



The Palestinian Centre for Human Rights

Special Report on Israeli attacks against Palestinian fishermen in the Gaza Strip



For the period from 1 June 2002 - 25 October 2003



The Palestinian Centre for Human Rights

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Consultative Status with the ECOSOC of the United Nations

Affiliate of the International Commission of Jurists - Geneva

Member of the International Federation for Human Rights (FIDH) - Paris

Member of the Euro-Mediterranean Human Rights Network – Copenhagen

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Background

Israeli Occupation Forces (IOF) have consistently harassed Palestinian fishermen over the past number of years, abusing them as they try to pursue their livelihoods, and violating their basic right to work. Furthermore, IOF have imposed restrictions on their freedom to work. Israeli navy ships have continued to perpetrate provocative actions against fishermen, including unjustified pursuit at sea and firing live ammunition.

Despite an increase in the number of fishermen and an increase in production, the situation for fishermen did not improve significantly after the signing of the Declaration of Principles between the PLO and Israel on 13 Sep 1993 and the subsequent establishment of the Palestinian Authority in 1994. It is noted that the Interim Agreement signed between the PLO and Israel in May 1994, stated in article 11 in the security protocol that Palestinian fishermen have the right to sail in the area defined as “L”, which extends 20 nautical miles off the coast.

Despite the injustice of this agreement¹, Israel has repeatedly violated it through imposing a sea blockade on the Gaza Strip for varying amounts of time, reducing the fishing area for Palestinian fishermen without coordination with the Palestinian Authority, and harassing and attacking Palestinian

¹ On 13 Sep 1993, the Declaration of Principles was signed and it became the basis for the signing of two Interim Agreements: Interim agreement on the Gaza Strip and Jericho, signed in Cairo on 4 May 1994, henceforth “Cairo;” and the Israeli-Palestinian interim agreement on the West Bank and Gaza Strip, signed in Washington on 28 July 1995, henceforth “Washington.” These two agreements constituted the basis for the IOF redeployment and the establishment of the Palestinian Authority in parts of the West Bank and Gaza Strip. The agreements outlined in detail the transfer of jurisdiction in the administration of maritime activity on the coast of Gaza and in the sea offshore to the Palestinian National Authority. The Washington agreement of 1995 stated clearly the transfer of jurisdiction over managing of maritime activity on the coast of Gaza and in the sea offshore to the Palestinian National Authority represented by the coastal police. Article 14 of the agreement dealt with security along the coastline to the sea of Gaza. Article 14.1 dealt with maritime activity zones, and divided the sea off the coast of the Gaza Strip into three Maritime Activity Zones, K, L, and M. Zone K extends 20 nautical miles into the sea from the coast in the northern part of the sea of Gaza and 1.5 nautical miles wide southwards. Zone M is the border area between Rafah and Egyptian territorial waters; it extends 20 nautical miles into the sea from the coast, and one nautical mile wide from the Egyptian waters. Article 14.1.c states, “Subject to the provisions of this paragraph, Zones K and M will be closed areas, in which navigation will be restricted to activity of the Israel Navy. Zone L extends 20 nautical miles into the sea from the coast, and is open for fishing, recreation and economic activities. Fishing boats will not exit Zone L into the open sea and may have engines of up to a limit of 25 HP for outboard motors and up to a maximum speed of 18 knots for inboard motors. The boats will neither carry weapons nor ammunition nor will they fish with the use of explosives. Article 14.1.b dealt with General Rules of the Maritime Activity Zones. Article 14.1.b.4 stated, “As part of Israel’s responsibilities for safety and security within the three Maritime Activity Zones, Israel Navy vessels may sail throughout these zones, as necessary and without limitations, and may take any measures necessary against vessels suspected of being used for terrorist activities or for smuggling arms, ammunition, drugs, goods, or for any other illegal activity. The Palestinian Police will be notified of such actions, and the ensuing procedures will be coordinated through the MC.” This article was a real obstacle in the face of Palestinian fishermen; as they were placed at the mercy of Israeli security criteria. It gave IOF the opportunity to carry out procedures against fishermen unconditionally, and then inform the Palestinian police, who are effectively absent in the article.

fishermen at sea in an effort to terrorize them and force them to leave the sea. These violations began on 8 March 1996, when IOF unjustly imposed a sea blockade on the Gaza Strip. When the blockade was downgraded, Palestinian fishermen were allowed to fish up to 12 nautical miles off the coast starting on 22 March 1996. As a result, fishermen were denied access to deeper and richer areas; thus reducing production and affecting income. At the same time, IOF continued with their provocative measures against fishermen, including pursuing boats and confiscating them, tearing fishing nets, detaining fishermen, and firing at fishing boats. These harassments were carried out despite the fact that Palestinian fishermen had the necessary permits to fish and adhered to the area limitations in accordance with the Interim Agreement.

Introduction

This is the second PCHR report² on the plight of Palestinian fishermen in the Gaza Strip, who have endured repeated IOF attacks, aimed at hampering fishing activity and forcing fishermen out of the sea. In the long term, these attacks aim to drive fishermen away from their only profession and means of livelihood. This report covers the period from 1 June 2002 to 25 October 2003.

PCHR information indicates that, during the reporting period, many fishing boats were damaged by unjustified IOF gunfire during fishing activities and 44 fishermen were detained while fishing at sea. Furthermore, IOF confiscated and damaged fishing nets; sank or detained fishing boats; repeatedly fired at fishing boats to force fishermen out of the sea; and imposed a sea blockade that prevented fishermen from working.

It should be noted that IOF attacks against Palestinian fishermen during the current Al-Aqsa Intifada are a continuation of old policies implemented prior to 2000. PCHR monitors IOF attacks against fishermen regularly and according to PCHR investigations in this regard, there is no justification for the repeated IOF attacks against fishermen, who adhere to the fishing area limits. PCHR views these violations as an extension of the grave violations of all international covenants and agreements, perpetrated by IOF against Palestinian civilians and their property, in the context of a collective-punishment policy against Palestinians.

IOF's violations against fishermen are specifically relevant to the 4th Geneva Convention, which states in its 33rd article, "*No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited. Pillage is prohibited. Reprisals against protected persons and their property are prohibited.*" These violations also constitute a serious violation of the right to work. Article 52 of the 4th Geneva Convention states, "*All measures aiming at creating unemployment or at restricting the opportunities offered to workers in an occupied territory, in order to induce them to work for the Occupying Power, are prohibited.*"

The IOF violations contradict with article 6.1 of the International Covenant on Economic, Social and Cultural Rights, which states, "*The States Parties to the present Covenant recognize the right to work, which includes the right of*

² PCHR published a previous report on IOF attacks against fishermen covering the period 29 September 2000 to 31 May 2002. During that time, ten fishermen were injured by unjustified IOF gunfire, while fishing at sea. In addition, 65 fishermen were arrested at sea during that period. Furthermore, IOF damaged and confiscated netting, sank or detained fishing boats, and fired at fishing boats in order to force them out of the sea. IOF imposed a sea blockade that completely prevented fishermen from going out to sea.

everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.” In addition, article 2.1 of the covenant stipulates that, “All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.”

Finally, article 23.1 of the Universal Declaration of Human Rights states, *“Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.”*

Economic importance of fisheries in the Gaza Strip

Fishing constitutes an important part of agricultural resources in the Gaza Strip. The increase in fishing production and its value reflects on its share in agricultural production. That is why most countries with coasts rely heavily on the fishing sector, as an important economic source of income. As a result, fishing contributes a large percentage of the national product and is an essential component in developing the economy as a whole³.

The importance of fisheries lies in:

- providing adequate amounts of fresh fish to the local populace, and meeting the demands of the local market;
- employing a large number of workers in fishing and in fishing-related work such as boat-construction and maintenance and dock workers;
- employing a large number of private transportation vehicles to market fish;
- exporting fish, which is a large source of income for the state.

The fishing sector in the Gaza Strip has been unable to contribute effectively to the Palestinian economy. The contribution percentage of fishing in the years prior to the establishment of the Palestinian Authority was very low at 0.5%. The percentage of employees in the fishing sector constituted just 4% of the total actual work force and only 3% of the population of the Gaza Strip depended on the fishing sector⁴. The reasons for this could have been the limited resources in the form of old fishing boats; lack of a central port for import and export activity; Israeli harassment stemming from restrictive military orders against fishing; and competition from Israeli fishermen in light of the fact that the Gaza coast is not a fish habitat but a migration route.

Since 1993, the fishing sector's contribution percentage to the national product increased significantly to reach 2.5% in 1996⁵. The reason behind this improvement was the increase in the number of fishermen and fishing boats compared to the years before 1993. In 1992, the number of fishermen was 1680, whereas the number increased to 2000 in 1993⁶. Currently, the number of fishermen and fishing laborers is 2500 in 4 governorates: 1650 in Gaza, 210 in Deir El-Balah, 430 in Khan Younis, and 220 in Rafah. They use a total of 727 fishing boats, and sustain 4000 families.

The following table indicates the number of fishing boats and labourers in each governorate⁷:

Governorate	Boats	Labourers
Gaza	433	1650
Deir El-Balah	87	210
Khan Younis	99	430
Rafah	108	220
Total	727	2500

³ Dr. Mo'een Rajab, et. Al; "Inert Economic Capacities of Fisheries in the Gaza Strip: Field Study;" Palestinian Economists Association; 1994; pg. 10.

⁴ Same as above, pg. 5.

⁵ CARE - Ma'an project for fishing research, report on the fishing resources in the Gaza Strip, May 1997, pg. 17.

⁶ General Directorate of Fisheries in the Gaza Strip.

⁷ Eltafiq cooperative for fishermen: www.eltawfiq.com

Palestinian fishermen use old methods when fishing due to resource limitations. They rely on the experience they have gained over time, while the rest of the world advances technologically. Some fishermen started to incorporate modern equipment in their work, which has helped to develop capacity and production.

The increase in the number of fishermen and boats resulted in a minor increase in production. However, this increase was reduced during the Al-Aqsa Intifada. The reduction was caused by IOF continuous attacks against fishermen. The following table compares fishing production over different periods according to the statistics of the General Directorate of Fisheries⁸:

Years	1985-1993	1994-1999	2000-2002
Average Production (metric ton)	689	2855.8	2309

Israeli Attacks against fishermen

PCHR sources confirmed the continuation of IOF attacks against Palestinian fishermen during the reporting period (1 June 2002 – 25 October 2003). The most notable attacks included pursuing and detaining Palestinian fishing boats; attacking and detaining fishermen; forcing fishermen to sail to the Israeli port of Ashdod; and interrogating and humiliating fishermen. In addition, Israeli navy ships unjustifiably fired live ammunition and sound charges at fishing boats; confiscated and detained these boats; tore fishing nets; damaged equipment; and forced fishermen out of the sea for no reason.

IOF continued to impose a sea blockade on the Gaza Strip and prevented fishermen from working for long spans of time during the reporting period. Furthermore, IOF reduced the fishing area to 6 nautical miles off the Gaza coast, despite agreement between Israel and the Palestinian Authority that the area should be 20 nautical miles. As a result, fishermen were prevented from reaching the richer deep waters, thus reducing production and fishermen's income.

On another front, the complete closure imposed by IOF on the Gaza Strip has deprived fishermen from marketing their produce in the West Bank, forcing them to sell at much lower prices in the local market.

Gunfire at fishermen and threatening their lives

PCHR documented scores of cases of fishermen and fishing boats coming under gunfire from Israeli navy ships. The pursuit and attack of fishing boats by the occupation forces was continuous during the reporting period. It is clear that these attacks are aimed at terrorizing fishermen, as there were no reported injuries among fishermen.

⁸ General Directorate of Fisheries, statistics on the amount of fishing production in different years, Gaza Strip.

Firing at fishermen and their boats is done with feeble justification. For example, if fishermen come within one kilometre of area “K” in the north or area “M” in the south, the Israeli navy ship located in the area fires without warning and fishermen flee, fearing for their lives. In this context, the fisherman Moussa Ibrahim Abu Jayyab gave PCHR the following statement:

“At 9:30 on Friday 17 Jan 2003, I sailed one kilometre into the sea, opposite the dock southwest of the city of Deir El-Balah. I threw my nets to fish and then went home. At about 13:00 on the same day, I went back out to sea to gather the nets but I was told that fishing was prohibited and that I had one hour to get my nets out. When I sailed to gather my nets, the Israeli boat fired at me and at the boat; and I fled to the beach. At the same time, soldiers in a tank at a military outpost in a settlement in the Gush Katif settlement bloc fired at me from the east. I took cover inside the boat and let it go in the direction of the beach. I turned off the engine and got out when the gunfire had stopped. I left the beach and went home. And at 6:00 in the morning of the next day, I went out to sea to gather the nets. And when I reached the place, I didn't find the nets. Then I saw the Israeli boat speeding in the direction of my boat and I fled towards the beach. I think that Israeli soldiers cut the net floaters and sank the nets in the sea.”

The fisherman Khamis Radwan Abd-Allah Bakir from Gaza gave PCHR the following statement:

“At 21:30 on Saturday 3 May 2003, I and a group of fishermen were 6 nautical miles off the Gaza coast and within the area where we are permitted to fish. I saw an Israeli boat advance in our direction. Suddenly and for no apparent reason, it started firing heavily at one of the boats without warning. We went to the boat before it sank and we were able to take it out of the sea. The boat sustained heavy damage valued at about 2000 Jordanian Dinars and even if it is repaired, it will not return to what it was (before the attack).”

Pursuing and detaining fishermen

During the reporting period, IOF continued to pursue and detain fishermen who were out fishing at sea. Those detained were taken to the Israeli port of Ashdod, where they were interrogated, tortured and humiliated by Israeli officers. Following intervention from the (Palestinian) military liaison and coordination with the Israeli side, these fishermen were released. It is noted that the fishermen detained in Ashdod spend several day in prison and are fined before their release.

The number of fishermen who were pursued at sea and detained during the reporting period was 44. And it is noted that another 65 fishermen were pursued and detained from the beginning of Al-Aqsa Intifada to 31 May 2002; thus the total number of detained fishermen is 109 since the start of the Intifada. Below are some cases of detained fishermen according to information gathered by PCHR.

- At 15:30 on Sunday 2 June 2002, Israeli navy boat boats intercepted a small fishing boat belonging to Ramiz Izzat Sa'id Bakir (31) from El-Rimal area in Gaza City. IOF detained Ramiz and his companion Ehab Jawad Hasan Bakir (24) who is also from El-Rimal. The boat was towed to Ashdod port inside Israel.
- On 8 July 2002, the Israeli navy boat detained Ramiz Bakir a second time and held the boat and the fishing equipment on board. He was released on 15 July 2002, following a trial. On 26 September 2002, IOF returned the boat to Ramiz, after confiscating the fishing equipment, including a Yamaha engine and fishing nets.
- On 8 July 2002, IOF detained the fisherman Abd-El-Rahman Hashem Abu Reyala (30) from Gaza City, and held his fishing boat and equipment on board. He was released on 15 July 2002 and his boat and equipment were returned on 26 September 2002.
- At 10:00 on 29 December 2002, Rami and Ra'id Izzat Bakir were in a fishing boat off the coast of the Beach camp in Gaza city. An Israeli navy boat came near the fishing boat. At gunpoint and without stating any reasons, the Israeli boat crew requested that the fishermen in the boat strip their clothing and throw themselves into the sea. After detaining the two fishermen, the Israeli boat fired machine guns and rockets at the fishing boat and sank it. The Israeli claimed that the boat had gone beyond the permitted fishing area. But they didn't follow the procedures of warning the fishermen of their violation. As a result, the family of Izzat Bakir, the boat owner and the father of the detained fishermen, suffered great losses. The boat was the sole means of income for the family. In addition, Izzat Bakir is handicapped and his sons were responsible for providing for the family.
- At 9:00 on Friday, 17 January 2003, Israeli navy boats intercepted two fishing boats off the coast of Sheikh Ejleen area south of Gaza City, and detained the fishermen onboard the boats. The fishermen were taken to Erez, north of the Gaza Strip; and the boats were towed to Ashdod port and detained there. Two days later the boats were returned to the place where they had been detained, 6 nautical miles off the coast. The boats belonged to Yousef Mohammad Abu Odeh and Mohammad Mohammad Suliman Abu Odeh. The detained fishermen were Mohammad Jihad Mohammad Abu Odeh (59), Mahdi Mohammad Mohammad Abu Odeh (33), Ra'id Yousef Mohammad Abu Odeh (19), Ayman Fathi Bakir (46), Sami Yousef Abd-Allah Abu Odeh (38), Mohammad Yousef Abd-Allah Abu Odeh (24), Osama Awni Yousef Abu Odeh (17), and Fayez Ahmad Abu Fuol (34). The boat belonging to Yousef Odeh suffered various damages in the form of a partial destruction of the sides valued at \$5000.
- On 29 March 2003, Israeli navy boats detained two fishermen, Mahmoud Mohammad Muneer BAKir (27) and Mohammad Mohammad Muneer Bakir (25), who were in a fishing boat off the Gaza coast. The soldiers forced them to take off their clothing and throw themselves into the sea before they were arrested. They were released 4 days later and fined 100 New Israeli Shekels each.
- At 5:00, on the morning of Tuesday, 6 May 2003, Israeli navy boats detained two fishermen as they were carrying out fishing activities in the permitted zone of 6 nautical miles off shore. The detained fishermen were Ayman Ali

- Mohammad El-Habeel (28) and Ibrahim Khamis Ibrahim Murad (34), both from Gaza City.
- At 22:30, on the evening of Tuesday, 20 May 2003, Israeli navy boats detained 4 fishermen in two fishing boats working off the coast of Gaza. The detention was carried out under the pretext of a violation of the permitted fishing area limits. The detainees, all of them Gaza City residents, were Rami Abd-El-Mu'ti Ibrahim El-Habeel (24), Hani Ibrahim El-Najjar (23), who doesn't have an ID card as he was deported from Al-Ariesh a few years ago, Sufian Muhye-El-Deen Ahmad Kullab (35) and Osama Mohammad Mahmoud El-Hissi (27). They were on board two fishing boats belonging to Abd-El-Mu'ti Ibrahim El-Habeel and Jihad Mohammad Mohammad Abu Odeh. An Israeli boat advanced towards the two boats while firing its guns heavily at them. The fishermen were ordered to strip their clothes and swim to the Israeli boat before they were detained. Israeli navy boats usually keep a distance of 300-500 metres between them and Palestinian fishing boats.
 - At 10:00 on the morning of Thursday, 2 October 2003, Israeli navy boats detained the fishermen Mohammad Sa'id Abd-El-Rahman Bakir (38) and Yousef Mohammad Muneer Bakir (33) from Gaza City. They were taken to an unknown location. At the time of publication of this report, the whereabouts of both fishermen were still unknown. PCHR investigations indicated that both were fishing in one boat off the coast of El-Sudane'ya area, north of Gaza City, when the Israeli navy arrested them.
 - At 12:30 on Monday, 13 October 2003, Israeli navy ships fired heavily at a group of fishermen off the coast of Deir El-Balah. Without stating their reasons, they arrested Fathi Sa'id Fathi El-Su'eidi (22), who lives in the Beach camp in Gaza City. His location was still unknown at the time of publication of this report. Awwad Awad El-Sayyed el-Su'eidi (35), the prisoner's cousin, informed PCHR that they were with a group of fishermen, including his uncle Sa'id and cousin Fathi, that was fishing less than 8 miles off the coast of Deir El-Balah. The Israeli boat fired in their direction and blockaded the boat manned by Fathi and his father. The Israeli navy released the father and detained his son.
 - At 11:30 on Monday, 20 October 2003, Israeli navy boats detained 3 fishermen who had been on their way to fish off the coast of Deir El-Balah. The detainees were Maher Kamal Abu Sultan (23), Ra'id Zeyad Kes'kien (23), and Mohammad Ibrahim El-Najjar, all residents of Gaza City. Haidar El-Qouqa, head of the fishermen's union in the Gaza governorate, stated that there had been 4 fishermen on a boat about 7 nautical miles off the coast. The Israeli boat approached the boat and detained the 3 fishermen under the pretext of going beyond the fishing area limits. The fourth fisherman was allowed to take the boat ashore.

List of fishermen detained in the period between 1 June 2002 and 25 October 2003:

#	Name	Age	Detention Date	Notes
1	Ramiz Izzat Sa'id Bakir	31	2 Jun 2002	Arrested at sea off the Beit Lahya coast
2	Ehab Jawad Hasan Bakir	24	2 Jun 2002	Arrested at sea off the Beit Lahya coast
3	Abd-El-Rahman Hashem Abu Reyala	30	8 Jul 2002	Released after one week
4	Ibrahim Omar El-Habeel	23	10 Aug 2002	Released after one week

5	Khamis Subhi Bakir	28	10 Aug 2002	Released after one week
6	Khaled Jamal El-Shrafi	21	17 Aug 2002	Released after one week
7	Mohammad Fakhri Abu Hasiera	24	17 Aug 2002	Released after one week
8	Ramiz Izzat Sa'id Bakir	31	5 Sep 2002	Released after one week
9	Ehab Jawad Hasan Bakir	24	5 Sep 2002	Released after one week
10	Salah Ali El-Qouqa	-	1 Oct 2002	Released after one week
11	Yaser Amin Abu El-Sadiq	-	30 Oct 2002	Released after one week
12	Shaban Adnan Abu Reyala	-	1 Nov 2002	Released after one week
13	Sami Ali El-Qouqa	-	1 Nov 2002	Released after one week
14	Sa'id Ahmad Abu El-Kheyr	-	1 Nov 2002	Released after one week
15	Hasan Ibrahim El-Habeel	-	12 Nov 2002	Released after one week
16	Ibrahim Omar El-Habeel	-	12 Nov 2002	Released after one week
17	Haytham Ali El-Habeel	-	12 Nov 2002	Released after one week
18	Mohammad Omar El-Habeel	-	12 Nov 2002	Released after one week
19	Ra'id Izzat Bakir	-	29 Dec 2002	Released after one week
20	Rami Izzat Bakir	-	29 Dec 2002	Released after one week
21	Mohammad Jihad Abu Odeh	59	17 Jan 2003	Detained in Ashdod port for one week
22	Mahdi Mohammad Abu Odeh	33	17 Jan 2003	Detained in Ashdod port for one week
23	Ra'id Yousef Abu Odeh	19	17 Jan 2003	Detained in Ashdod port for one week
24	Ayman Fathi Bakir	19	17 Jan 2003	Detained in Ashdod port for one week
25	Sami Yousef Abu Odeh	38	17 Jan 2003	Detained in Ashdod port for one week
26	Mohammad Yousef Abu Odeh	24	17 Jan 2003	Detained in Ashdod port for one week
27	Osama Awni Abu Odeh	17	17 Jan 2003	Detained in Ashdod port for one week
28	Fayez Ahmad Abu Fuol	34	17 Jan 2003	Detained in Ashdod port for one week
29	Mohammad Mohammad Munir Bakir	25	29 Mar 2003	Released after 4 days and fined 100 NIS
30	Mahmoud Mohammad Munir Bakir	27	29 Mar 2003	Released after 4 days and fined 100 NIS
31	Kamal Misbah Shehada	29	13 Apr 2003	Detained for 5 days
32	Mohammad Talat Eid Bakir	51	13 Apr 2003	Detained for 5 days
33	Ayman Ali El-Habeel	29	6 May 2003	Detained in Ashdod port for one week
34	Ibrahim Murad	35	6 May 2003	Detained in Ashdod port for one week
35	Rami Abd-El-Mu'ti El-Habeel	24	20 May 2003	Detained in Ashdod port for one week and given 2 years suspended sentence
36	Hani Ibrahim El-Najjar	23	20 May 2003	Detained in Ashdod port for one week and given 2 years suspended sentence
37	Sufyan Muhye-El-Deen Kullab	35	20 May 2003	Detained in Ashdod port for one week and given 2 years suspended sentence
38	Osama Mohammad El-Hissi	27	20 May 2003	Detained in Ashdod port for one week and given 2 years suspended sentence
39	Yousef Omar Bakir	33	2 Oct 2003	-
40	Mohammad Sa'ad Bakir	38	2 Oct 2003	-
41	Fathi Sa'id El-Su'eidi	23	13 Oct 2003	-
42	Maher Kamal Abu Sultan	23	20 Oct 2003	-
43	Ra'id Zeyad Kes'kien	23	20 Oct 2003	-
44	Mohammad Ibrahim El-Najjar	23	20 Oct 2003	-

Destroying fishermen's property and equipment

Israeli navy troops continued to intercept and search Palestinian fishing boats in a provocative manner during the reporting period and they continued to attack fishermen's property and equipment, as exemplified in destruction of fishing nets.

They also towed fishing boats and detained them in Israeli ports, or sank them causing severe damage fishermen's livelihoods. Below are some of the cases documented by PCHR:

At 3:30 in the morning of Thursday, 6 June 2002, a large IOF force supported by armoured personnel carriers raided the fishermen's dock on the coast of Khan Younis. It is noted that the dock had been under complete IOF control at the time of the raid. The soldiers destroyed the doors to the huts where fishermen keep their equipment. They ransacked 25 huts during the operation, which lasted until 7:00 in the morning. IOF confiscated 6 boat engines, each valued at 3000 Jordanian Dinars. They confiscated engines belonging to Awad Mohammad Yassin Qannan, Khalil Ibrahim Ahmad El-Amoudi, Khaled Saleh Mahmoud El-Bardawil, Ahmad Ali Ahmad El-Amoudi, Faris Mohammad Lutfi Wadi, and Khalil Hasan Abd-El-Wahhab El-Najjar. The raid on the dock is an extension of IOF harassments against fishermen, who are threatened with losing their source of livelihood as a result. IOF have prevented fishermen from entering Al-Mawasi (where the dock is located) since the beginning of the Al-Aqsa Intifada

At 7:00, on the morning of Tuesday, 11 June 2002, an Israeli navy boat pursued a group of 20 fishing boats off the coast of Beit Lahya, in the north of the Gaza Strip. The navy boat fired at the net floaters in the area and forced fishermen to leave the area. The Israeli boat confiscated a number of nets in the area. They confiscated nets belonging to Mohammad Mohammad Zayed (15 nets) and Nafez Abd-El-Malek (10 nets). They damaged net floaters belonging to Nabil El-Sultan, El-Abed Ramadan El-Sultan, Adnan Ashour El-Sultan, Nouri Ramadan El-Sultan, Hani Mohammad Ashour El-Sultan, Mahmoud Abd-El-Qadir El-Sultan, Ramadan Ghalib El-Sultan, and Ahmad Zayed.

On Thursday, 28 November 2002, an Israeli navy boat fired at a group of fishermen aboard their boats, located about 1200 metres at sea off the coast of Deir El-Balah. According to PCHR information, IOF ordered the fishermen to stop their boat; and after interrogating the fishermen, they fired at the front of the boats, damaging 7. One of the boats nearly sink as a result. None of the fishermen were injured. The damaged boats belonged to:

No.	Boat Owner	Boat No.	Bullet hits
1	Omar Mohammad Abu Mohawi	103	40
2	Mohammad Ibrahim El-Aqra	13	40
3	Mohammad Ibrahim El-Aqra	78	45
4	Jamal Hasan El-Aqra	99	35
5	Rasmi Mustafa El-Aqra	84	6
6	Ibrahim Mustafa El-Qaran	97	15
7	Ibrahim Mahmoud El-Aqra	93	25

On 27 December 2002, an Israeli navy boat fired its machine guns at a number of docked fishing boats on the shore of Beit Layha, in the north of the Gaza Strip. As a result, 3 boats (belonging to Khaled Radwan Bakir and his brothers) caught fire and 2 others (belonging to Sa'id Mohammad Abu Reyala) were damaged severely. PCHR's field worker indicated that the attack on the boats, which did not have any fishermen

on board at the time, was indiscriminate and without prior warning. In addition, there were no militant activities or confrontations in the area at the time. The shelling continued for two hours and prevented the fishermen from extinguishing the fire in their boats.

Table of damages to fishermen property during the reporting period
(Source: General Directorate of Fisheries)

	Name	Date	Damage Type	No.	Value \$\$	Total Value \$\$	Area
1	Hani Saleh El-Amoudi	4 Jun 02	Netting	4	80	320	Gaza
2	Khalil Ibrahim El-Amoudi	6 Jun 02	Engine 40	1	2500	2500	Khan Younis
3	Ahmad Ali Ahmad El-Amoudi	6 Jun 02	Engine 40	1	2500	2500	Khan Younis
4	Faris Mohammad Wadi	6 Jun 02	Engine 30	1	2000	2000	Khan Younis
5	Khaled Saleh El-Baradawil	6 Jun 02	Engine 40	1	2500	2500	Khan Younis
6	Khalil Hasan El-Najjar	6 Jun 02	Engine 20	1	1000	1000	Khan Younis
7	Awad Mohammad Qannan	6 Jun 02	Engine 40	1	2500	2500	Khan Younis
8	Mustafa Ibrahim El-Shantaf	8 Jun 02	Net/floaters	2	300	600	Gaza
9	Mohammad & Ahmad Zayed & a family from El-Sultan clan	11 Jun 02	Net/floaters	-	-	-	Beit Lahya
10	Abd-El-Mu'ti Ibrahim El-Habeel	22 Jun 02	Net turbo	1 1	1200 800	2000	Gaza
11	Abd-El-Rahman Hashem Abu Reyala	26 Sep 02	Net Fines Transport GPS	2 1 1	80 30 10 300	420	Gaza
12	Fakhri Abu Hasiera	28 Nov 02	Engine 40 Net Lobster Net Floaters	1 8 40 2	2800 40 20 200	4120	Gaza
13	Suliman Mustafa Salama	23 Nov 02	Engine 25 Boat Fiberglass	1 1	2400 1600	4000	Gaza
14	Mohammad Sa'id El-Habeel	23 Nov 02	Fine	1	3000	3000	Gaza
15	Khaled Radwan Bakir & his brothers	27 Dec 02	Burning 3 boats	-	-	-	Beit Lahya
16	Sa'id Mohammad Abu Reyala	27 Dec 02	Damages to 2 boats	-	-	-	Beit Lahya
17	Abd-El-Mu'ti El-Habeel	12 Jan 03	Boat	1	-	-	Gaza
18	Issa Abu Ameera	12 Jan 03	Boat	1	-	-	Gaza
19	Ra'id Bakir	13 Jan 03	Boat	1	-	-	Gaza

Sea blockade

IOF continued to impose a complete sea blockade on the Gaza Strip. This is part of the IOF systematic policy of collective punishment against Palestinian civilians of all social and economic sectors. Israeli navy ships intentionally escalate their arbitrary, aggressive attacks against Palestinian fishermen during fishing seasons in order to hamper their work, prevent them from fishing, and inflict severe hardship upon them. It has become clear that the aim behind this policy is to further restrict all aspects of Palestinian life. As a result, hundreds of fishermen families have joined the ranks of poverty-stricken families reliant on food assistance. In addition, it has forced many fishermen to completely stop going out to sea, due to the threat of IOF attacks. Thus, these fishermen are deprived of their basic right to work. At the same time, the remaining fishermen risk their lives to secure the livelihood of their families and children.

The Gaza coast was subjected to a number of partial and total closures during the reporting period. In the Gaza and Central governorates, IOF closed the sea to fishermen from Friday, 17 January 2003 to Sunday, 23 February 2003. The closure was renewed from Wednesday, 16 April 2003 to Saturday, 26 April 2003. The coast of Khan Younis has been under complete closure since the beginning of Al-Aqsa Intifada up to the time of publication of this report. A partial blockade has been imposed on the Rafah coast since the beginning of 2003. This blockade limits the fishing area to the west of Rafah only and up to 6 nautical miles offshore. Rafah fishermen cannot fish offshore in any other part of the Strip. These closures have deprived fishermen from exercising their right to fish and has led to a deterioration in their economic conditions.

It is noted that 2500 fishermen work in the fishing industry and rely on it to earn a living. In addition, there are thousands of families that live off related business, such as boat construction, sales of fishing equipment, and fish production and trade. The following table shows the number of complete closure days during the Intifada for the Gaza and Deir El-Balah areas.

29 Sep 2000 – 31 May 2002	Days	1 Jun 2002 – 15 Aug 2003	Days	Notes
Nov 2000 – 12 Mar 2001	40	23 Nov – 17 Dec 2002	25	The remaining days were days of partial closure, where fishermen are not allowed to exceed 6 nautical miles. In addition, fishermen are subject to IOF attacks at sea while adhering to this limit.
14 Apr 2001	1	17 Jan – 23 Feb 2003	34	
28 Apr – 3 May 2001	6	16-26 Apr 2003	10	
26 May 2001	1		-	
2-13 Jun 2001	12		-	
22 Jun 2001	1		-	
26 Jun 2001	1		-	
During Mar 2002	1		-	
	63		69	

The Rafah and Khan Younis coast was under complete closure from the beginning of the Intifada to December 2002. And at the beginning of 2003, fishermen were allowed to fish off the Rafah coast in an area up to 6 nautical miles off the coast.

Stifling measures against Palestinian fishermen in Al-Mawasi

Palestinian fishermen in the Al-Mawasi area to the west of Rafah and Khan Younis are subjected to stifling measures that aim to deprive them of their right to work. Fishermen in Al-Mawasi have been living under difficult conditions since the beginning of the Al-Aqsa Intifada. IOF closed off fishing areas continuously from the beginning of the Intifada to the end of 2002. During this period, they were prevented from fishing at sea. Even after a partial lifting of the closure in the Al-Mawasi area west of Rafah, IOF continued to pursue and fire at fishermen at sea, despite their adherence to the IOF-imposed area limitations.

IOF continued to prevent fishermen, who don't live in Al-Mawasi, from crossing Al-Tuffah checkpoint and going to the beach to fish. This constituted a violation of their right to work, in addition to their right to freedom of movement.

Fishermen from Al-Mawasi face harsh difficulties in transporting their fish to the markets in Khan Younis. IOF soldiers at the checkpoints, who control passage to and from Al-Mawasi, prevent vehicles from passing through the checkpoints. As a result, fishermen carry the fish on their shoulders and walk across the Israeli checkpoints. During passage they are subjected to humiliating, stringent search procedures, in addition to standing for hours before being allowed to pass. The same suffering is incurred when Al-Mawasi fishermen transport fishing equipment into the isolated enclave. In addition, IOF periodically impose curfews on the Palestinian residents of Al-Mawasi. These curfews last for days or weeks; and fishermen are prevented from leaving their homes to work. This constitutes a flagrant violation of the most basic human rights.

Fishermen testimonies describing their suffering:

PCHR gathered a number of testimonies from fishermen who talked about their tragic situation.

Fouad Ibrahim Ahmad El-Amoudi from Khan Younis gave the following statement to PCHR's field worker on 6 Aug 2003:

"I am married and have 11 children, 8 of whom are under 18 years old. I live in the Khan Younis refugee camp. I've been working as a fisherman for nearly 30 years. Currently I'm the head of the Khan Younis branch of the fishermen's union. At the beginning of Al-Aqsa Intifada, there were 800 working fishermen from Khan Younis registered in the union. However, the number continuously decreased until it reached 470."

"At the beginning of the Intifada we used to work in the fishing industry off the coast of Khan Younis, where there was a dock for fishing boats and storage for their equipment. We used to commute from the refugee camp to Al-Mawasi through Al-Tuffah checkpoint. After the Intifada started, occupation forces prevented fishermen from passing through the checkpoint for nearly 7 months. This forced a number of fishermen to risk their lives and practice the only work they know how to do. They attempted this through the Deir El-Balah coast. And on 2 June 2001, occupation

forces issued an order announcing the complete ban on fishing off the coast of Khan Younis.”

“A few months later and during a trip to Al-Mawasi, where I own a house and some land, the Israeli liaison officer called Mansour asked me to tell the fishermen (from Khan Younis) to fish off the Rafah coast and to completely empty the dock in Khan Younis, in a cheap bargaining attempt. The fishermen refused the offer; and he threatened to prevent us from fishing, except in Rafah. Since then, I’ve been banned from entering Al-Mawasi except through prior coordination with IOF.”

“Fishermen cannot reach the Khan Younis dock nowadays. There are 10 large installations, 45 large boats, and 50 small boats docked there. These boats have been there all this time without maintenance; meaning that they are being effectively destroyed by the elements, especially the sun. The same applies to fishing equipment and confiscated engines.”

“The situation of fishermen in the Khan Younis area is terrible. They are unemployed and are forced to ask aid organizations to help their families, knowing that no one else will help them.”

On 9 August 2003, Mohammad Khader Ahmad El-Nada (37) from Izbit El-Nada southwest of Rafah gave the following statement:

“I’ve been working in the fishing business since I was 15. Now I’m married and support a family that includes my wife, 4 daughters, and one son. My three brothers are also fishermen and support large families. The situation has been getting worse since the beginning of Al-Aqsa Intifada in September 2000. IOF don’t stop their pursuit and gunfire against fishermen. In addition, the occupation forces closed off the sea for two full years.”

“I haven’t been able to practice my profession throughout the Intifada because of these restrictions. I tried fishing with a small net; but the method wasn’t viable. And so I was forced to work as a taxi driver for 7 months. But that failed because the profession I’m good at is fishing. Afterwards my situation became very bad. I went to Libya on 15 November 2001 to look for work. This was also unsuccessful and I decided to come back on 25 December 2002.”

“When I came back, IOF prevented me from entering Al-Mawasi, where I had been living with my family for years. The ban lasted for 7 months, and was for alleged security reasons, despite the fact that I had never gone to prison or was questioned on any security-related charge. A few days ago, I was allowed to enter the area, and was given a special magnetic card and a code number on my ID card to allow me to pass the checkpoint controlling passage into the area.”

“After returning to Al-Mawasi, my situation didn’t improve. IOF continue to adopt an aggressive policy against area residents, especially against fishermen, who comprise the majority of the population. This policy is carried out despite permission by IOF for fishing boats to go to sea in the area.”

“In addition, IOF continue to ban all residents aged 16-23, including school children, from leaving or entering the area. The restrictions don’t stop there. IOF continue to prevent residents from bringing any goods into the area, including food stuffs such as meat, chicken, vegetables and fruits. As a result, residents rely on food assistance despite the fact that this is distributed irregularly. And IOF continue to prevent residents from building or renovating their housing, which has created a housing crisis.”

On 10 August 2003, fisherman Mohammad Juma Qannan (65), from Khan Younis, gave the following statement:

“I live in Khan Younis refugee camp and am married with 17 children, 3 of them under 18 years of age. I’ve been working as a fisherman since my childhood. We the fishermen face severe difficulties and unlimited suffering as a result of the IOF ban on fishing in the sea off the Khan Younis beach. In 2001, IOF issued a military order banning fishing in the sea (off Khan Younis); and it is now strictly blockaded. Even before that we were suffering as a result of IOF pursuit of fishing boats.”

“I have a large fishing boat, a netting machine, and other fishing equipment in the Khan Younis fishing dock. I don’t know what has become of them; as I haven’t been able to reach them since the ban started. Although I’m over 65 years old, I’m banned from entering Al-Mawasi. IOF asked me and the other fishermen to evacuate the dock and to fish in Rafah. However, we refused to agree to them confiscating the area.”

“I’m now unemployed, as are my 3 sons who were working with me. Our economic situation is very bad; and no one is helping us. Furthermore, IOF destroyed the fishing boat belonging to my brother Khaliel Juma Qannan in 2001. Losses were valued at 30000 Jordanian Dinars. He hasn’t been compensated, and didn’t receive any other assistance. Since then, we’ve been unemployed; and we don’t know for how long our suffering will continue.”

On 10 August 2003, fisherman Khaled Abu Odeh (33), from the Swedish village south of Rafah, gave the following statement:

“For the past 4 months, the Israeli authorities started to allow fishermen to fish off the coast of Al-Mawasi area west of Rafah. This has come after a lengthy ban since the beginning of the Intifada. During these 4 months, 10 fishermen have gone out to sea out of the original number of 250 fishermen before the ban. Most fishermen refuse to fish because the setting out time is limited to between 8:00 and 9:00 in the morning. However, this arrangement isn’t definite, as it is subject to the mood of Israeli soldiers at the dock. In addition, there is a real fear for the lives of fishermen, as Israeli occupation forces fire at fishing boats at sea for no apparent reason. And the fishing area has been limited to 12 nautical miles offshore and 2 kilometers away from the Egyptian border. Occupation soldiers patrol in military boats and harass fishermen, detain them and confiscate their equipment.”

On 10 August 2003, fisherman M. A. from Rafah gave the following statement:

“I’m originally a resident of Al-Mawasi area west of Rafah. But I now live in the Tal El-Sultan neighbourhood, west of Rafah. Because of the Israeli closure of the checkpoint on the road to Al-Mawasi, I haven’t been able to enter the area and practice my work as a fisherman, which I had been doing for 50 years. I own a large fishing boat, a medium boat and two smaller ones. Before the Intifada, I used to work as a fisherman with my brothers and sons.”

“There were no time restrictions on our work; and the Palestinian naval police monitored our work in accordance with Israeli conditions. We were limited to fishing in an area no more than 12 nautical miles offshore; and we were prevented from coming within 2 kilometres of the Egyptian border.”

“Now, it is very difficult to work in the fishing business. Fishermen were allowed to go out to sea only four months ago, and under conditions that aim to reduce their numbers. Israeli soldiers come to the dock. Labourers who aren’t fishermen are allowed to enter between 8:00 and 9:00 in the morning. Fishermen are allowed to enter in the afternoon.”

“After a fishing trip, fishermen are forced to go out to sea under the condition that there are Israeli soldiers in the dock. But the soldiers don’t follow the scheduled hours of exit and entry. If the soldiers aren’t there, fishermen cannot go to work. And if the fishermen catch anything, it will rot as they cannot take it out and sell it. There are 250 fishermen, including hired hands, in the area. But only 15 go out to sea because of the new work restrictions.”

“For me to go back to work, I need 10000 Jordanian Dinars to fix and maintain my boat, which has been on the beach since the beginning of the Intifada. That is a large sum of money. I cannot undertake these expenses and go back to fishing, especially in these difficult circumstances.”

Legal action against Israeli attacks against fishermen

PCHR monitors the continuous Israeli violations against Palestinian fishermen, and provides free legal assistance to the victims. The Centre files lawsuits in Israeli courts in order to prove the violations against fishermen and lay the basis for requesting compensation for personal or property damages. PCHR monitors all forms of violations by the Israeli navy against Palestinian fishermen, including violations at sea or raiding of fishing docks. In addition, PCHR monitors and follows up on all cases of assault on fishermen’s property, including boats and fishing equipment⁹.

⁹ In a precedent setting case during Al-Aqsa Intifada, PCHR obtained a ruling from the Israeli High Court compensating the damages incurred upon the fishermen Mohammad Muteir Khalil Nassar (56) and Borhom Mohammad El-Qaran (41) who are residents of Deir El-Balah. The ruling was relevant to the sinking of their boat as it was detained by IOF on 18 January 2002. The compensations department in the Israeli Ministry of Defence since approved the payment of 45,000 New Israeli Shekels to compensate the fishermen for their boat. IOF detained the two fishermen as they were fishing off the coast of Deir El-Balah, and held their boat at Ashdod port on 18 January 2002. Based on the detention

Following up on the violations of fishermen's rights differs according to the nature of these violations. Some are pursued through complaints to the Legal Council or to the Israeli Ministry of Defence, while cases where fishermen are detained at sea require representation of fishermen by PCHR and hiring of lawyers to defend them in Israeli courts. In these cases, PCHR carries out the necessary procedures to determine where the fishermen are detained and informs their families. Then the Centre represents the fishermen and hires lawyers to defend them in Israeli courts. Furthermore, PCHR submits complaints to the Israeli Ministry of Defence in the cases where IOF unjustifiably confiscate fishing boats and equipment. These complaints are followed until the equipment is released and returned to their owners.

of the fishermen and the confiscation of their boat, PCHR followed the case. The Israeli military court at Erez ruled on 24 January 2002 that the fishermen and the boat should be released. The fishermen were released, but not the boat. PCHR submitted a number of requests to secure the return of the boat to its owners. On 5 September 2002, PCHR received a reply from the Israeli legal councillor regarding the boat. In his reply, he indicated that the boat sank during the attempt to hold it. Based on this, the complaint was transferred to the compensation department in the Israeli Ministry of Defence. PCHR continued to follow the case in cooperation with "The Centre for Defence of the Individual (Hamoked)" in Israel to secure compensation for the fishermen. And after establishing the compensation, PCHR is currently completing legal procedures in order for the fishermen to receive the compensation amount of 45000 New Israeli Shekels.

Conclusion

In their war against Palestinian civilians, IOF have targeted fishermen. During the reporting period, IOF continued to pursue fishermen and detain them while fishing at sea. This is a clear violation of International Humanitarian Law and international human rights law. In addition, the Israeli violations against fishermen violate all the agreements signed between Israel and the Palestinian Authority.

As a result of Israeli attacks, more than 2500 fishermen in the Gaza Strip are living in tragic conditions. In addition, there are thousands who work in fishing-related professions, whose work stopped or was reduced, and many have suffered damages as a result of IOF violations aiming to destroy the fishing sector and prevent fishermen from working.

PCHR views the IOF escalating attacks and measures against fisherman as an extension of grave IOF violations against Palestinian civilians and their property. PCHR stresses that the continuation of widespread IOF violations of human rights in the Occupied Palestinian Territories is a manifestation of Israeli disregard for International Humanitarian Law, especially the Geneva Convention relative to the Protection of Civilian Persons in Time of War (1949). In light of this, PCHR calls for:

- 1- Providing immediate international protection for the Palestinian people in the Occupied Palestinian Territories;
- 2- Calling upon the High Contracting Parties under the Fourth Geneva Convention to meet their obligations and take the necessary steps to force Israel to cease its grave human rights violations in the Occupied Palestinian Territories.
- 3- Calling upon the International Labour Organization to meet its obligations, and intervene to force Israel to stop its attacks on Palestinian fishermen in order for them to work safely and freely.