occurring at and/or in the immediate vicinity of, and damage done to, the UNRWA Rafah Preparatory Boys “A” School on 3 August 2014**

42. The UNRWA Rafah Preparatory Boys “A” School is located in the densely populated city of Rafah, in the southern tip of the Gaza Strip. A wall encloses the School and there is only one main gate, accessed from a busy street. The school was designated as an emergency shelter for civilians on 18 July 2014 and was sheltering approximately 2,700 to 2,900 persons on the day of the incident.

43. The Board noted that witnesses had described the situation in the area of the school as calm in the morning of 3 August 2014, but that they had suddenly heard a drone. An undetermined number of civilians, including street vendors who had set up stalls, were standing next to the school gate, which had just opened to allow an UNRWA vehicle to enter the premises. Between 10:40 and 10:45 hrs, a precision-guided missile, launched from the air by the IDF, struck the road outside the school, five to six meters from the school gate. Fifteen persons who were in the vicinity of the gate at the time were killed, including a guard hired by UNRWA under its Job Creation Programme (JCP), who was inside the school compound at the time. Between 25 and 30 people who were in the vicinity of the gate were injured. The school wall and the guards’ container by the school

gate suffered minor damage from shrapnel. The Board found that the missile had been directed at a motorcycle carrying three individuals.

44. The Government of Israel stated to the Board that an examination of the incident was being undertaken at the request of the Military Advocate General (MAG). The IDF had fired an aerial-launched missile at the motorcycle, which had been carrying three militants from Palestinian Islamic Jihad. By the time that it became apparent that the strike would coincide with the motorcycle passing by the school gate, it had no longer been possible to divert the missile.

**Incident (g): Damage done to the UNRWA Khuza'a Elementary College Co-educational "A" and "B" School between 17 July and 26 August 2014**

45. The UNRWA Khuza'a Elementary College Co-educational "A" and "B" School is located in a residential area in the middle of the farming village of Khuza'a, about 1.3 kilometres from Israel. The school was not used as an emergency shelter during Operation Protective Edge. However, as with the other schools involved in the incidents that were the subject of the Board's inquiry, UNRWA had informed the Israeli authorities of its location and its status as a United Nations facility. The Board noted that the school buildings had been locked at the start of Operation Protective Edge and that no civilians were present at the time of the incident.

46. IDF ground troops entered the village of Khuza'a on or about 23 July. There appear to have been heavy shelling and clashes between the IDF and militants in the area after that date. On or around 28 July, one block of the school — block A — was entirely demolished. On or about the same date, a 120MM High Explosive Anti-Tank (HEAT) projectile hit another block of the school — block D — causing extensive damage.

47. The Government of Israel stated to the Board that an examination of the incident had been undertaken at the request of the Military Advocate General (MAG). Throughout the fighting in Khuza'a, IDF commanders on the ground had received numerous indications that the school compound was being used as an observation post and a command and control centre. On the night of 27 July, IDF forces had accordingly located themselves in a structure nearby and, in order to ensure that that structure functioned as an adequate defensive position and so provided sufficient force protection from a range of potential threats, several of the surrounding structures, including part of the school, had been demolished. On 28 July, an IDF detachment had entered the school to search the buildings for enemy presence and had found a Palestinian Islamic Jihad operational map and other military equipment. In the course of the search, the commander on the ground had decided, for imperative reasons of military necessity, to clear an additional area of structures that were part of the school compound in order to improve the IDF's own force protection. The forces that had searched the school had not employed any gunfire or explosives and the damage to block D was unlikely to have been the result of a hit from a 120 MM tank shell.

48. The Board found that block A of the school had been demolished by IDF bulldozers and that block D had been damaged as a result of the impact of a 120MM HEAT projectile, fired by an IDF tank.

**Incident (h): Presence of weaponry at the UNRWA Gaza Beach Elementary Co-educational “B” School on 16 July 2014**

49. Gaza Beach Elementary Co-educational “B” School is located in the heart of the Beach refugee camp, in the midst of a densely populated area of Gaza city. Four other UNRWA schools and an UNRWA health centre are located on the opposite side of the street. The school buildings are enclosed by a wall and there is one main gate. On two of its four sides, the schoolyard is surrounded by houses, which are built on the school’s boundary wall. These houses have windows opening on to the schoolyard on their lower floors; and one house connects with the schoolyard through a gate. Also next to the school, adjacent to the house with the connecting gate, is a private building, whose main gate is located next to the school’s gate. This house was bombed during Operation Protective Edge, prior to the incident.

50. Due to the summer vacation, the school was not in use at the time of Operation Protective Edge, nor was it used as a designated emergency shelter.

51. The Board was informed that two UNRWA school attendants were looking after the school prior to and on the day of the incident. One worked the morning shift and the other, the afternoon. Five guards hired as part of UNRWA’s Job Creation Programme (JCP) were also assigned to the school, one working the morning shift and the other four sharing the night shift in pairs of two. In addition, the school principal inspected all the classrooms on some days.

52. The Board was informed that one of the school attendants had testified that he had performed his normal duties prior to and on the day of the incident. The other had testified that, for safety reasons, he was told to stay away from the school and to relocate to the health centre across the street and watch the school from there. Prior to and on the day of the incident, the JCP guards were also not at the school, but at the health centre, in accordance with the same instruction. The Board was informed that an UNRWA official had issued this instruction for fear that the building next door to the school would be shelled again.

53. The Board was informed that the school gate was unlocked during the period leading up to the incident in order to allow children access to the schoolyard. It was also informed that there were two sets of keys to the classrooms, one for the morning shift and the other for the afternoon. One set of keys was kept in the school principal’s office. It was unclear where the other set was kept.

54. A team of Operations Support Officers (OSO) had inspected the school on 2 June as part of a regular inspection programme for all UNRWA facilities, designed to prevent breaches of their “neutrality”. No weapons or signs of militant activity had been reported

by the team during that inspection. No further inspections had been conducted by OSO teams after that date due to the declaration by UNRWA's Gaza Field Office of a state of emergency on 8 July. The OSO teams had then ceased to operate and their members been assigned to other, emergency-related functions.

55. On 16 July 2015, a 120 MM mortar tube, a mortar bipod and twenty 120 MM mortar-round containers, with ammunition, were discovered under a blanket in the corner of a locked classroom. The weaponry was photographed.

56. UNRWA senior management notified the local authorities in Gaza and asked that the weapons be removed. The United Nations Department of Safety and Security (UNDSS) contacted the Special Protection Unit (SPU) of the local police and also asked that the weapons be removed, apparently through the local police's explosive ordnance detachment. The SPU asked that the United Nations guarantee that the IDF would not strike while the weapons were being removed and that a United Nations vehicle be used to remove the weapons. DSS refused.

57. The Board was informed that UNRWA had received testimony that two individuals identifying themselves as policemen had come to the school, alleged that they knew who was responsible for the cache of weapons and left a telephone number. Upon being contacted, one of these individuals stated that the weapons would be removed from the school in the early morning. The Board was further informed that, early in the morning of 17 July, the door to the classroom in question was found locked, with no signs of forced entry or exit, and that it was noted that the weapons had been removed.

58. On 17 July, UNRWA informed Israel's Ministry of Foreign Affairs about the finding of the weapons and their subsequent disappearance. In the afternoon of 17 July, UNRWA issued a press release stating that a cache of approximately 20 rockets (sic) had been found hidden in a vacant school. Under a misapprehension that the explosive ordnance detachment of the local police had removed the weaponry, the press release stated that UNRWA had informed the relevant parties and had successfully taken all necessary measures for the removal of the objects in order to preserve the safety and security of the school.

59. The Board found that, in the light of the situation in the vicinity, the security measures at the school were weak prior to and on the day of the incident, partly due to the fact that the personnel charged with the school's security were subject to life-threatening circumstances. It also found that an unidentified Palestinian armed group had used the school premises to hide the weaponry.

**Incident (i): Presence of weaponry at the UNRWA Jabalia Elementary "C" and Ayyobiya Boys School on 22 July 2014**

60. The Jabalia Elementary "C" and Ayyobiya Boys School is one in a row of five schools situated in an urban area to the east of the Jabalia refugee camp. Behind the school is a large open area with small-scale agricultural land. The Board was informed

that this area was known for its use as a firing site for armed groups and that it had been targeted by the IDF in past conflicts.

61. The school was never identified in UNRWA's emergency management plan as a potential shelter due to security and safety concerns. At the time of the incident, it was in recess for the summer.

62. The Board was informed that the school normally employed four school attendants, but that, at the time of the incident, three of them were absent. One school attendant resided at the school, but was on leave at the time and, afraid, spent most of his time indoors. In addition, the Board was informed that five guards hired as part of UNRWA's Job Creation Programme (JCP) had been assigned to the school and were scheduled to work there from evening to morning. However, at the time of the incident, none of them was at the school. The school has one main gate, which, the Board was informed, was not usually locked. The school wall is not high enough to prevent intruders from climbing into the school.

63. A team of Operations Support Officers (OSO) had inspected the school on 12 May as part of the regular inspection programme for all UNRWA facilities described above. No issues had been identified that compromised the neutrality of the premises. No further inspections had been conducted by OSO teams after that date for the reasons outlined above.

64. However, following the discovery of weaponry at the Gaza Beach Elementary Co-educational "B" School on 16 July, UNRWA management issued an instruction on 17 July that daily inspections be conducted of all UNRWA schools, including those that were not being used as shelters, to ensure that no weapons were being stored in them and that they were not being abused. Two UNRWA staff members were then tasked to conduct daily inspections of all schools in the area concerned. School attendants present at the schools were instructed to ensure that the daily inspections were conducted. The Board was informed that the school had been inspected on 19 July and that nothing unusual had been found, though not every part of the premises had been checked.

65. The area behind the school wall was known at the time for being used by militants, including for the firing of projectiles. The Board accordingly noted the dangerous nature of the inspection of the premises and found that, although a thorough inspection of the premises should have been conducted, such inspection could only have taken place in the presence of qualified security personnel.

66. In the morning of 22 July 2014, a crowd of approximately 300 persons arrived at the school gate and entered the schoolyard. Heavy shelling was occurring at the time in the area of Beit Hanoun, near Jabalia, and the IDF had dropped leaflets over Beit Hanoun warning the civilian population to evacuate the area. This had created a mass movement of people seeking shelter.

67. UNRWA management was alerted to the arrival of the displaced persons and sent an official to the school to ascertain whether it could be opened as a designated emergency shelter. Upon arrival, the official was immediately alerted by the displaced persons to the presence of an object, seemingly a weapon. Other UNRWA officials then came to the school to inspect the premises. They saw an object, seemingly a weapon, covered with a piece of cloth, in an area under the cover of some trees behind the toilet block and near the boundary wall separating the school from the open area behind it. No one approached the object to confirm whether it was a weapon. No photographs of it were taken; and, for this reason, the Board was unable to confirm with certainty what type of weapon may have been hidden at the school. However, it concluded that it was highly likely that a Palestinian armed group might have used the premises to hide weapons.

68. The area was immediately evacuated and the UNRWA officials went to the neighbouring schools to determine whether any of them would be suitable to shelter the hundreds of displaced persons arriving in the area. About an hour later, they returned to the school, to be informed by the displaced persons that the object had been removed. They then confirmed that the object was no longer at the rear of the school.

69. Following the finding of the object, UNRWA officials contacted the local authorities in Gaza, Israel's Coordination and Liaison Administration (CLA) and Israel's Ministry of Foreign Affairs. In the evening of 22 July, UNRWA issued a press release stating that rockets (sic) had been found hidden in a vacant school in Gaza and that UNRWA was pursuing all possible measures for their removal in order to preserve the safety and security of the school. The Board was informed that, at the time, UNRWA senior officials understood that the suspected weapon or weapons were still at the school. The following morning, the Deputy Commissioner General informed Israel's Ministry of Foreign Affairs of the plan to remove the suspected weapon or weapons. Later that same day, having learned of their disappearance, she informed the Ministry of this. The Board found that communications within UNRWA may have been confusing at critical times during the management of the incident. However, it also noted the enormous pressure under which UNRWA staff were operating, often handling multiple complex and life-threatening situations.

70. The Government of Israel showed the Board a video, which the Board concluded was authentic, showing the launching of a projectile from within the school premises on 14 July. The Government also provided a document which was said to identify the places close to the school from which rockets had been launched, together with the dates of those launches. The Board concluded that it was highly likely that an unidentified Palestinian armed group could have used the school premises to launch attacks on or around 14 July.

**Incident (j): Presence of weaponry at the UNRWA Nuseirat Preparatory Co-educational "B" School on 29 July 2014 and on 17 August 2014**

71. The UNRWA Nuseirat Preparatory Co-educational "B" School is located in a semi-rural area, northwest of the Nuseirat Camp, south of Gaza city. Two houses and a mosque are located less than one metre from the school wall and an apartment building, less than a hundred metres away. The school is enclosed by a wall. There is one main gate and a small pedestrian door adjacent to it and one secondary gate in a side wall.

72. The school was on recess at the time of the incident. It was not used as a designated emergency shelter.

73. The Board was informed that the main gate was locked during the recess, but not the adjacent pedestrian gate. The secondary gate was kept locked. Students would regularly climb up the front wall and enter the school. At the time of the incident, none of the classrooms were locked.

74. The school had only two attendants, who worked the morning shift on alternate days. One did not attend some days because of the security situation and the shelling. In addition, five guards hired as part of UNRWA's Job Creation Programme (JCP) were assigned to the school, one on the afternoon shift and the others, in pairs of two, on the night shift. There was evidence that, on several occasions, the JCP guards were not present at the school when the school attendant arrived in the morning, including the day of the incident.

75. A team of Operations Support Officers (OSO) had inspected the school on 19 May as part of the regular inspection programme for all UNRWA facilities described above. The team reported no weapons or signs of militant activity. No further inspections had been conducted by OSO teams after that date for the reasons set out above. As of the discovery of weapons at the Gaza Beach Elementary Co-educational "B" School on 16 July, the school attendants were instructed to inspect the school daily. However, the Board was informed that one of the attendants did not do so. The last inspection was carried out on 27 July. The day after was Eid al-Fitr and there was no school attendant at the school, though the JCP guards were present.

76. On 29 July, a 120 MM mortar tube, a 120 MM mortar bipod and three 120 MM mortar containers were found, covered by a blanket, behind a locked internal gate leading to a stairwell. The weapons were photographed.

77. That same day, UNRWA officials informed the Israeli authorities and the local authorities in Gaza. In accordance with guidance provided by United Nations Headquarters, a mission was arranged for later that day to verify the weapons and render them safe. However, it was later called off because of the security situation in the vicinity of the school. In the evening, UNRWA issued a press release reporting that rockets (sic) had been found in an UNRWA school, that all parties had been informed and that United Nations munitions experts had been unable to access the school because of the security situation, but would do so once it improved.

78. On 30 July, UNRWA officials went to the school, ahead of a visit by United Nations munitions experts. They found no school attendants or JCP guards at the

premises and that the lock of the gate to the stairwell had been broken and the weapons had disappeared.

79. The Board was informed that, between 30 July and 17 August, security at the school may have been compromised at least on one occasion by the presence of unidentified individuals and, possibly, of mortar weaponry.

80. On 17 August, a 120 MM mortar tube, a 120 MM mortar bipod and twenty 120 MM mortar containers were found in a small room under a stairwell. Water, lubricant-oil bottles and boards apparently used as beds were also found, as well as writing in Arabic on a blackboard, seemingly depicting military operations. At the rear of the school, a mortar base plate was found, embedded in the sand. These items were photographed. The mortar cases, mortar tube, bipod and base plate were removed from the school and rendered safe.

81. The Board was informed that UNRWA officials contacted the Israeli authorities and explained that the weapons were in the possession of the United Nations and that they would not be handed over to any party. The Deputy Prime Minister of the Palestinian Government of National Consensus was also informed.

82. The Board found that, in light of the security situation around the school at the time, the security measures at the school were weak, both prior to and on the days of the two incidents, partly due to the fact that the personnel charged with security at the school were subject to life-threatening circumstances. The Board also found that the presence of weapons and other evidence found in the school indicated that the premises could have been used for an unknown period of time by members of a Palestinian armed group and that it was likely that such a group may have fired the mortar from within the premises of the school.

### **Safety and Security challenges**

83. The Board considered the infrastructure of some of UNRWA's schools, particularly those built years ago, unsuited to the general security situation in Gaza. Some schools had low perimeter walls, for example, that could permit individuals to gain unauthorized access. The Board was informed that a programme for improvements existed, but that it did not contain any standards with respect to the minimum height of fences or boundary walls and no construction standards that might limit opportunities for unauthorized access. The Board further noted that arrangements relating to the securing and locking of entrance gates outside working hours and during recess did not always function efficiently. It was not always clear, for example, how the keys were kept and by whom.

84. The Board was informed that UNRWA had only 237 guards serving on staff contracts to provide security for all UNRWA installations. In order to assist in the maintenance of security during the conflict, the UNRWA Gaza Field Office consequently recruited local workers through its Job Creation Programme (JCP). They had no prior security training and the training provided to them upon their recruitment was minimal.

They were retained on three-month contracts with no expectation of renewal. The Board was told that additional funding had been sought to convert these contracts into staff contracts, but that this request had apparently been rejected. As of the end of November 2014, 897 JCP guards had been hired.

85. The Board noted that the security of UNRWA premises, particularly during times of conflict, is a matter of paramount importance, which needs to be addressed seriously. By relying upon the Job Creation Programme (JCP), UNRWA was entrusting one of the most dangerous and fundamental functions to low-paid individuals with no training in security and no expectation of continued employment. The Board considered that a task of such high responsibility requires specialized and properly trained individuals.

86. The Board further noted that JCP guards typically work afternoon and night shifts. No guards are therefore on duty in the mornings. The function of securing schools during that time is assumed by school attendants, whose main function is to maintain the cleanliness of the schools, not their security. Like JCP guards, school attendants are not trained to deal with security issues. They also report to a different authority from the JCP guards. The Board considered that the existence of two reporting lines for the performance of the same task was bound to lead to confusion, particularly in times of crisis.

87. The Board noted that UNRWA has no standard operating procedures (SOP) articulating the duty of all staff members to report security incidents and the modalities for doing so. Witnesses informed the Board that there was no list of staff who should be informed of incidents, no lists of actions to be taken in regard to specific situations and no central mechanism to keep a log of all events. As such, the passage of information and the assignment of required actions were somewhat ad hoc, negatively affecting UNRWA's ability to establish facts and account for actions taken and to be taken.

88. The Board further found that UNRWA did not have a policy or SOP to address situations involving the unauthorized presence of weapons on UNRWA premises. After the disappearance of weapons from the UNRWA Jabalia Elementary "C" and Ayyobiya Boys School on 22 July, United Nations Headquarters suggested a process to be followed. These suggestions were yet to be "operationalized" through the issuance of detailed SOPs. The Board also noted that there was no reference document setting out security levels, standards for the identification and evaluation of security risks and mitigation measures that need to be in place for UNRWA premises, including its schools.

89. The Board was informed that, during normal times, UNRWA carries out unannounced inspections of UNRWA facilities, including schools, to ensure their neutrality, with each facility being visited at least once every four months. These visits are carried out by teams of Operations Support Officers. Each team includes an international staff member. These inspections were discontinued during the conflict and the international staff members were regarded as non-essential staff.

90. The Board concluded that, during the conflict, UNRWA was operating in Gaza with an under-staffed Safety and Security Division (SSD), which struggled with securing hundreds of premises with unskilled personnel. The Board considered that priority should be given for the UNRWA Gaza Field Office to obtain appropriate resources so as to improve security at UNRWA schools and other UNRWA installations in the Gaza Strip and that this should include resources for the recruitment and training of the required number of guards, on staff contracts, to secure its schools and other installations under a 24/7 shift system. It also considered that, as a matter of priority, UNRWA should reconsider its security approach in relation to its schools and other installations, both in the context of emergency situations and during normal operations, and revisit its school inspection systems, including during emergencies.

### **Communication and coordination issues**

91. The Board noted that humanitarian response and continued operations of United Nations entities in Gaza during Operation Protective Edge required the coordination of the following functions: ensuring that the IDF were aware of all United Nations installations, in particular those in use as designated emergency shelters; coordinating movements of United Nations personnel within Gaza and into and out of Israel; coordinating pauses for humanitarian activities, such as food deliveries; and coordinating the entry of humanitarian assistance into, and its distribution within, the Gaza Strip.

92. The Board found that the United Nations undertook considerable measures to ensure proper coordination of these functions. Compared with the situation in 2009 during Operation Cast Lead, efforts were made to deploy staff with necessary skills to operate during armed conflict and humanitarian emergencies. The Organization had also built up the capacity of the inter-agency Access Coordination Unit (ACU), which had established relations with the IDF at various levels prior to the conflict. However, key personnel were unable to organize in a manner that was sustainable for a prolonged emergency, due to the relatively small numbers of international staff available to assume managerial emergency functions, the unexpectedly long duration of the conflict and the demands put upon staff to take care of displaced persons and the shelters. The Board also noted that new emergency management systems had been introduced by the humanitarian country team and by the UNRWA Gaza Field Office in June 2014 and that no proper training had been conducted on them prior to Operation Protective Edge.

93. The Board found that, at times, there had been multiple channels of communication, both within the United Nations and with outside interlocutors. While this could be helpful, it could also lead to misunderstandings. The Board also found that the existence of two United Nations operations emergency rooms, one organized and coordinated by OCHA and the other by UNRWA, could lead to confusion, even though they carried out distinct functions, which were clear to United Nations actors on the ground.

94. The establishment of a joint coordination room, bringing together Israel's Coordinator of Government Activities in the Territories (COGAT), the United Nations

and the ICRC, had significantly contributed to the coordination of United Nations activities in Gaza.

95. The Government of Israel had endeavoured to improve its internal structures of communication between COGAT and IDF units. The Board could not properly assess internal coordination structures within the IDF, but was briefed on all the mechanisms and measures to ensure that fighting troops were aware of sensitive sites, as well as of the humanitarian situation and needs. All coordinates of United Nations installations were available to units on the ground and were clearly and visibly marked on maps. The Board noted, though, that, in spite of such measures, UNRWA facilities were hit.

96. While they were channelled by the United Nations to the IDF in a timely manner, the Board sensed a degree of confusion concerning the names and coordinates of installations, as, on occasion, the IDF and the United Nations used different mapping references and some schools have multiple names. The Board welcomed the intention of UNRWA and Israel's Coordination and Liaison Administration (CLA) to refer to installations in the future by numbers, as opposed to names.

### **Recommendations**

97. The terms of reference of the Board included making recommendations concerning any action that, in its opinion, should be taken by the United Nations, including actions or measures to avoid recurrence of the incidents. The Board made the following recommendations:

#### Regarding Safety and Security

98. In light of its findings, noted above, on issues of safety and security, the Board recommended that:

- (a) The United Nations should consider sending a team of experts to review the entire UNRWA Security Management System (SMS), with particular emphasis on conducting a detailed risk assessment for UNRWA operations in normal circumstances as well as in emergencies. The team should focus, inter alia, on the functioning of emergency operation rooms and the procedures for reporting incidents and on assisting in the review of security-related guidance documents applicable to UNRWA staff and premises. The team should also consider how to benefit from the standard-setting role of the United Nations Department of Safety and Security (UNDSS) in addressing the safety and security challenges identified in the Board's report.
- (b) The Office of the Commissioner-General of UNRWA should consolidate existing practices on neutrality into a framework document to ensure a consistent and coherent approach, agency-wide. This framework document should take into consideration: staff neutrality, premises/installations and assets, such as vehicles, and operations. It should also outline the roles and responsibilities for various aspects of neutrality, including approval, review and

maintenance of relevant documentation. The mechanism for monitoring and handling of neutrality-related incidents should also be described.

- (c) In order to improve the security of its schools and other installations in Gaza, UNRWA should consider developing standard guidelines inspired by the Organization's Minimum Operating Security Standards (MOSS) system. It should also consider increasing the number of guards serving on fixed-term appointments and enhance the training of an effective guard force, managed in shifts on a 24/7 basis.
- (d) In order to assist the senior management in the UNWRA Field Office in Gaza to address issues of weapons, ammunition, unexploded ordnance and explosives found on UN premises, a weapons/ammunition and explosive expert should be permanently posted at the UNWRA Gaza Field Office.
- (e) UNRWA should: develop agency-specific implementation plans for addressing situations in which weapons are discovered and their subsequent handling, taking into consideration agency-specific needs and the operating realities of each field office; assign roles and responsibilities for carrying out these tasks; and ensure that staff are properly trained.
- (f) UNRWA should operationalize the guidance provided by United Nations Headquarters on the handling of incidents involving weapons found in UNRWA facilities by drafting SOPs that incorporate actions and responsibilities of staff, with clear lines of accountability, and mitigation measures with regard to the security of UNRWA personnel concerned.
- (g) UNRWA should consider changing the inspection process for UNRWA installations and strengthen the inspection regime by establishing an objective and effective inspection regime by international staff members such as Operations Support Officers (OSO), who should be in office during normal times, as well as during times of conflict, and who should be regarded as essential staff during emergencies. As for the quarterly inspections by OSO teams, detailed guidelines should be designed to enhance institutional memory. Those procedures should clearly state the roles and responsibilities of each UNRWA staff member involved in the inspection process as well the monitoring of it.
- (h) UNRWA should provide training to its personnel tasked with managing shelters on post-emergency confirmation of casualties and deaths caused during incidents occurring on its premises. It should also train personnel or recruit personnel with knowledge of how to conduct forensic investigations and collect evidence.

#### Regarding Communication and Coordination

99. In the light of its findings, noted above, on issues of communication and coordination, as well as information on issues related to coordination of emergency response during Operation Cast Lead in 2009, the Board recommended that:

- (a) The United Nations should request the Government of Israel to further strengthen internal mechanisms, especially those within the IDF, so as to ensure that United Nations personnel, operations and premises are not put at risk in the event of any future military operations affecting Gaza. The United Nations should further request the Government of Israel to establish a “hot line” for emergency coordination between the Director of Operations of UNRWA and the Commander of IDF’s Southern Command. This would support the high-level coordination focal point, to whom the United Nations conveys the problems which it believes need to be addressed in respect of coordination and clearance arrangements in order to ensure the security of all United Nations personnel and premises, and the safe continuation of United Nations operations, in Gaza.
- (b) The United Nations should request the Government of Israel to give a commitment that, at any time that it believes it has information that United Nations premises have been misused for military purposes or that UNRWA staff are involved in militant activities, such information will be promptly conveyed in strict confidence to the senior management of UNRWA or other United Nations entity, so that they can fulfil their responsibilities to investigate and take whatever action they may deem appropriate.
- (c) The United Nations should request the Government of Israel to give a commitment that, in the event that it plans any future military operation in proximity to United Nations premises, it will provide advance warning, sufficient to enable the United Nations to ensure the security and safety of its personnel or other civilians attending its facilities, and ensure that coordinating procedures are such that confusion or misunderstandings concerning UNRWA as well as other United Nations installations are excluded.
- (d) With regard to coordination with the IDF, and building on positive steps already undertaken, the UN should continue cultivating relations with Israel’s Coordinator of Government Activities in the Territories (COGAT) and the IDF at various levels. The capacity of the Organization’s inter-agency Access Coordination Unit (ACU) should be increased and coordinating structures changed in order to let it fulfil the role of primary United Nations focal point with the Israel’s Coordination and Liaison Administration (CLA), augmented by the United Nations Department of Safety and Security (UNDSS) and UNRWA’s Safety and Security Division (SSD) as required.
- (e) The Secretary-General should send a team of experts to assess coordination structures in Gaza between the United Nations, non-United Nations entities and the Government of Israel and to assess and advise how command and control procedures within UNRWA and with external actors can be improved and strengthened. The assessment and advice should include the set-up, staffing and training of a joint operations room in UNDSS and UNRWA SSD.
- (f) UNRWA and OCHA should make efforts to avoid establishing two parallel structures in Gaza during emergencies. There should be one joint structure in charge of all United Nations emergency response in Gaza. Appropriate

arrangements for co-location of all relevant United Nations staff during emergencies should also be made.

- (g) The UNDSS senior management team should be reinforced as soon as possible.
- (h) The UN should earmark a few military experts on mission in existing peacekeeping missions in the Middle East to augment the UNRWA Gaza Field Office and support UNRWA as duty officers in a joint operations room during crises. Regular exercises with area operations rooms should be organized.
- (i) With regard to emergency management, the United Nations in the Occupied Palestinian Territory should introduce and regularly conduct inter-agency training sessions and drills for staff expected to be involved in the coordination of United Nations operations. Staff should be identified for these tasks and be fully aware of their expected responsibilities, as well as those of others. Area Chiefs should receive further training on security matters and how to professionally manage their operations rooms. Area operations rooms should be prepared, equipped and trained for emergency security situations by a United Nations mobile training team.

#### Regarding general issues

100. The Board made the following general recommendations:

- UNRWA's mandate is essentially humanitarian in nature. UNRWA conducts its activities through programmes in education, health, relief and social services. Its staff should not be involved in issues of weaponry, ammunition and unexploded ordnance, nor should it have to collect shrapnel from schools. It requires the further assistance of qualified and experienced personnel, preferably with a military background, to support its staff.
- UNRWA international staff and senior local staff should urgently receive counselling to address potential post-traumatic stress disorder. These staff members have gone through very stressful events for a prolonged period of time.