



# المركز الفلسطيني لحقوق الإنسان

## PALESTINIAN CENTRE FOR HUMAN RIGHTS

### State of the Gaza Strip's border crossings 01 – 31 January 2015

This report documents the impact of the ongoing Israel-imposed siege on Palestinian civilians, which affects their economic and social conditions. This report also reveals the deterioration of the humanitarian situation in the Gaza Strip. Thus, this report exposes the real conditions of the Gaza population and the Israeli closure imposed on all Gaza's crossings for 8 years. It refutes Israel's claims that it has eased the closure of the Gaza Strip. Furthermore, the report highlights that the continuing Israeli measures aim to the institutionalization of the closure and making the illegal restrictions imposed on the movement of persons and goods acceptable on the international level although they violate the international law, including the international humanitarian and human rights laws. The following are the most significant developments relevant to Gaza's border crossings during the reporting period 01 – 31 January 2015:

During the reporting period, no remarkable change was witnessed on the movement of commodities. An almost complete ban continued on the exportation of commodities to the West bank, Israel and abroad, including industrial and agricultural goods. Restrictions were also imposed on the entry of a number of basic commodities, especially materials needed for Gaza reconstruction, infrastructure projects and materials for manufacturing and production. However, Israeli forces allowed the entry of certain types of goods, the majority of which were foodstuff and consumables, under difficult circumstances, including the frequent closure of the only commercial crossing in the Gaza Strip, Karm Abu Salem (Kerem Shalom). The crossing was closed for 9 days (29.6%) due to Jewish holidays or security reasons. As a result:

- During the reporting period, Israeli authorities allowed the entry of 5,505 truckloads, an average of 177 truckloads daily. The number of truckloads allowed to be entered constitutes 31% of the number of truckloads which used to be entered into the Gaza Strip before the closure (570 truckloads daily).
- The Gaza Strip witnessed a significant rise in prices of all construction materials and lack of some of them in the markets due to restrictions imposed on their entry for international projects and being banned for the private sector. In January, Israel allowed the entry of limited quantities of construction materials: 9,383 tons of cement, 21,545 tons of construction aggregate; and 380 tons of construction steel, which constitute around 11.2%, 30.7% and 0.67% of the monthly needs of the Gaza Strip respectively, while they constitute around 0.62%, 0.43% and 0.16% of the urgent need of construction materials for Gaza reconstruction. These quantities were entered for projects of international organizations or Palestinian companies, but under strict mentoring mechanism under which Gaza reconstruction can be impossible.
- The cooking gas crisis has continued in all gas stations, and piles of empty gas cylinders are currently being left at gas stations waiting to be refilled due to the limited quantities allowed by Israel into the Gaza Strip. During the reporting period, the amount of gas allowed into Gaza was 3,013 tons only, an average of 97 tons per day. This amount represents 27.7% of the actual daily needs of the population, which is 350 tons in winter.



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- Israeli forces continued to impose an almost complete ban on the Gaza Strip exports to the West Bank, Israel and abroad, but exceptionally allowed the exportation of 74 truckloads; 67 truckloads of agricultural products, 6 truckloads of furniture and a truckload of fish. Before the imposition of the closure, the Gaza Strip exports used to mount to 150 truckloads per day.

During the reporting period, Israeli forces have imposed restrictions on the movement of Gaza population at Beit Hanoun (Erez) crossing, the only crossing for the movement of persons to the West Bank, including Jerusalem and/or Israel. As a result, 1.8 million persons were denied their right to travel to hospitals, universities, holy places and family visitation in the West Bank. Besides, they were prevented from travelling abroad. However, Israeli forces allowed limited categories to travel via Beit Hanoun crossing: patients suffering from serious diseases; Arabs holding Israeli ID's; international journalists; workers of international humanitarian organizations; businesspeople; and persons travelling via al-Karama crossing. These categories travel through the crossing under very complicated procedures. PCHR observed the following in this regard:

- During the reporting period, Israel obstructed the travel of 439 patients permitted to get some medical treatment at the Israeli hospitals or at hospitals in the West Bank; 33 of whom were prevented due to security reasons, 99 of them were asked to change the companions and 11 others were forced to wait for a new appointment while the remaining 296 patients are awaiting an Israeli reply following their security interviews. According to the Ministry of Health, the number of applications presented on behalf of Palestinian patients referred to hospitals in Israel or the West Bank was 1,570, but Israeli authorities issued permits to 1,131 applications only and obstructed the travel of the rest for different reasons.
- During the reporting period, 5,597 traders were allowed to travel via the crossing. In the same period, Israel allowed the entry of 1,255 persons for personal needs, 389 workers of international organizations into the Gaza Strip, 26 travelers via al-Karama (Allenby) crossing, 739 of elderly people to perform prayers in al-Aqsa mosque and 296 Christians to visit Christian holy places under some complicated security conditions. The procedures for entering the Gaza Strip are complicated, resulting in prolonged waiting periods, sometimes up to several days.
- Israeli authorities allowed 159 family members of prisoners to visit their relatives in Israeli prisons out of 1,760 family members allowed under the agreement reached between the detainees and Israeli forces in May 2012. The number of visits during the reporting period is limited (93) compared to the number allowed under the same agreement, as it allowed 2 visits, each of which include 2 persons, for each detainee per month. This means 1,760 persons of the detainees' families are allowed to visit 440 detainees twice per month (around 880 visits per month).
- During the reporting period, Rafah International Crossing Point was closed for 28 days as a result of the Egyptian internal situation and the deteriorating security situation in north Sinai. This unveiled the reality of the situation in the Gaza Strip under the policy of collective punishment and the Israeli closure imposed over all border crossings, especially Beit Hanoun crossing.



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- The closure of Rafah International Crossing Point negatively affected the Gaza Strip's population. In the Gaza Strip, thousands of Palestinians, including hundreds of patients, students and holders of residencies in other countries, were denied travelling abroad. When the crossing point was partially opened for 3 days, 1,507 Palestinians travelled via the crossing, 1,223 returned to the Gaza Strip and 114 were returned to the Gaza Strip by Egyptian authorities.

### Commercial crossings

Commercial crossings were established to provide the Gaza Strip with manufactured or raw materials and to export the products of the Gaza Strip to Israel, the West Bank or abroad. The closure of al-Mentar (Karni) crossing, the demolition of its facilities in early January 2012 and using Karm Abu Salem instead created more obstacles for the limited movement of imports and exports. In addition, the expenses of transportation increased causing a rise in the prices of imports. It was also an extra financial burden for the Gaza exporters because of the location of the crossing in the far southeast of the Gaza Strip.<sup>1</sup>

### Karm Abu Salem (Kerem Shalom) Crossing

During the reporting period, Israel closed Karm Abu Salem, which is the sole commercial crossing, for 9 days (26% of the total period). On the days it was open, Israel allowed the entry of 5,505 truckloads, an average of 177 truckloads daily, representing 31% of the number of truckloads that was allowed into the Gaza Strip before the total closure was imposed in June 2007 (570 truckloads daily).<sup>2</sup>

### The Number of truckloads allowed into the Gaza Strip in June 2014 and January 2015 and percentage of needs met

Description	Daily average of truckloads	Percentage of needs met
Prior to June 2007	570	100%
June 2014	142	24.9%
January 2015	177	31%

<sup>1</sup> The Israeli authorities have tightened the closure over the Gaza Strip to make Karm Abu Salem crossing the main and only crossing in the Gaza Strip in spite of its low operational capacity. Moreover, the Israeli authorities closed Sofa crossing, which was designated to the entry of construction materials in November 2008 and transferred the limited quantities of construction materials to be entered into Gaza also via Karm Abu Salem crossing. On 04 January 2010, the Israeli authorities closed Nahal Oz crossing, which was designated for the entry of fuel into Gaza, and transferred that fuel to be entered via Karm Abu Salem crossing as well. On 02 March 2011, the Israeli authorities closed al-Muntar (Karni) crossing, which was the largest and best equipped commercial crossing. 75% of the Gaza Strip supplies used to enter via Karni crossing that had the capacity of around 400 truckloads daily.

<sup>2</sup> According to the Ministry of National Economy in Gaza.



The above data confirms that the Karm Abu Salem crossing does not meet the Gaza Strip's needs. The population's needs were previously met through the use of four commercial crossings. The average imports are low and do not meet the needs of Gaza's population.

## • Exports

Israeli forces continued to impose a ban on the Gaza Strip exports to the West Bank, Israel and abroad with exception of limited quantities. During the reporting period, 74 truckloads were allowed for exportation, including 67 truckloads of agricultural products (tomatoes, cucumbers, strawberries, bell peppers, sweet potatoes and garlic), 6 truckloads of furniture and a truckload of fish.

## • Imports

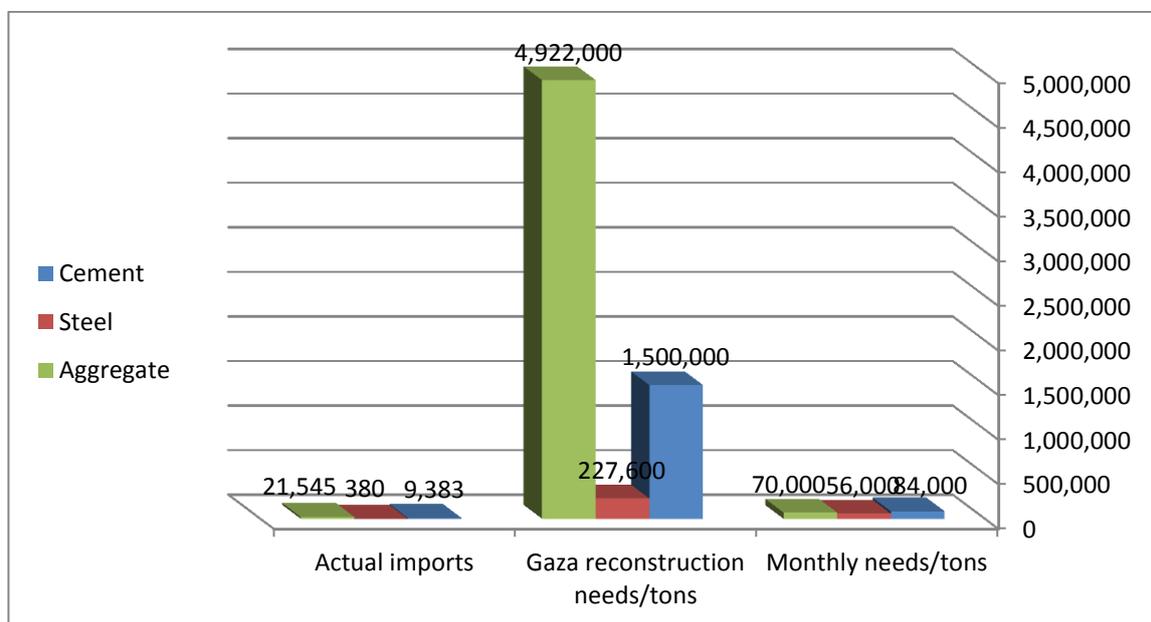
### - Construction Materials

During the reporting period, construction materials allowed into the Gaza Strip were limited and do not meet the minimal level of the Gaza Strip actual needs. Israel allowed the entry of 9,383 tons of cement, 21,545 tons of aggregate and 380 tons of steel according to the Ministry of National Economy in Gaza. These quantities constitute about 11.2%, 30.7% and 0.67% of the Gaza Strip monthly needs respectively, and 0.62%, 0.43% and 0.16% of the urgent need of construction materials for Gaza reconstruction. The majority of these quantities were entered for international organizations or Palestinian companies under strict monitoring mechanism under which Gaza reconstruction can be impossible.

Table comparing the quantities of construction materials allowed into the Gaza Strip in January 2015 and the actual needs

Description	Actual imports	Gaza reconstruction needs/tons	Percentage	Monthly needs/tons	Percentage
Cement	9,383	1,500,000	0.62%	84,000	11.2%
Steel	380	227,600	0.16%	56,000	0.67%
Aggregate	21,545	4,922,000	0.43%	70,000	30.7%

Source: Ministry of National Economy in the Gaza Strip.



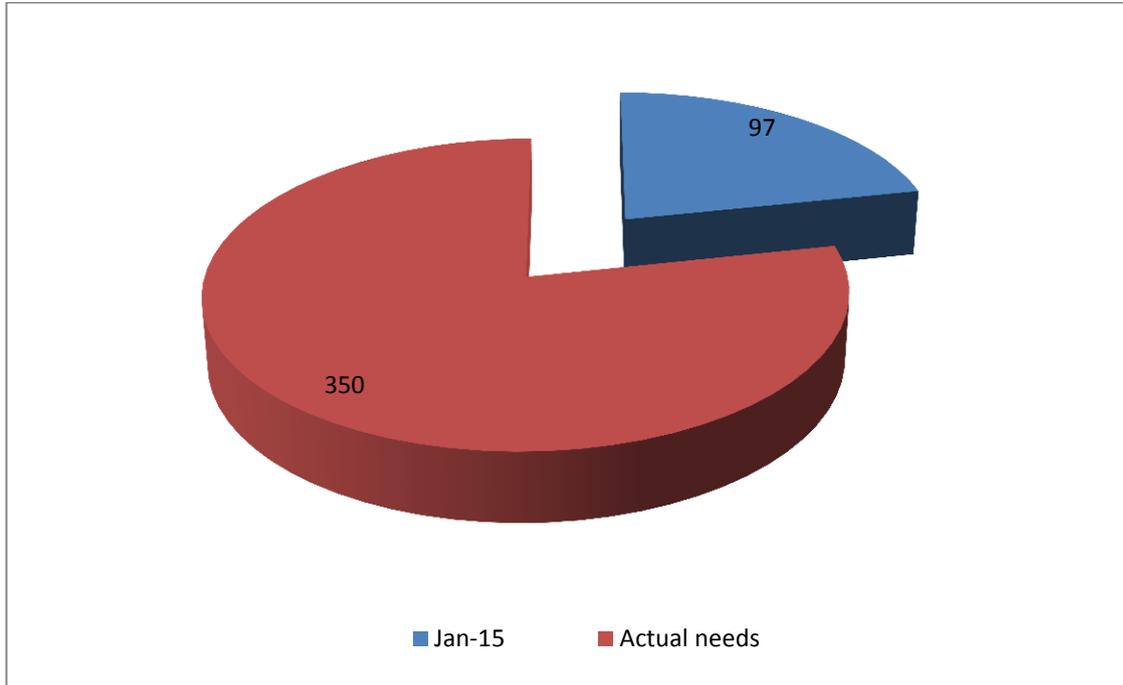
- Fuel**

During the reporting period, Israel prevented the entry of cooking gas into the Gaza Strip for 10 days; for the remaining days, Israel allowed the entry of limited quantities. The amount of gas allowed in was 3,013 tons, an average of 97 tons per day. According to the General Petroleum Corporation in Gaza (EGPC), this amount represents 27.7% of the daily needs of the people, which is 350 tons.

**Quantities of gas allowed in during the reporting period compared with the actual needs of the population of the Gaza Strip**

Month	Daily average/tones	Percentage of needs met
January 2015	97	27.7%
Actual needs	350	100%

Source: EGPC in Gaza.



The closure of Karm Abu Salem crossing due to Jewish holidays or security reasons resulted in the lack of diesel and benzene in all gas stations in the Gaza Strip for few days. During the reporting period, Israel allowed the entry of 10,514 liters of diesel and 4,250,000 liters of benzene, a daily average of 339,161 liters of diesel and 137,096 liters of benzene. These quantities are very limited compared to the actual needs of the Gaza Strip which reach 400,000 liters of diesel and 200,000 liters of benzene daily. Because of the limited quantities allowed in, the closure of the crossing or expecting it to be closed result in a fuel crisis in the Gaza Strip. During the reporting period, Israeli forces allowed the entry of 8,556,000 liters of industrial fuel for Gaza power plant.

## Crossings Designated to the Movement of Persons

- **Beit Hanoun (Erez) Crossing**

Israel has closed the Beit Hanoun crossing to the movement of Palestinian civilians, with the exception of limited categories: patients suffering from serious illnesses; Arabs holding Israeli IDs; international journalists; workers of international humanitarian organizations; business people; and persons travelling via al-Karama crossing. These categories are allowed to travel through the crossing under very complicated procedures. According to the Civil Liaison Office in the Ministry of Civil Affairs, Israel closed the crossing completely for 4 days (in addition to 4 other days in which only urgent cases were allowed to travel via the crossing) during the reporting period.



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### Patients

Israel obstructed the travel of 439 patients; 33 of whom were prevented due to security reasons, 99 of them were asked to change the companions and 11 others were forced to wait for a new appointment while the remaining 296 patients are awaiting an Israeli reply following their security interviews. According to the Ministry of Health, the number of applications submitted for medical treatment in hospitals in Israel or the West Bank reached 1,570 ones during the reporting period. The Israeli authorities issued permits for 1,131 and obstructed the travel of the remaining patients under various pretexts.

#### • Prisoners' Visits

During the reporting period, Israeli authorities allowed 159 family members of detainees to visit 93 of their relatives in Israeli prisons. The visitors were divided into 3 groups as follows:

#### Family visits to Palestinian prisoners in Israeli prisons in January 2015

Day	Number of visitors	Number of children	Number of visited prisoners	Prison
05 Jan. 2015	13	2	9	Eshel prison
19 Jan. 2015	59	9	36	Rimon prison
26 Jan. 2015	87	26	48	Nafha prison

The above table shows that the number of visitors is limited compared to the number of visits allowed under the prisoners' deal. According to the agreement, each prisoner has the right to two family visits a month. With 440 prisoners in Israeli prisons, the number of visits should reach 880 monthly. However, the Israeli forces only allowed 93 visits. The same applies to the number of family members who are allowed to visit their relatives; the number of these members mounted to 159, whereas, the number should include 1,760 persons in case each prisoner is visited by 2 members of his family twice a month.

The families were subjected to arbitrary practices, obstacles and immoral and degrading treatment. They also suffered from the Israeli provocative measures and the continuous threats to cancel their visits in the future if they did not respond to Israeli orders.

It should be noted that the Israeli authorities determine a visitor who is allowed to visit a prisoner, and those authorized visitors are limited to the prisoners' father, mother or wife and one or two of them only. Furthermore, in case either one is incapable of visiting (due to sickness, old age or death), the Israeli authorities do not allow the change of the visitors' name; thus, the prisoner loses the right to his visit. Moreover, Israeli authorities continue to deprive children from visiting their fathers in Israeli prisons. Prisoners' families are not allowed to bring with them personal items, including clothes and food.

#### • Other categories

During the reporting period, Israel allowed the entry of 5,597 traders, 1,255 persons for personal needs, 389 workers of international organizations into the Gaza Strip, 739 of elderly people to perform prayers in al-Aqsa mosque, 296 Christians to visit Christian holy places and 26 travelers via al-Karama (Allenby) crossing, under some complicated security conditions. The procedures for entering the Gaza Strip are complicated, resulting in prolonged waiting periods, sometimes up to several days.



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### Rafah International Crossing Point

During the reporting period, Rafah International Crossing Point was closed for 28 days as a result of the situation in Egypt and the deteriorated conditions in north Sinai. This situation combined with the ongoing policy of collective punishment and closure imposed by Israel exposed the real suffering experienced by the Gaza population. In the Gaza Strip, thousands of Palestinians, including hundreds of patients who are in urgent and serious need of medical treatment abroad, suffer because they are prevented from travelling abroad. Besides, hundreds of workers holding residency permits in different countries abroad were prevented from leaving the Gaza Strip. The number of Palestinians, who registered for traveling via the crossing and are awaiting for their turn to travel, was over 40,000, including hundreds of patients, university students and holders of residencies in countries abroad, according to the Ministry of Interior in Gaza. During the days the crossing was open (3 days), 1,507 Palestinians traveled abroad; 1,223 Palestinians returned and 114 were returned to the Gaza Strip by Egyptian authorities.



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### Recommendations

PCHR calls upon the international community, particularly the High Contracting Parties to the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War, to:

- Exert effective pressure on Israel to compel it to open all of Gaza's crossings, both those used for commercial purposes and those used for the movement of civilians, to allow the civilian population of the Gaza Strip to reconstruct civilian property destroyed during Israel's latest offensive on Gaza and to enable them to enjoy their fundamental civil and political rights, as well as their economic, social and cultural rights;
- Promptly and urgently intervene to ensure respect for international humanitarian law and international human rights law, and to put an end to the deterioration of living conditions across the Gaza Strip;
- Compel Israel to put an end to measures of collective punishment against the civilian population of the Gaza Strip, including the tightening of the closure of Gaza's border crossings;
- Remind the State of Israel, the Occupying Power, of its obligations towards the civilians of the Gaza Strip, under Article 55 of the 1949 Fourth Geneva Convention, which stipulates that: "To the fullest extent of the means available to it, the Occupying Power has the duty of ensuring the food and medical supplies of the population; it should, in particular, bring in the necessary foodstuffs, medical stores and other articles if the resources of the occupied territory are inadequate. The Occupying Power may not requisition foodstuffs, articles or medical supplies available in the occupied territory, and then only if the requirements of the civilian population have been taken into account." The High Contracting Parties to the Fourth Geneva Convention must fulfill their obligation under Article 1 of the Convention by ensuring the implementation of the Convention's provisions by the State of Israel, in order to ensure the protection of Palestinian civilians in the Gaza Strip; and
- Call on the Egyptian authorities to take more measures to facilitate movement at the Rafah International Crossing Point, in particular by increasing the number of travelers and opening hours, and to find a solution for the thousands of Palestinians wishing to travel via the crossing, particularly during the summer when the number of travellers doubles.
- PCHR reminds that the Israeli-imposed closure on the Gaza Strip is a form of collective punishment and constitutes the most serious violation committed by Israeli forces against civilians in the Israeli occupation history. This closure is illegal and is a part of the ongoing war against the Palestinian civilians.