

Gaza Strip: Attacks in the border areas and their consequences

Following disengagement from the Gaza Strip in September 2005, Israel unilaterally and illegally established a so-called “buffer zone”, an area prohibited to Palestinians along the land and sea borders of the Gaza Strip. The precise area designated by Israel as a “buffer zone” is not clear and this Israeli policy is typically enforced with live fire. The establishment of the ‘buffer zone’ is illegal under both Israeli and international law.

Preventing Palestinians from accessing their lands and fishing areas violates numerous provisions of international human rights law, including the right to work, the right to an adequate standard of living, and the right to the highest attainable standard of health. Enforcing the “buffer zone” through the use of live fire often results in, *inter alia*, the direct targeting of civilians and/or indiscriminate attacks, both of which constitute war crimes.

Following the Israeli offensive on the Gaza Strip in November 2012, a ceasefire agreement between Israel and Palestinian armed groups was brokered by the Egyptian government, which included terms related to access to land and sea. In an online statement on 25 February 2013, the Israeli Coordinator of Government Activities in the Territories (COGAT) declared that fishermen could now access the sea up to six nautical miles offshore, and that farmers could now access lands in the border area up to 100m from the border fence. However, both references have since been removed from the statement. Then, on 21 March 2013, the Israeli forces’ spokesperson announced re-reducing the fishing area allowed for Palestinian fishermen from 6 nautical miles to 3 nautical miles. However, on 21 May 2013, Israeli authorities decided to allow fishermen to sail up to 6 nautical meters.

Dimensions

On land, inside Palestinian territory

At sea, off the coast of the Gaza Strip

Distance from the border fence, up to which access is permitted:

Distance from the shore, up to which access is permitted:

- Second Intifada (2000): **150 metres**
- According to Israel (2010) : **300 metres**
- 22 November 2012: **unclear parameters**
- 25 February 2013: **100 metres**
- 11 March 2013: **300 metres**

- Oslo Accords (1994): **20 nautical miles (nm)**
- Bertini Commitment (2002): **12 nm**
- October 2006: **6 nm**
- End of 2007 : **3 nm**
- 22 November 2012: **6 nm**

In reality, attacks against civilians take place anywhere up to approximately **1.5 kilometres** inside the border fence. This constitutes approximately **17%** of the total territory of the Gaza Strip.

In addition, access is consistently denied in the following areas:

- **1.5 nm** in the north along the maritime boundary with Israel
- **1 nm** in the south along the maritime

boundary with Egypt

Impact*On land*

- Approximately 27,000 dunums, **35% of the Gaza Strip's agricultural land**, can only be accessed under high personal risk, as Israeli attacks may result in injury or death of civilians.
- **95%** of the restricted area is arable land.
- After the evacuation of settlements (2005) and 'Operation Cast Lead' (2008-2009), the majority of Palestinian families living in the border areas abandoned their land and homes.

At sea

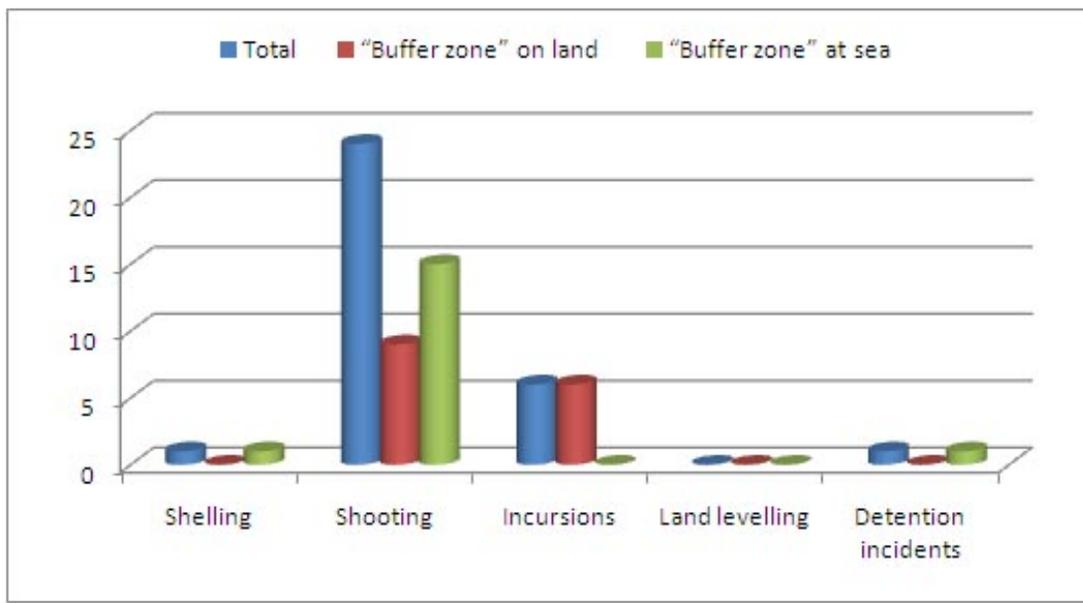
- Palestinians are completely prevented from accessing **85% of the Palestinian maritime areas** recognised in the 1994 Gaza Jericho Agreement.
- Approximately **3,700 fishermen** work under high personal risk every day at sea.
- Approximately **8,200 persons** work in the fishing industry.
- Approximately **65,000 persons**, including individuals who work in the fishing industry and their dependents, are affected by the "buffer zone" restrictions at sea.
- The area near the coast is **markedly over-fished**.

Attacks

May 2013

Attacks	Total	"Buffer zone" on land	"Buffer zone" at sea
Shelling	1	0	1
Shooting	24	9	15
Incursions	6	6	0*
Land levelling	0	0	0
Detention incidents	1	0	1
Total incidents	32	15	17

* These numbers do not represent all the incursions into Palestinian waters by Israeli naval forces, only the reported incidents. More often, the reported incidents involve shooting, injury and/or killing.

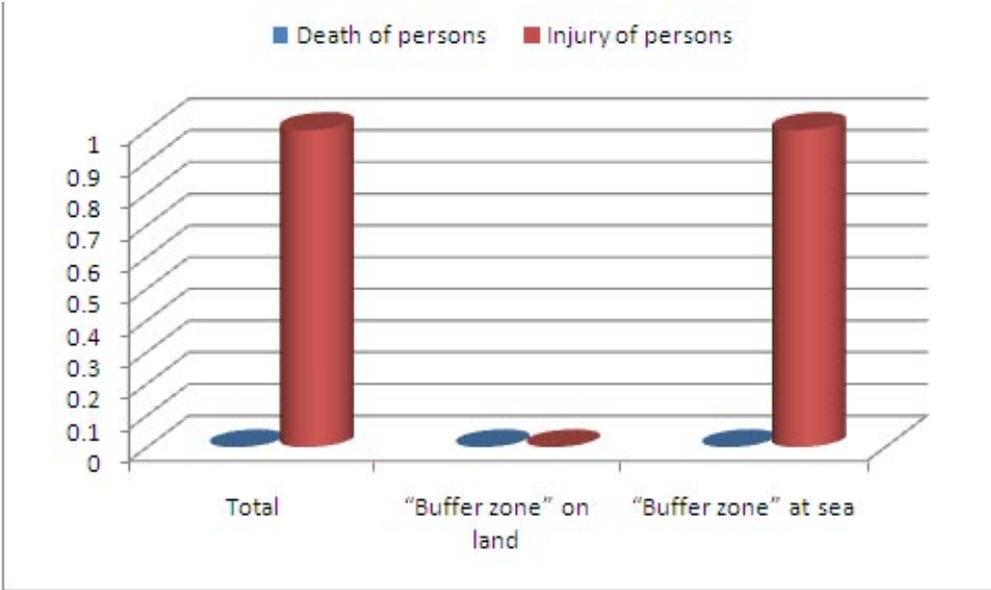


Consequences of attacks

a. Deaths and injuries

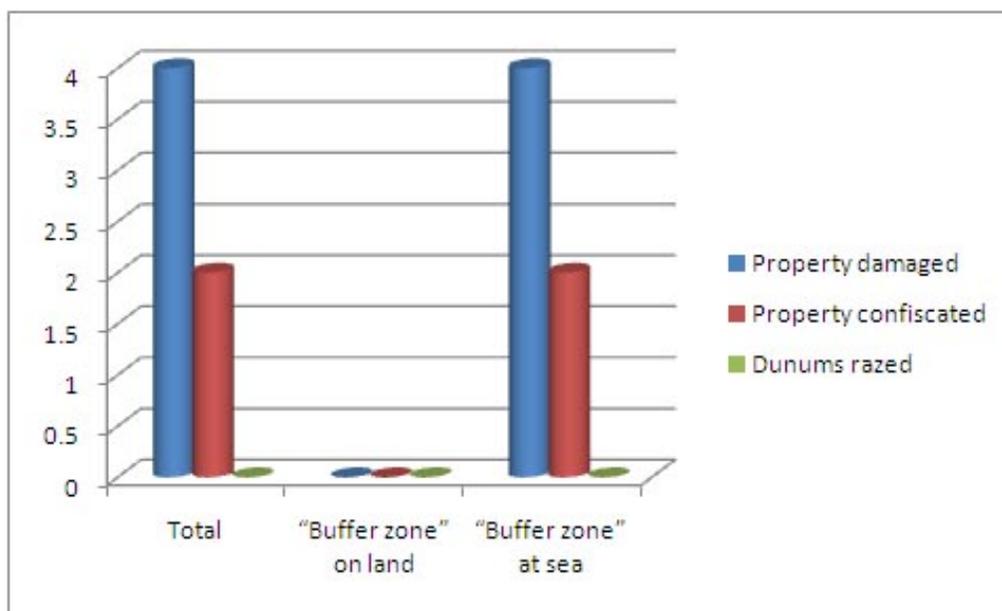
May 2013

Consequences	Total	"Buffer zone" on land	"Buffer zone" at sea
Death of persons	0	0	0
Minors	0	0	0
Women	0	0	0
Injury of persons	1	0	1
Minors	0	0	0
Women	0	0	0



b. Property related violationsMay 2013

Consequences	Total	“Buffer zone” on land	“Buffer zone” at sea
Property damaged	4	0	4
Property confiscated	2	0	2
Dunums razed	0	0	0

**c. Detention**May 2013

Consequences	Total	“Buffer zone” on land	“Buffer zone” at sea
Detention incidents	1	0	1
Total persons detained	2	0	2
Minors detained	0	0	0
Women detained	0	0	0

