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CLOSURE UPDATE NO. 13

**Report by the Palestinian Centre for Human Rights
on the Closure imposed by Israel
on the Gaza Strip**

Suffering Transcends Easing Measures

This is the thirteenth update published by the Palestinian Centre for Human Rights documenting the effects of the ongoing closure imposed by the Israeli occupying forces on the Gaza Strip. The heightened Israeli military closure of the Gaza Strip began on February 25 and has lasted for seven months. The Gaza Strip's one million residents continue to suffer under the effects of Israel's collective punishment of the Palestinian people.

The Israeli government announced that it had taken steps to ease the closure imposed on the West Bank and the Gaza Strip in mid-July 1996. However, these measures are insubstantial. In addition, total closure was reimposed September 14-16 and September 21-24 because of the Jewish holidays Rosh Ha-Shana and Yom Kippur.

Up-to-date information gathered by the Closure Monitoring Team of the Palestinian Centre for Human Rights indicates that the closure still affects all aspects of life in the Gaza Strip, through the continued restrictions on commercial transactions to and from the Gaza Strip, the obstruction of family visits to Palestinian prisoners inside Israel, and the continued denial of access for Gaza students to their universities in the West Bank and for Palestinian patients to hospitals in Israel or the West Bank. Restrictions on freedom of movement and travel abroad also continue.

1. Denying Access for Gazan Patients to Israeli and West Bank hospitals

Because of the closure imposed on the Gaza Strip, patients are not allowed to travel freely to Israel or to the West Bank for medical treatment. Patients who seek medical treatment outside of the Gaza Strip do so as a result of the Israeli occupation's destruction of the health infrastructure during its 27 years of direct occupation.

However, these individuals are required to have special permits issued by the Israeli authorities. Permits are granted only to a very limited number of patients, leaving many others deprived of adequate medical care. In previous updates, the Palestinian Centre for Human Rights has documented several cases in which people in need of urgent medical care died as a result of Israeli refusal to grant them permits in time, or after Israeli soldiers impeded their passage through border crossings even though they had valid permits.

Following is the most recent information obtained by the Centre's staff from the Palestinian Ministry of Health.

- 1) Between September 2-17, 134 applications were submitted to the Israeli authorities for medical permits to obtain medical care in Israel. Of these, only 70 were granted and 44 others were refused.
- 2) Twenty other permits submitted August 5 have been neither approved nor denied. These patients continue to wait for an Israeli response to their applications, on grounds of "security."
- 3) Since the beginning of September, the Palestinian Authority has submitted 30 applications to the Israeli authorities for patients seeking medical treatment in hospitals in East Jerusalem. As of September 17, only six permits have been issued.
- 4) The Israeli authorities continue to deny all permits to patients who seek medical treatment in the West Bank, including East Jerusalem, on their personal expense (permits are considered only for those on public expense).
- 5) In some cases, patients are granted permits to travel to Israeli hospitals for medical tests and are told to return to the hospital the following day in order to receive the results of the tests or to receive treatment. As all permits are issued for one day only, these people are unable to return to the hospital in due time. Even if they are able to obtain a second permit to return to the hospital, according to Israeli restrictions five days must pass between the issue of any permit and a subsequent one.
- 6) The Israeli authorities deny permits for any persons wishing to accompany a patient. Those patients undergoing serious surgery which might involve substantial risk would benefit from the moral and emotional support of family members. Patients able to obtain a permit for such surgery must undergo the surgery alone, as permits will not be granted to any relatives.
- 7) Ambulances and ambulance drivers are required to have valid permits to pass through Israeli territory. The Israeli authorities continue to refuse to issue any more than eight permits for ambulances and 16 permits for drivers, despite their announcement that this number of permits would be further raised.

The continued denial of access for Gazan patients to medical care undermines Israeli claims that it has eased the closure, and highlights the fact that Israeli claims that the closure has been imposed for security reasons are untrue. It is highly unlikely that a

patient in very serious medical condition and in need of urgent medical care constitutes a threat to Israeli security. Rather, the restrictions imposed by Israel are a measure of collective punishment directed by the Israeli government against the Palestinian people.

These measures correspond with other measures taken by the Israeli government to restrict the development of the health infrastructure in the Gaza Strip. Dr. Riyad Za'noun, Palestinian Minister of Health, announced last Tuesday, September 17, that the opening of the European hospital in Gaza, scheduled for October 1, would be postponed until the beginning of February. Dr. Za'noun stated that the Israeli authorities had delayed the arrival of medical equipment for the hospital for more than three months. This hospital, which is an UNRWA initiative financed by the European Union, is expected to be one of the most important hospitals in the Occupied Territories.

2. Continued Restrictions on Travel to and from the Gaza Strip

Since the imposition of the total closure February 25, the Israeli authorities have impeded or prevented Gazan residents from traveling across al-Karama bridge to Jordan. Because residents of Gaza cannot obtain permits to travel through Israeli territory en route to Jordan, the Israeli authorities have suggested that they take a day-long overland route to Cairo and then fly to Jordan, a clearly impractical alternative.

Despite Israeli announcements that it has eased restrictions on obtaining travel permits, recent information from the Palestinian Ministry of Interior suggests that substantial restrictions are still being imposed. In addition to the Israeli requirement that Palestinians travel in convoys from Gaza in order to go to Jordan at specific pre-scheduled times, the number of people who are granted travel permits is very limited, and well below the number of applications submitted to the Israeli authorities.

The following table, from the Ministry of Interior, compares the number of permits issued between June-August 1996 and June-August 1995:

| Month | Number of applications submitted to Israelis | Number of Applications Accepted | Number of applications returned (for further information) | Number of applications refused |
|-------|--|---------------------------------|---|--------------------------------|
| 6/95 | 3785 | 3368 | 371 | 46 |
| 6/96 | 1141 | 717 | ---- | 68 |
| 7/95 | 3851 | 3376 | 435 | 40 |
| 7/96 | 2986 | 2648 | 179 | 159 |
| 8/95 | 8300 | 7898 | 351 | 52 |
| 8/96 | 4663 | 4553 | 100 | 15 |

It is clear that the number of permit applications submitted to the Israeli authorities in the last three months has decreased drastically when compared with the same period last year. This appears to be a result of the continued restrictions imposed by Israel on freedom of travel, which have deterred many Gaza residents from even submitting applications as they are certain that they will be refused. Those who need a permit quickly, or for a specific time period, are also discouraged from submitting applications as the process is time-consuming and unpredictable (permits may be issued just 24 hours before they must be used).

For example, 1,141 applications were submitted in June 1996, and only 717, or 62 percent, of the applications were accepted. In comparison, 3785 applications were submitted in June 1995, and 3368, or 89 percent, were accepted. While the number of permits issued for travel increased in July and August 1996, it should be noted that the total number of applications still decreased drastically in comparison to the same period last year. Thus, while 3851 applications were submitted in July 1995, the number decreased to 2986 in July 1996. Similarly, this number decreased from 8300 in August 1995, to 4663 on August 1996.

Likewise, Israeli authorities still impose restrictions on visits to the Occupied Territories from diaspora Palestinians. According to Israeli regulations, residents of the West Bank and Gaza Strip must submit an application requesting permits for their relatives outside the country to visit the region. The Israeli authorities have refused to issue permits for hundreds of diaspora Palestinians who have applied to come to the Gaza Strip through Jordan. For example, 5000 applications were submitted in June 1996. Of these 1700 were returned without explanation, and 60 others were refused on security grounds.

**Applications for permits from diaspora Palestinians
Comparison of the period June - August 1996 and June-August 1995**

| Month | Number of applications submitted to Israelis | Number of applications accepted | Number of applications returned | Number of applications refused |
|-------|--|---------------------------------|---------------------------------|--------------------------------|
| 6/95 | 9745 | 6207 | 2727 | 140 |
| 6/96 | 4993 | 3237 | 1308 | 57 |
| 7/95 | 9217 | 6852 | 1847 | 124 |
| 7/96 | 5085 | 3858 | 1253 | 81 |
| 8/95 | 5606 | 5120 | 887 | 99 |
| 8/96 | 2667 | 2455 | 839 | 56 |

Source: Palestinian Ministry of Interior

As is the case with applications for travel permits, it is clear that the number of permit applications submitted to the Israeli authorities from Gaza Strip residents requesting permits for visiting diaspora Palestinians in the last three months has decreased drastically when compared with the same period last year. This is explained by the following:

- 1) The closure imposed on the Gaza Strip, and the fear of diaspora Palestinians that if they enter the Gaza Strip they may face difficulties in leaving (thousands of visiting Palestinians were trapped in the Gaza Strip after the total closure was imposed on February 25).
- 2) The lack of confidence of the residents of the Gaza Strip that such applications will be given fair consideration by the Israeli authorities.
- 3) The exclusion by the Israeli authorities of many countries like Libya, Algeria and Iraq entirely from consideration.

Accordingly, the number of applications decreased from 9745 in June 1995, to 4993 in June 1996. Similarly, the numbers of applications for July and August dropped by almost half, from 9217 in July 1995, to 5085 in July 1996, and from 5606 in August 1995, to 2667 in August 1996.

3. Continued Restrictions on Commercial Transactions in the Gaza Strip

Israeli authorities continue to obstruct commercial transactions in the Gaza Strip, through restricting the free movement of businessmen between the Gaza Strip and the West Bank and Israel, the free movement of imports and exports to and from the Gaza Strip, and the free movement of Gazan vehicles to the West Bank or to Israel.

This is clear from the following facts:

- 1) After Israeli authorities announced new measures to ease the closure, the Palestinian Ministry of Industry submitted around 2,500 applications for permits for Gazan businessmen to pass to Israel and the West Bank on August 20. Two weeks later, on September 4, Israel issued only 119 permits, or 4.7 percent of those requested.
- 2) Before the total closure imposed February 25, the Israeli authorities had issued permits for around 500 trucks to pass daily to Israel or through its territory to the West Bank. These permits were valid for two months. Now, after the current measures to ease the closure, less than 200 trucks are allowed to pass daily, or 40 percent of the previous number. The permits currently issued to these trucks are valid for only one month.
- 3) The Israeli authorities also continue to obstruct Palestinian exports by subjecting them to security checks that can last for hours and may cause damage perishable goods. Our closure monitoring team has reported that the Israeli authorities

began installing security machines in September at the Karni (al-Matar) checkpoint, the main border crossings for commercial exchange. It is unclear how these machines, which are not yet operational, will affect the passage of goods across the checkpoint.

4. Denying Access for Gazan Workers in Israel

During its more than 27 years of direct occupation, the Israeli authorities engaged in the destruction of the economic infrastructure of the Gaza Strip, with the aim of transforming the area into a free market for its products and a source of cheap labor. Throughout the years of occupation, and due to Israeli policies, the income generated by workers in Israel has become crucial to the Gazan economy. However, as a result of progressive closures imposed on the Gaza Strip, the number of workers in Israel gradually decreased, reaching 22,000 before the February closure. The further reduction of the number of workers in Israel has resulted in an increase in economic suffering for the residents of the Gaza Strip, where unemployment has been estimated at upwards of 60 percent.

Despite measures to ease the closure, the total number of Gazan workers in Israel had only reached 17,000 by August 1996. While a further 2,500 were added in September, the total number of Gazans working in Israel is still currently less than 20,000 and is not enough to ease the economic hardship of Gaza's residents. Though Israel has the right to choose who will enter its territory, the fact that Israel bears total responsibility for the destruction of the Gazan economy after years of occupation must be considered when such measures are imposed.

5. The Role of Aid from the Donor Countries

In 1993, as a measure of their commitment to the peace process, the donor countries pledged to contribute \$2.4 billion to Palestinian reconstruction over a five-year period, beginning with the start of Palestinian self-rule in May 1994. The delay which has been witnessed in the transfer of funds to the Palestinian Authority imposes a severe burden on an economy already suffering from losses incurred during the heightened closure.

Around 70 percent of this money is actually recycled through the Israeli economy due to the fact that the Palestinian Authority imports materials needed for its projects from Israel. In addition, much of the money that has been transferred has been consumed in dealing with the effects of the closure. The donors diverted funds designated for infrastructure projects and economic development in the Gaza Strip to an emergency employment programme in order to deal with the crisis in unemployment created by the closure. An emergency employment programme begun in April created jobs which made little to no contribution to long-term economic development in the Gaza Strip.

6. Denying access for Gazan Students to their West Bank Universities

The Israeli authorities continue to deny the right to education to more than 1,200 Gazan students who study in the West Bank, in violation of internationally accepted standards of human rights law.

Gaza students have been struggling for this right since the second semester of the 1990-91 academic year, when a closure lasting more than 43 days was imposed on the Occupied Territories during the Gulf War. Since then, the Israeli authorities have denied the right of Gaza students to pursue their education in the West Bank through such measures as the arbitrary denial of permits for “security reasons” for students who have no record of “security” offences, the delay of the issuing of permits until mid-way through the academic term so that it is too late for students to begin their studies, and the refusal to renew valid permits for Gazan students which have been cancelled because of closures. Israeli denial of permits represent a clear violation of the right to academic freedom, the right to education, and the right to freedom of movement.¹

Since the total closure imposed by Israel on the Occupied Territories February 25, 1996, Israel has refused to issue permits for Gazan students who attend West Bank institutions who were in the Gaza Strip when the closure was imposed, to those who returned to Gaza after the closure was imposed, to those who remained in the West Bank, and to those who wish to begin their studies in the West Bank this academic year.

On March 12, an Israeli military order was issued, ordering all Gaza students who were in the West Bank when the closure was imposed to return to Gaza. This order was unreasonable, as it included those students who resided in areas completely under Palestinian jurisdiction in the West Bank where the Israelis no longer have authority. The Palestinian Authority did not respond or object to the military order and the students remained in the West Bank Ramallah area.

On March 25, Israel lifted the closure inside the West Bank which separated West Bank towns and villages from each other. Gazan students were thus physically able to travel to university and their places of residence in Birzeit, Abu Qush and Abu Shkhaidem. But the Israeli military orders were still in effect, leaving the students in an unstable predicament.

In the early morning of March 28, Israeli security forces launched a search and arrest campaign in the villages around Birzeit university where many students of the university were staying. Birzeit University sources estimate that around 370 persons

¹ Articles 13 and 26 of The Universal Declaration of Human Rights state, “Everyone should have the right to freedom of movement and residence within the borders of each state...Everyone should have the right to education.” Article 13(1) of the International Covenant on Economic, Social, and Cultural Rights of 1966, to which Israel is a signatory, states, “The Parties to the present Covenant recognise the right of everyone to education.”

were detained; of these 280 were students. The student detainees were reportedly beaten and then taken to a nearby military installation, and then to the Israeli military camp in Betounia near Ramallah, where they were interrogated by Israeli General Security Services. All but 16 of these students were released in the early hours of March 29, and 32 students from Gaza were transferred to the Gaza Strip.

The Israeli authorities continue to pursue policies which each year leave more than 1,200 students in Gaza uncertain as to whether or not they will be permitted to pursue their studies in the West Bank, and which deter increasing numbers of Gaza students from even applying to West Bank institutions due to the obstacles they know they must overcome to attend them.

7. Continued Restrictions on Family Visits to Palestinian Prisoners Inside Israel

The total number of Gazan prisoners currently inside Israeli prisons is around 750.² This number fluctuates as a function of Israeli arrests of Gaza Palestinians at the external border crossings of the Gaza Strip and at various checkpoints inside the Gaza Strip. These prisoners are all held in prisons and detention centers inside Israeli territory, which is a violation of Article 76 of the IV Geneva Convention which prohibits the transfer of prisoners from an occupied territory to the territory of the occupying party. The prisons and detention centers in which Palestinians are held are Nafha, Beersheva, Beersheva Isolation facility, Majido, Ashkelon, Kfar Yuna, Telmond, Nitsan Ramle, Ramle Hospital, and Shata.

In addition to the inhumane conditions under which Palestinian prisoners are held, the Israeli authorities continue to deprive them of the right to receive regular visits from their relatives, and to deny their lawyers from the Gaza Strip permits to visit them for legal consultation.

In the very limited cases in which immediate family members resident in the Gaza Strip are allowed to visit their relatives, they are subjected to unreasonable measures, which include walking more than one kilometer through Erez checkpoint and undergoing security checks which last for more than three hours. In many cases, after completing this entire process, visitors are turned back and denied visits without explanation.

On May 20, the International Committee for the Red Cross (ICRC) suspended its program of family visits in protest at such Israeli measures. They subsequently reached an agreement with the Israeli government by which the visits program would

² This number does not include the hundreds of Gazans who are arrested for being in Israel without a permit. It should be noted that the total number of prisoners in Israeli prisons is approximately 3500.

be renewed July 1. According to these new arrangements, the ICRC would issue a ticket for each family four days before the assigned date of the visit, and would also provide a list of names to the Israeli authorities of all those who would be participating in the visit four days beforehand.

Persons allowed to visit according to the above arrangement are:

1. Father and son, without age limit
2. Mother, daughter, and wife, without age limit
3. Brother and sister, under the age of sixteen

Those prisoners who are suspected of involvement in suicide operations are denied all family visits.

Although the Israeli authorities were ostensibly acting according to this agreement from July 1, in reality many prison visits were not permitted to take place due to their cancellation by the Israeli authorities (see table below). On August 9, the Israelis suspended the program of family visits and announced that it would require new arrangements. These included the cancellation of old permits, and the requirement that new permits be issued which would include the names of all family members wishing to visit a Palestinian prisoner in an Israeli prison, including women and children over two years of age. This represented a step backward from the ticket system, which had been designed as an easing measure to facilitate the prison visits program by only requiring that the names of male family members be registered on the permits.

However, on August 19, the program was renewed according to the previous arrangements as agreed with the ICRC, and as of the date of publication, the more stringent arrangements have not yet been enforced. The constant alterations of the terms under which prison visits are conducted, whether enforced or merely announced, have left many family members confused and uncertain as to whether or when they will be allowed to visit prisoners.

According to the arrangements between the Israeli authorities and the ICRC, 50 prisoners are not permitted to receive family visits because their family members do not fall under the specified categories. Prisoners who are not married, whose parents are deceased, and whose siblings are older than 16 years are not permitted visits under these terms.

Furthermore, according to the ICRC, 20-25 other prisoners have family members who fall into the specified categories of permitted visitors, but who have been denied visits on security grounds.

In the most recent development relating to the prison visits, on September 16, the Israeli authorities turned back five buses carrying families in a previously scheduled visit to Tel Mond, Kfar Yuna and Nafha prisons. The Israeli authorities claimed that they had been unable to conduct a security check to approve the tickets of these families because of Rosh Ha-Shana, which was 15 September 1996. However, the names had been submitted to the Israelis four days before the scheduled visit, according to the above agreement, or three days before Rosh Ha-shana. It was later announced that the visit would be rescheduled for September 30. Considerable time and effort is involved in preparing for a prison visit on the part of each family, and the cancellation of these visits when the families have already reached the border crossing to Israel is simply unreasonable.

Cancelled Family Visits for Prisoners Between August and September 1996

| | Name of prison/detention cntr. | Scheduled visit date | Region of residence of the families |
|-----|--------------------------------|----------------------|---|
| 1. | Nafha Prison | 16/8/1996 | Rafah, Khan Younis, Deir Al-Balah |
| 2. | Ramle - Elon | 16/8/1996 | All regions of Gaza |
| 3. | Ramle Hospital | 18/8/1996 | All regions of Gaza |
| 4. | Nafha Prison | 18/8/1996 | Gaza City and central camps, except Deir al-Balah |
| 5. | Hasharon - Telmond | 19/8/1996 | All regions of Gaza |
| 6. | Damun | 19/8/1996 | All regions of Gaza |
| 7. | Kfar Yuna | 19/8/1996 | All regions of Gaza |
| 8. | Tel Mond for women | 19/8/1996 | All regions of Gaza |
| 9. | Beersheva Isolation | 13/8/1996 | All regions of Gaza |
| 10. | Ashkelon | 14/8/1996 | Khan Younis, Rafah, Central Camps |
| 11. | Nafha and Telmond | 16/9/1996 | Gaza City, Central Camps, except Deir al-Balah Telmond visit for all regions of Gaza |

Conclusion:

Seven months after it was imposed, the heightened closure of the West Bank and Gaza Strip continues, and the measures which have been announced to ease the closure are not substantial.

In the Gaza Strip in particular, the closure affects every aspect of life and the lives of all Palestinians, whether students, patients, businessmen, or travelers. The continued closure; its economic stranglehold on the Gaza Strip in particular, and the Occupied Territories in general; and the lack of respect for the territorial integrity of the West Bank and Gaza Strip contradict the basic principles of the peace process and the agreements between the PLO and the government of Israel.

The Palestinian Centre for Human Rights demands that the Israeli government respect the agreements it has signed, which call for the territorial integrity of the West Bank and Gaza Strip, and the enactment of safe passage between them. The Centre believes that if the Israeli government does not respect these principles the peace process will be meaningless. The Centre also demands that the Israeli government abide by international law, which prohibits collective punishment.

The Palestinian Centre for Human Rights calls upon the international community to investigate the effects of the closure and Israeli claims to have eased it. They are further called upon to make every effort to put an end to the suffering of the Palestinian people.