

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.