

Special Report on the Israeli Closure of the Gaza Strip

Closure Update No. 49

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By the Palestinian Centre for Human Rights

Introduction:

This special edition of the report on the Israeli closure of the Gaza Strip is a serious warning for all parties monitoring the living conditions of Palestinians in the Occupied Palestinian Territory (OPT) in general, and in the Gaza Strip in particular. It is a warning of an impending humanitarian disaster, and a catastrophic deterioration in the economic, social, and cultural rights of Palestinians, following the implementation of the Israeli unilateral disengagement from the Gaza Strip in September 2005.

The report documents the effects of the policy of closure and siege on the economic and social rights of the Palestinian population in the Gaza Strip, during the period from 12 September 2005 till 30 April 2006. This period witnessed unprecedented closure measure affecting the living conditions of Palestinian civilians. The situation reached the degree of starvation by stopping the supplies of food, medicines, and humanitarian assistance from entering the Gaza Strip. As a result, the humanitarian situation worsened by this form of undermining civilians livelihoods.

Prior to 25 January 2006 when Hamas won the Palestinian parliamentary elections, the humanitarian situation of Palestinian civilians was catastrophic. This situation continued to deteriorate, especially after formation of the new Palestinian government by Hamas. Furthermore, Israeli Occupation Forces (IOF) imposed unprecedented closure measures on the OPT in general and the Gaza Strip in particular. As a result, the deterioration in the economic, social, and cultural rights of Palestinians worsened. They started to suffer from a humanitarian disaster, and were pushed to the brink of poverty, unemployment, and insecurity. In addition, there was frustration at the latest international policies. These policies are a punishment of the Palestinian people for exercising their democratic choice and electing their representatives, and subsequently their government, formed by Hamas for the first time.

Information documented by PCHR indicates that a health crisis could ensue, especially after exhausting the reserves of medication and medical supplies in governmental hospitals due to the closure. Governmental and non-governmental health institutions indicate that the Gaza Strip is suffering from a severe lack of certain medications and medical supplies. This situation could have adverse consequences on the lives and health conditions of the civilian population. In addition, governmental health sources are indicating the possibility of closing certain departments in Shifa Hospital¹ (the main hospital in the Gaza Strip) within 2 weeks if the situation persists. The hospital is lacking tens of medications including anti-biotics, cancer medication, intravenous blood transfusion packs, and scanner spare parts.

¹ The Director of Public Relations at Shifa Hospital, Dr. Jum'a El-Saqqa, stated that the hospital would be forced to close most of its departments if the current situation persists. He stated that the hospital's stores are about to run out of nearly 200 kinds of medication, and that there are basic equipment and disposables that are not available, such as bandages, oxygen, anti-biotics, cancer medication, intravenous blood transfusion packs, scanner spare parts, etc. For more information, refer to Al-Quds Newspaper edition of 24 April 2006.

Furthermore, the storehouses of the Ministry of Health are lacking scores of medications and other medical supplies. The Ministry of Health primary healthcare clinics are facing increasing difficulties in providing services to hundreds of thousands of Gaza Strip residents.

All governmental and non-governmental hospitals and healthcare providers will be forced to severely reduce the issuance of medication, and limit it to emergency cases only. Thus, civilian patients, especially pregnant women, lactating women, children, and the elderly, are subject to health complications that might have an adverse effect on their lives.

The policy of complete closure imposed by IOF has severe repercussions on the economic, social, and living conditions in the OPT. These conditions have already been deteriorating for years due to the Israeli policy of destroying Palestinian of civilian property, including razing agricultural lands. The Israeli escalation coincides with the decision of donor countries, especially the European Union (EU), United States, Canada, and Japan, to suspend financial aid to the Palestinian people. As a result, living conditions of Palestinians deteriorated further. According to World Bank figures, more than 50% of Palestinians in the OPT are living under the poverty line. The unemployment rate in the OPT is 34%, with the rate at 44% in the Gaza Strip. During times of comprehensive closure, the unemployment rate rises up to 55%. The per capita income dropped by 40% compared to the levels prior to Al-Aqsa Intifada.

The economic and social situation is expected to deteriorate further, especially in light of the PNA's inability to pay salaries. This led to adding more than 150,000 public servants to the ranks of the unemployed. In addition, several international sources expect the PNA's weakness to lead to an increase in the mortality rate due to the lack of security, deterioration of health services, deterioration of public services such as drinking water units and sewage disposal facilities. Furthermore, the situation threatens the lives of Palestinians due to the increase in rates of diseases and malnutrition.

IOF policies include strict closure of all crossing points, especially Al-Muntar (Karni) crossing, which was closed for more than 74 days. This closure continues to cause an acute crisis exemplified by a lack in essential goods such as bread, flour, sugar, rice, oil, and some types of medication and medical supplies. In addition, there is a sharp increase in the prices of available goods. The economic and social situation in the Gaza Strip has been nearly paralyzed due to the stop in the flow of goods and basic materials to the Strip. Farmers, traders, and owners of factories have suffered great economic losses due to preventing the export of agricultural and industrial produce, especially in certain agricultural seasons such as strawberries, flowers, tomatoes, cucumbers, and pepper. The construction sector has witnessed a near halt in operations, sustaining heavy losses due to the closure of the borders. The import of construction materials for infrastructure projects has been stopped, freezing work in these projects that include roads, housing projects, and other infrastructures. Also, the unemployment problem accentuated further by preventing Gaza Strip residents from working inside Israel. This situation has paralyzed the economy, halting or reducing work in most economic sectors.

This report documents the effects of the policy of complete closure imposed on the occupied Gaza Strip; and the effects of the closure on the enjoyment of Palestinians of their economic, social and cultural rights. The report includes statistics on relevant indicators.

The report is divided into 2 parts:

- Part one: Israeli closure crimes; and

- Part two: effects of the closure on economic and social rights, including:
 - Right to health;
 - Right to education;
 - Right to work;
 - Right to religious worship;
 - Effects of the closure on social interaction between Palestinian civilians;
 - Freedom of economic dealings; and
 - Economic conditions

Israeli closure from the viewpoint of International Humanitarian Law and international human rights laws:

On 12 September 2006, the implementation of the unilateral disengagement plan from the Gaza Strip was completed. However, the Israeli occupation of the Strip continues in its physical and legal form. IOF continue to control the Gaza Strip airspace, coast, and land borders and crossings. The Fourth Geneva Convention defines an occupation with the extent of actual control over the lives of the civilian population. The actual situation indicates that IOF have full control over the civilian population of the Gaza Strip, including their political, economic, social, and living conditions. Despite evacuating settlers from the Gaza Strip and its military presence from within the Strip, IOF continued political assassinations and bombardments, in addition to tight control over the Strip's border crossings. IOF tightened the siege on the Gaza Strip.

IOF have imposed military regulations on the OPT since the start of the occupation following the belligerent 1967 war. Since then, the international community determined that Israel is an occupying power; and that the Palestinian areas (GS and WB) are occupied territories. The international community establishes that the Geneva Covenant Relative to the Protection of Civilian Persons in Time of War, 1949 (4th Geneva Covenant) is binding to IOF in their administration of the OPT. However, IOF have insistently and systematically violated the 4th Geneva Covenant and the articles of International Humanitarian Law throughout their administration of the OPT with relation to the Palestinian population.

International Humanitarian Laws, especially the 4th Geneva Covenant, aim to provide protection to victims of war with emphasis on the civilian populations of occupied areas. They establish that the occupying power does not have a free hand in utilizing force, policies or procedures in administering the occupied areas. The occupying power, to the greatest possible extent, must preserve the interests of the civilian population and protect their property. The occupying power cannot change the legal status of the occupied territories.

The closure policy constitutes a form of collective punishment outlawed by International Humanitarian Law, especially the 4th Geneva Covenant and the International Law on Human Rights. Article 33 of the 4th Geneva Covenant prohibits the occupying power from punishing protected civilians for crimes they didn't commit. It outlaws reprisals against protected civilians and their property by the occupying power.

International covenants on human rights guarantee each civilian's right to freedom of movement. Article 12 of the International Covenant on Civil and Political Rights of 1966 establishes the right of persons legally residing in a territory of a country to freely move and chose their place of residence, and their right to leave any country, including the country of origin. International covenants on human rights are binding to the Israel, an occupying power, which is a signatory of most of these covenants.

IOF use the policy of closure as a form of reprisal, revenge, and punishment against the civilian population. This closure is imposed through closing main and secondary roads, which prevents the movement of persons and goods and paralyzes Palestinian labor force. This policy is totally against the prohibition on reprisals and collective punishment against the population of an occupied territory, its population, and their properties. The policy undermines the prohibition, which is absolute, and cannot be interpreted to have allocations for military necessity.

The unjustified closure and aggression violate the International Covenant on Economic, Social and Cultural Rights for 1966. Article 1.2 of the Covenant states that: *“In no case may a people be deprived of its own means of subsistence.”* Article 5.1 of the Covenant states: *“Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights or freedoms recognized herein, or at their limitation to a greater extent than is provided for in the present Covenant.”*

Part One: Israeli Closure Crimes

IOF continued to impose a strict closure of the Gaza Strip despite the implementation of the unilateral disengagement plan on 12 September 2005. This closure is considered a war crime according to International Humanitarian Law. In fact, Israel intensified the closure and siege after the disengagement plan.

Prior to the disengagement plan, IOF relied on the provisions of the peace accords with the Palestinian Liberation Organization (PLO) that give Israel control over the Gaza Strip border crossings. Under these accords, IOF controlled the movement of Palestinians to and from the Gaza Strip. IOF closed Rafah International Crossing Point starting from beginning of the implementation of the disengagement plan and till the signing of a new agreement to run the Rafah Crossing. This agreement gave IOF control over the movement of travellers. In addition, the commercial side of the crossing remains closed. In addition, IOF continued to close Beit Hanoun (Erez) and Sofa border crossings. The closure of these border crossings are frequent and sudden. Furthermore, IOF escalated the frequency of closure of Al-Muntar (Karni) crossing in an unprecedented way.

Besieging the Gaza Strip takes the form of a complete IOF closure of border crossings and the Gaza International Airport. The closure and subsequent destruction of the airport, the only airport in the OPT has stopped the movement of goods and persons through the terminal since 14 February 2001. Thus, Palestinian losses increased in the economic sector and with regards to the Palestinian Airlines Company. IOF have prevented Palestinians from renovating the airport after the implementation of the disengagement plan.

The closure situation for the period from 12 September 2005 till 30 April 2006 is presented below.

Rafah International Crossing Point:

The Rafah International Crossing Point is the only terminal linking the Gaza Strip with the outside world. Palestinians travel through the crossing to Egypt, and from there to other destinations. During the reporting period, IOF closed the Rafah Crossing completely from the 12 September 2005 till the signing of a new, US-brokered agreement on the crossing on 25 November 2005. This closure included all Palestinian travellers, including patients transferred by the Ministry of Health for treatment in Egypt and Jordan. The Rafah Crossing was closed completely for 65 days. And it was partially closed for 7 days, during which IOF allowed the opening of the Crossing for a few hours to allow the return of Palestinians stuck on the Egyptian side, or to allow pilgrims to head to Saudi Arabia.

It is noted that the Rafah Crossing was closed from 12 December 2004 till the implementation of the new borders agreement in November 2005. The exceptions to this closure were a few time in which IOF allowed travellers on the Egyptian side to return to their homes in Gaza or to allow humanitarian cases, such as patients, students, and pilgrims, to travel to their destinations.

Palestinians suffered damages and additional suffering due to the closure of the Rafah Crossing. In addition, additional financial burdens were placed on them. Travellers were subjected to inhumane conditions and were deprived of basic services, especially women, children and the elderly. Furthermore, they were forcibly separated from their families beyond

the pre-planned travel times. Thousands of travellers returning to the Gaza Strip were forced to wait for days on the Egyptian side of the border due to the complete closure. Hundreds of these travellers, including ill women and children, were forced to spend nights in extremely uncomfortable circumstances, lacking basics such as mattresses and covers. More than 2,000 Palestinian travellers are stuck in an 800 square meters waiting hall, lacking basic services. Many of them ran out of money and could not obtain basics such as water, food, and medication. The conditions of tens of patients deteriorated, especially those returning home after undergoing surgery abroad.

Hundreds of expatriate Palestinians who had not visited their relatives in the Gaza Strip since 2000 due to the security conditions have been forced to wait at the Egyptian side of the border for days. They then returned to their areas of residence, mostly in the Arabian Gulf states.

The situation of Rafah International Crossing Point during the report period is as follows:

- On 12 September 2005, the last day of implementing the unilateral disengagement plan from the Gaza Strip, the Rafah Crossing was completely closed. On 7 September 2005, IOF had announced the intention to close the crossing indefinitely; and the crossing was closed that day. Although IOF had withdrawn all its personnel from the crossing and handed it to Palestinian National Security Forces, they insisted on the border to remain closed till new work mechanisms are reached. These mechanisms were to ensure complete IOF monitoring of the movement of goods and individuals. IOF moved its equipment from the Rafah Crossing to the Kerem Shalom crossing, at the meeting point of Israel, Egypt, and the Gaza Strip.
- On 23 September 2005, IOF allowed the Palestinian side to open the crossing for 48 hours to allow travellers stuck on the Egyptian side to return to the Gaza Strip, and to allow 3 categories of travellers to leave the Strip: patients, residents in other countries, and students. Due to deterioration in the security situation in the Gaza Strip because of IOF bombardment and the firing of locally produced rockets, the crossing was closed at 12:00 on Saturday, 24 September 2005. It was open only for 30 hours.
- On 3 October 2005: IOF allowed the Palestinians to open the crossing from 16:00-23:00 to allow the return of travellers stuck on the Egyptian side. All travellers returned, including 43 in the Egyptian side of the border and tens waiting in Egyptian cities. However, this did not constitute a solution to the crossing's problems, as it was not functioning normally. The limited opening hours were not sufficient to meet the travel needs of Palestinians to and from the Strip.
- On 11 October 2005, IOF allowed the Palestinians to open the checkpoint for 2 days to allow pilgrims to go to Saudi Arabia.
- On 22 October 2005, the crossing was opened for 24 hours to allow pilgrims to return home from Saudi Arabia, and to allow a number of patients and travellers to return to the Strip.
- On 15 November 2005, Palestinians were allowed to open the crossing for 24 hours to allow travellers stuck on both sides to reach their destinations.
- At the start of November 2005, the outlines of an agreement on a new work mechanism started to surface. The agreement was officially signed on 25 November 2005. Rafah International Crossing Point was reopened in accordance with the new borders agreement between the Palestinian and Israeli sides. With regards to the Rafah Crossing, the agreement stated that the crossing will be operated by the Palestinian and Egyptian sides with European monitoring over the functioning of the Palestinian side. The passage of goods and non-Palestinians will be through Kerem Shalom

Crossing. Israel insisted on maintaining some powers with regards to the passage of individuals through installing cameras that transmit the proceedings in the Crossing to the Israeli side, and by handing the European monitors a list of individuals barred from travel for security reasons. The crossing was to be opened for 12 hours at the beginning and then develop into working around the clock. However, PCHR's monitoring of the crossing indicated that the crossing started to work for 4 hours a day only.²

- The agreement institutionalized IOF control over the economy and travel of 1.4 million Palestinians to and from the outside world. It institutionalized the occupation through effective monitoring of the crossing, influencing the movement of travel to and from the Gaza Strip, and imposing effective control over the Strip's other crossings and border terminals, which are vital to the fulfilment of the economic, social, and cultural rights of Palestinians. PCHR stressed that the absence of IOF military presence inside the Gaza Strip does not mean the end of the military occupation of the Gaza Strip. The borders agreement confirms the IOF actual control over the Gaza Strip. The agreement also strengthened IOF control over the economy, killing any realistic chance of development. PCHR expressed concern over the continued IOF violations of International Humanitarian Law, especially the 4th Geneva Convention, and the IOF employment of siege and economic strangulation as a pressure tool against Palestinians. PCHR's worries about the borders agreement were verified by the fact that for the first 3 weeks of Rafah Crossing's reopening it did not operate more than 4-5 hours a day. The pretext was that the European Monitoring team was not complete, and that monitoring cameras were out of order. The closure of the crossing due to the cameras reinforces the fact that Israel continues to control the movement of civilians across the border and beyond. PCHR has stressed that the situation of the borders was reshaped with international acceptance in a way that gives Israel control over the borders. The situation at Rafah Crossing with the cameras and European monitors implementing Israeli conditions indicates that in reality Israel is the party that decides which Palestinians travel through Rafah. Palestinian passports are issued based on identification numbers, given by Israel. And whoever does not have an ID number cannot travel. Thus, Israel decides who holds an ID from who doesn't; thus preventing thousands of Palestinians without Israeli-issued ID's from travelling.³
- On 19 December 2005, work hours in the crossing were increased to 8 hours a day. And on 25 December 2005, the work hours were exceptionally increased to 18 hours a day during the travel and return of pilgrims heading to Saudi Arabia. The crossing resorted back to the 8-hour work day after the end of the pilgrimage season.
- On 14 March 2006, the crossing was closed one hour early due to the withdrawal of the European monitors in light of the raid on Jericho prison. This action proved that Palestinians have no sovereignty over the crossing.
- At the start of April 2006, an additional work hour was added to the work day at the crossing. The new work schedule became 8:00 – 18:00. But it is noted that these work hours will not be sufficient to cope with expected travel during the busy summer season.

Table: Days of Closure of Rafah International Crossing Point during the Report Period

² For more information on the borders agreement, refer to PCHR's press release dated 16 November 2005.

³ Refer to PCHR's press release dated 4 December 2005, entitled: In a Lecture in London, Sourani: "The Agreement on Border Crossings Institutionalizes the Occupation"

| Type of Closure | Days of Closure |
|-----------------|-----------------|
| Partial | 7 |
| Full | 68 |

Beit Hanoun (Erez) Crossing:

Beit Hanoun crossing is located to the northwest of the town of Beit Hanoun in the Northern Governorate of the Gaza Strip. It is used for the following:

- 1- Importing liquid cement (cylo)
- 2- Passage of workers from the Gaza Strip to Israel and to the Erez Industrial Zone
- 3- Passage of international humanitarian staff, representatives of international organizations in the Gaza Strip, diplomats, and journalists.
- 4- Patients transferred to Israeli or West Bank hospitals, and humanitarian cases such as prisoner families, pilgrims, and special cases.

For a limited time prior to Al-Aqsa Intifada, the crossing was used as a safe passage between the Gaza Strip and West Bank. This arrangement was inline with a protocol signed between the PLO and Israel on 5 October 1999. However, the crossing was closed completely after the outbreak of Al-Aqsa Intifada on 29 September 2000.

A number of changes took place at Beit Hanoun Crossing after the outbreak of Al-Aqsa Intifada. The crossing was completely closed for civilian movement. In addition, it was closed for import and export of goods to and from the Gaza Strip. Prior to the closure, approximately 120 trucks crossed the Crossing carrying imported materials from Israeli ports to the Strip.

During the report period, IOF maintained the closure of Beit Hanoun Crossing. It was completely closed for the movement of civilians to and from the West Bank and the movement of imports and exports. In addition, it was closed for 109 days in the face of Palestinian workers. Even during the days in which workers were allowed to pass through the crossing, only 3500-4000 were permitted to enter, compared to 25000 who worked in Israel prior to Al-Aqsa Intifada. Workers suffer inhumane and degrading treatment at the hands of IOF troops when they are subjected to humiliating search and security procedures. Most are forced to head to the crossing at midnight and wait hours before they are allowed to pass through.

It is noted that the repeated closure of the crossing deprived Palestinians of their sources of income and increased the rates of unemployment and poverty in the Gaza Strip. In addition, the closure prevented tens of patients from receiving due medical care, causing deterioration in their health conditions. IOF detained many patients and ambulance crews, subjecting them to interrogation before turning them back to the Strip under the pretext that there is no coordination for their entry, when in fact there is prior coordination for the transfer of these patients.

The situation of Beit Hanoun Crossing during the report period is as follows:

- Despite the implementation of the disengagement plan on 12 September 2005, IOF continued to impose its control that was completely closed for 4 weeks in the face of

- patients, workers, and civilians. On 18 September 2005, IOF closed the crossing completely for one day.
- On 25 September 2005, IOF imposed a complete closure on the Gaza Strip, including the full closure of Beit Hanoun Crossing. The Strip was transformed into a large prison totally isolated from the outside world.
 - On 3 October 2005, IOF closed the crossing for Palestinian officials and patients, while allowing internationals to pass through. The closure was on the occasion of the Hebrew New Year.
 - On 25 October 2005, only allowed one Palestinian patient to pass. And internationals and diplomats were allowed to pass as well.
 - On 7 November 2005, IOF allowed 25 patients to pass through the crossing for treatment in Israeli hospitals. However the crossing was closed at 11:00 on the same day under the pretext that there was a suspicious object. As a result, 600 Israeli Arabs were stuck on the Palestinian side. They had entered the Strip on the occasion of Eid El-Fitr. A child was transferred to the hospital due to the crowding at the crossing.
 - On 13 November 2005, the crossing was reopened for a limited number of workers, less than 1000. The number was gradually increased to 2000 only despite the fact that more than 3200 workers had permits to work inside Israel. Civilians were prevented from entering Israel or going to the West Bank. Only a few patients were allowed to go to Israeli hospitals for treatment.
 - On 17 November 2005, IOF closed the crossing for security reasons. It was reopened on 20 November 2005 for 3500 workers out of the 5000 who had obtained permits. The workers allowed to enter were over 35 years of age, married, had children, and had special magnetic cards. Workers suffer inhuman conditions in order to pass through the crossing. Only 2 out of 24 passage isles are operational. Workers are subjected to slow, complex search procedures that led to delay some workers long enough to lose their work day and return home empty-handed.
 - On 6 December 2005, IOF closed the crossing as a collective punishment measure after a bombing in the city of Netanya in Israel. It was reopened on 12 December 2005. IOF closed the crossing again on 16 December 2005. Palestinian VIP's, international workers, and some patients were allowed to pass through to the West Bank.
 - In the evening of 25 December 2005, IOF closed the crossing completely, even for patients, because of Jewish holidays. The crossing was reopened on 15 January 2006 for a very limited number of workers (138) out of thousands who had permits prior to the closure. Then the crossing was closed for another week, and reopened on 22 January 2006.
 - On 20 January 2006, the crossing's operation was subcontracted to a private company. As a result, many workers suffered as the company was responsible for the search and entry of workers. Only one out of 24 isles was opened, causing extensive crowdedness. Two thousand workers passed through, and 4000 passed through the next week.
 - Workers informed PCHR's fieldworker that with the operation of the new company, they were forced to go through an x-ray room. They feared that this could cause their health risks, as was the case in the Rafah Crossing prior to the new borders agreement.
 - On 9 February 2006, IOF completely closed the crossing, even for humanitarian cases and patients, after an armed clash between IOF troops and Palestinian resistance activists.
 - On 13 February 2006, IOF reopened the crossing and allowed less than 4000 workers to go their workplaces in Israel.

- On 21 February 2006, IOF prevented the families of Palestinian prisoners in Israeli jails from visiting them, as scheduled by a visitation schedule managed by the International Committee of the Red Cross.
- IOF imposed restrictions on the movement of elected parliament members after the Palestinian Legislative Council elections on 25 January 2006. the restrictions concentrated on members of Hamas, who are not allowed to commute between the Gaza Strip and West Bank.
- At 13:30 on Tuesday, 7 March 2006, IOF closed the crossing completely claiming that there was a person with an explosive belt. The person was detained, and it transpired that he was carrying a normal belt. However, the closure remained till 16:00. The number of workers returning home amassed, causing a commotion. IOF fired over the heads of the workers to force them to calm down. No injuries were reported. And most workers returned home after 23:00.
- On 12 March 2006, IOF closed the crossing because of a Jewish holiday. The closure extended beyond the previously announced reopening date of 15 March 2006.

Table: Closure Days of Beit Hanoun Crossing before and after the Disengagement Plan

| | 1 Mar – 12 Sep 2005 | 13 Sep 2005 – 30 Apr 2006 |
|---------|----------------------------|----------------------------------|
| Partial | 23 | 6 |
| Full | 32 | 103 |

Al-Muntar (Karni) Commercial Crossing:

Al-Muntar Crossing is to the east of Gaza City. It is the main commercial terminal for the Gaza Strip. It has been subject to partial and complete closures since the start of Al-Aqsa Intifada. In addition, the crossing operates under complex transportation procedures; and IOF intentionally hindered the operation of the crossing under unacceptable excuses. In addition, IOF assembled new observation outposts and concrete walls inside the crossing; thus hindering the operation of the crossing.

The crossing was closed completely for 74 days and partially for 9 days during the report period. Each closure incurred heavy economic losses, and led to the expiry of produce.

During the report period, IOF placed additional restrictions on commercial transport and movement of traders. These restrictions have caused further deterioration in the Palestinian market. Despite repeated announcements by IOF to ease restrictions on the crossings, field inquiries reveal that the restrictions remained in place, and intensified, till the publication of the report. IOF have hindered the export of goods from the Gaza Strip, allowing only 30-35 truckloads out of the Strip. At the same time, IOF allow 270 truckloads into the Gaza Strip. Palestinian export trucks are left in the sun or under the rain for long hours, causing the expiry of the goods and economic losses to producers.

The situation of Al-Muntar Crossing during the report period is as follows:

- On 3 October 2005, IOF extended the closure of the crossing due to the Jewish New Year. The crossing had been closed for 2 weeks after Islamic Jihad fired rockets at Sderot in retaliation to the assassination of 3 of its members by IOF in the West Bank.
- The crossing's director on the Palestinian side, Mr. Nabil Faraj, stated that prior to the closure of the crossing, approximately 40-50 truckloads of exports and 250 truckloads

of imports passed through the crossing. Most of the imports were from Israel, with only 10 truckloads of goods from the West Bank. He noted that prior to the outbreak of Al-Aqsa Intifada, the crossing's capacity was 800 truckloads a day, with 150 for exports and 650 for imports.

- On 9 October 2005, IOF reopened the crossing.
- On 24 October 2005, IOF closed the crossing for 2 days on the occasion of a Jewish holiday.
- In the end of December 2005, exports were increased to 70 truckloads a day, with 40 allocated to strawberries and flowers. An Israeli company stood to benefit from the export of Palestinian strawberry produce to the European Union.
- On 10 January 2006, IOF closed the crossing for "security" reasons, claiming that there were warnings of an impending bombing inside the crossing. IOF asked the Palestinian National Authority (PNA) to dig around the crossing to the depth of 7 meters to search for a suspected tunnel. The closure coincided with the agricultural produce season, especially strawberries and flowers. Agricultural exports were affected negatively, and financial losses increased. And due to this closure, the director of the Agricultural Land Development Project that the company lost 100 tons of agricultural produce. The project administers the agricultural greenhouses in the evacuated settlements of the Gaza Strip on behalf of the PNA. Also because of the closure, the Gaza Strip market ran out of some key commodities such as sugar, flour, dairy products, fruits, and construction materials.
- On 5 February 2006, the crossing was reopened after a 3-week closure. However, IOF prevented the import of tools, motors, long aluminium bars, metallic cables, and different kinds of nails under the pretext that they are used in the production of rockets. Approximately 360 truckloads of goods were allowed into the Gaza Strip daily and 75 truckloads of exports were allowed out. Although 150 daily truckloads of exports are supposed to be allowed to pass, security and operational procedures limit the number to 75. There are two methods of inspecting agricultural produce. One is to put the produce in a room with a door opening on the Palestinian side and the other on the Israeli side. The Palestinian door is closed and the inspection begins. And it takes a long time to inspect the goods. The other method is by the use of a machine, where each crate or box is inspected individually. As to imports, the goods are emptied into a container in the Israeli side. The container is transported to the Palestinians side, and then emptied. It takes a long time to transport the goods, as well as subjecting goods to damages. The crossing is very essential to the Gaza Strip. As a result, Israel uses it as a pressure tool and as a means of collective punishment through closure or complication of procedures for commercial movement.
- Walid Abu Shoqa, the Security Chief of the crossing, informed PCHR that the functioning of the crossing is subject to the mood of IOF that resort to security excuses to hinder the crossing's work. Most of the excuses are unfounded. For example, IOF did not open the crossing on 21 February 2006 till after 13:00 due to the fog in the air!
- Also on 21 February 2006, IOF closed the crossing claiming that there was an explosion that targeted the crossing. The Palestinian side rejected the claim, and accused the Israelis of looking for unfounded excuses to close the crossing. The closure remained till 9 March 2006, when the crossing was opened for imports only.
- On 10 March 2006, the crossing was opened for one hour only for imports.
- On 11 March 2006, IOF closed the crossing completely.
- On 12 March 2006, the crossing was opened to allow food goods into the Strip.

- On 13 March 2006, IOF allowed some exports out of the Strip. Thirteen truckloads of flowers, tomatoes, and oranges were exported.
- From 14-20 March 2006, IOF closed the crossing completely. On 20 March, the crossing was opened for 40 minutes to allow 10 truckloads of wheat, sugar, soda drinks, and potato chips into the Strip.
- At approximately 9:30 on 21 March 2006, IOF reopened the crossing to allow food goods into the Gaza Strip. Tens of truckloads were allowed to enter.
- On 26 March 2006, the crossing was opened.
- On 28 March 2006 the crossing was closed for 1 day on the occasion of the Israeli general elections.
- At approximately 9:00 on Tuesday, 4 April 2006, IOF informed the Palestinian side that the crossing would be closed. No reason was cited for the closure. Subsequently it was opened for 2 hours on 7 April 2006 and for 4 hours on 12 April 2006. ????????????????????
- On Sunday, 16 April 2006, IOF closed the crossing without citing reasons. It was opened for 4 hours the next day. The crossing was reopened on 20 April 2006.
- On 26-30 April 2006, IOF closed the crossing completely.

Al-Muntar Crossing constituted a significant obstacle for Palestinian commercial movement. The movement of goods was prevented for many days, causing significant quantities to expire. Traders and farmers suffered additional financial losses due to the IOF discriminatory policies that placed additional security and search measures against Palestinian exports. Importers also had to put up with additional costs for Israeli transportation firms to move the goods stuck at the border for long periods.

Table: Closure Days of Al-Muntar Crossing before and after the Disengagement Plan

| | 1 Mar – 12 Sep 2005 | 13 Sep 2005 – 30 Apr 2006 |
|---------|----------------------------|----------------------------------|
| Partial | 1 | 9 |
| Full | 7 | 74 |

Sofa Crossing:

Sofa crossing is situated on the Gaza Strip border to the east of Rafah. It is used to transport aggregate into the Gaza Strip. In addition, it was used for the passage of Palestinian workers. Since the outbreak of Al-Aqsa Intifada, the crossing has been subject to a series of complex restrictions. Prior to the Intifada, the crossing started work at 4:30-6:00 to allow workers to pass through. The return of the workers was given a window from 14:00-17:00. But since March 2004, IOF closed the crossing completely for workers.

The crossing's weekly work days are 5, with Friday and Saturday off. Daily, it opens from 7:00-15:00 to allow Israeli trucks to transport aggregate from Israel to a designated area outside the crossing. Palestinian trucks load and transport the aggregate to factories and workshops inside the Gaza Strip from 16:00-20:00 during work days.

There are about 40 Palestinian companies importing aggregate, requiring 300 truckloads daily, or nearly 9000 tons. However, the daily import of aggregate varies depending on IOF restrictions, with the amount going down to 3000 tons.

During the report period, IOF closed Sofa Crossing repeatedly. The total number of closure days was 74 days, during which no aggregate was allowed into the Gaza Strip.

The situation of Sofa Crossing during the report period is as follows:

- On 25 September 2005, IOF closed the crossing for nearly three weeks. It was reopened on 10 October 2005.
- IOF closed the crossing for the period 22-27 November 2005.
- IOF closed the crossing for the period 15-19 December 2005.
- On 18 January 2006, IOF closed the crossing without warning or citing any reasons.
- IOF closed the crossing for 41 days from 14 February – 25 March 2006 for undisclosed security reasons. The extended closure resulted in a severe lack of aggregate, which halted the implementation of many construction projects.
- On 26 March 2006, IOF reopened the crossing after a 41 day closure.
- IOF closed the crossing for the period 13-15 April 2006.
- IOF closed the crossing for the period 18-20 April 2006.

Table: Closure Days of Sofa Crossing before and after the Disengagement Plan

| | 1 Mar – 12 Sep 2005 | 13 Sep 2005 – 30 Apr 2006 |
|-----------|----------------------------|----------------------------------|
| Workers | 196 (whole period) | 200 (whole period) |
| Aggregate | 2 | 74 |

Rafah Commercial Crossing:

Rafah Commercial Crossing is designated for the transportation of humanitarian assistance to the Gaza Strip through Egypt. IOF periodically restricted the work of the crossing.

Despite the Israeli redeployment from the Gaza Strip on 12 September 2005, IOF insisted on closing the Rafah Commercial Crossing, and maintaining control over the movement of goods and individuals through the Egyptian border. To this end, IOF transported their crossing equipment to the Karm Abu Salem crossing on the border meeting point of Egypt, Israel, and the Gaza Strip.

Two and a half months after the disengagement, the Israelis and Palestinians reached a new borders agreement. Under this agreement, goods and internationals would pass through the Karm Abu Salem Crossing. The agreement, thus, institutionalized IOF effective control over the economy and civilian movement of the Gaza Strip.

This agreement institutionalizes occupation, by influencing the effective control of what is happening on those crossings, which are the main artery of the entire economic and social rights and cultural rights of the Palestinian population. The absence of the military presence of the occupying forces in the Gaza Strip does not in any way imply the end of the occupation of the Gaza Strip. Indeed, the language of the agreement confirms the effective control of the occupying forces over the Gaza Strip, even after the implementation of the disengagement plan from Gaza.

The commercial crossing was not operational as was raised in the media, since it requires some technical preparations in the Karm Abu Salem Crossing, the southernmost Rafah. The latter crossing is designed for the import of goods under joint Palestinian-Israeli supervision.

It is worth mentioning that Rafah Commercial Crossing can provide a substitute crossing to Al-Muntar for some goods exported directly to third countries without the need to travel through Israel. It is also noted that the borders agreement permits export through Rafah. Since the Rafah crossing is currently the sole crossing managed by the Palestinian Authority, it is worthwhile to develop transportation networks that take goods from the Palestinian market to third-party countries through Egyptian ports.

Part Two: Impact of the Blockade and Closure on the Economic and Social Rights

The policy of Israeli siege and closure imposed on the Gaza Strip has reflected on the overall economic, social and cultural rights of the Palestinian people negatively. It has had serious consequences that should be exposed, particularly after the occupation forces claimed to withdraw from the Gaza Strip by the implementation of unilateral disengagement plan. This part of the report will deal with the impact of the policy of Israeli blockade and closure of the Gaza Strip on each of these rights.

Impact of the Blockade and Closure on the Right to Health:

Israeli occupation forces measures have had serious implications on the right to health, which must be respected in most human rights conventions, covenants and treaties. Article 25.1 of the Universal Declaration of Human Rights stipulates that: "Everyone has the right to a standard of living adequate for ensuring the health and well-being of himself and of his family, especially at the level of food, clothing, housing and medical care." Article 12.1 of the International Covenant on Economic, Social and Cultural Rights of 1966 states that: "State Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health". The second paragraph of the same article obliges state parties to create conditions which would assure to the services and medical care for all in the event of illness. The Convention on the Elimination of All Forms of Discrimination against Women, the Declaration on the Rights of the Child, the Convention on the Right to Development, the four Geneva Conventions also dealt with the right to health.

As a result of the continued policy of siege and closure and the continued closure of crossing of the Gaza Strip, health conditions of the civilian population have deteriorated. During the period covered by the report, there were a number of incidents during which the right of health of citizens was violated. The violation of the right to health stemmed from the IOF practices at military roadblocks, especially measures of humiliation and degrading treatment, as well as impeding or preventing ambulances from transporting the sick or wounded.

IOF have prevented patients from the Gaza Strip who tried to travel through Rafah International Crossing Point for treatment abroad from leaving. The Crossing was closed for two and a half months during the implementation of the unilateral disengagement plan, which has had catastrophic effects on patients in need of treatment abroad.

Despite the closure of border crossings of the Gaza Strip following the implementation of the unilateral disengagement plan, IOF did not provide any facilitation for patients who desperately need treatment in hospitals in Israel and occupied Jerusalem. On the contrary IOF worsened the conditions, and left to suffer from a lack of treatment.

PCHR has documented numerous cases in which IOF violated the right to health of Palestinian civilians. The following are highlighted:

- On 20 January 2006, following handing the operations of Beit Hanoun Crossing to a private company, workers stated that they pass through X-ray room of unknown nature. PCHR feared that this room was equipped with an X-ray machine similar to the one in Rafah Crossing, which may expose workers to risk especially due to the daily exposure.

- On 7 November 2005, Beit Hanoun Crossing was closed for 11 hours under the pretext that there was a mysterious object. As a result, 600 Israeli Arabs were held up at the crossing. One child had to be transferred to a hospital due to the crowding at the crossing.
- From 27 March 2006 till the publication of the report, IOF have prevented 56 critical cases from passing through Beit Hanoun Crossing to Israeli hospitals.

The Gaza Strip patients are subjected to suffering when attempting to pass through Beit Hanoun crossing due to the procedures enforced by IOF. These practices affect their health. Among these measures are:

- Allowing only ten cases a day out of about 40 cases that have submitted requests for treatment inside Israel.
- Preventing the entry of Palestinian citizens, whether patients or their escorts, including women in the age group of 25-45 years.
- Patients walk long distances on foot to access inspection corridors, thus increasing health risks for patients.
- In most cases, patients are transferred to Israel by private cars at their own expense, instead of providing them with ambulances. Palestinian ambulances are prevented from entering Israel.
- There are many critical cases which require urgent treatment in Israel or occupied Jerusalem, and can not obtain permits to enter Israel for security reasons, despite the fact that many of them are women and children.

The blockade imposed on the Gaza Strip since the beginning of 2006 negatively affected on the work of hospitals in terms of a lack of medicines and medical consumables. On 26 March 2006, Dr. Mohammed Abu Shahla general manager of the European Gaza Hospital said that there were negative effects of the closure that included a lack of medicines and medical consumables as follows:

- 15 kinds of medicines used less than the required rate, the storage is about to empty of these kinds.
- There are nearly 13 items that are about to run out. They are now limited to critical cases.
- 18 types are not available in the Ministry of Health since the beginning of March 2006
- There are 5 types of cancer and blood diseases drugs that have not been available since the beginning of March 2006
- 7 types of cancer and blood diseases drugs are distributed below standard rates.

In a worrying development, the Ministry of Health announced a deterioration of health conditions in an unprecedented way as a result of the continuing closure. The Minister of Health said there were 1500 items of medicines and medical supplies that are urgently needed since the Ministry stores and warehouses ministry began running out of them. The Minister stressed the medicines kidney cancer patients, surgical operations supplies, and anti-rejection medication for implanted organs, solvents and blood transfusion, laboratory supplies, spare parts and organs Tomography (Scanner), and kidneys dialysis requirements.

The effort of hospitals is now concentrated on providing daily doses only for life-saving situations. Even these are provided with great difficulty. A small supply of tubes for kidney dialysis patients was brought with great difficulty through the Beit Hanoun Crossing after the Ministry stock ran out.

As a result of the lack of anesthesia supplies, hospitals have been forced to reduce the number of surgical operations. And it is noted that there are shipments of medicines and medical supplies under purchase or donated by charitable bodies that are still being detained at the Rafah Crossing and Al-Muntar Crossing. IOF refuse to allow them to enter these crossings.

Impact of the Blockade and Closure on the Right to Education:

The deprivation of the Palestinian students their right to education is a clear violation of the principles of human rights recognized in the International Human Rights Law and International Humanitarian Law. Each person the right to education; and according to article 26 of the Universal Declaration of Human Rights, "higher education shall be equally accessible to all on the basis of merit." As Article 13 of the International Covenant on Economic, Social and Cultural Rights of 1966 included an admission by state parties of the right to education, as well as making higher education accessible to all on an equal footing.

Since the Israel is one of the parties that have ratified the present Covenant, they must observe the letter and spirit of the Covenant. It is also required to fulfil its obligations towards the Palestinian-Israeli peace process and all agreements signed by the two parties, which stipulates that the West Bank and Gaza Strip are a single territorial unit. It must fulfil what was signed by its government regarding safe passage that secures movement of Palestinians between the West Bank and Gaza Strip through the land of Israel.

The overall policy of siege and closure imposed on the OPT, particularly the Gaza Strip, since the start of the Aqsa intifada on 29th September 2000, constitutes a flagrant violation of the right of Palestinians to education. This violation compounded after the implementation of the unilateral disengagement plan from the Gaza Strip, as students were prevented from attending educational institutions. Students studying abroad continued to suffer because of the IOF control over land terminals of the Gaza Strip. The closure of the Rafah crossing for two months and a half, following the completion of the implementation of the disengagement plan, prevented thousands of students from attending school in universities abroad. This delayed the completion of their studies. It has forced the postponement of courses. Many students lost their residence visas in the countries where they're studying. These visas are issued based on registration at university at the beginning of each school year.

With the implementation of the new Palestinian-Israeli borders agreement on 25 November 2005, many students were able to travel through Rafah Crossing to resume their study abroad. However, the suffering of the students vying to study in the West Bank continued as they were denied access to universities and institutes in the West Bank. IOF violations of the borders agreement, through the non-implementation of the items on freedom of movement between the Gaza Strip and the West Bank, deprived hundreds of them have been denied access to such institutions. Many of them lost the opportunity to complete their studies and to graduate from these educational institutions.

It is noteworthy that IOF, and since 1996, has implemented a policy of denying by more than 1200 students from continuing and completing their studies at universities and institutes in the West Bank.⁴ As a result of that policy the numbers Gaza Strip students who wish to enroll at

⁴ On 12 March 1996, IOF issued an order to deport all Gaza Strip students from in the West Bank. The order was issued prior to the imposition of comprehensive blockade on the Gaza Strip. This applied also to the students residing in areas under the jurisdiction of the Palestinian National Authority in the West Bank. All students at the University of Birzeit and residents in areas classified as "B" (subject to the control of Israeli security) under the

universities and institutes in the West Bank cities decreased to a very low level. Only dozens of students enrolled in West Bank universities compared to more than three thousand students before the year 1994. The number of Gaza Strip students enrolled at the Birzeit University alone decreased to 30 in the academic year 2005, whereas there were more than 500 Gaza Strip students at the university prior to 1994. These students are facing many problems, due to the failure to grant them permits to reach their universities. Some are forced to travel to Egypt, then to Jordan, and then go to the West Bank. And since 2000, there are scores of Gaza Strip post-graduate students studying at West Bank universities who are prevented from completing their studies.

In spite of the declared IOF readiness to deal with urgent humanitarian issues only by allowing travel from the Gaza Strip to Israel or the West Bank through the Erez crossing, IOF have prevented Gaza Strip students from traveling. These students are threatened with losing one academic year.

The education sector in the Gaza Strip has been sharply affected by the overall policy of blockade and closure imposed on Gaza Strip. The closure of the Al-Muntar Crossing led to a serious crisis in school stationery and paper. This crisis seriously affected work of educational institutions, including schools, universities and libraries. Although the crisis has affected most ministries and government institutions and non-governmental organizations, the Ministry of Education have been most affected by it. The crisis coincided with preparations to print the preparatory test for the general secondary school certificate (Tawjihi). The preparatory test was cancelled due to the lack of stationery to print the test. Universities and school were affected during the final exams period, as students could not obtain copies of educational materials. In addition, university graduates vying to obtain certificates to be attached to job applications complicated the crisis further.

A number of bookshop owners informed PCHR's fieldworkers that the Gaza Strip market suffers from a complete lack of printing paper. In addition, there is a significant shortage of many types of stationery and printing ink. The owner of Al-Quds bookshop in Gaza informed the Center's fieldworker that opening Al-Muntar Crossing partly for food and medicine is not accompanied by allowing the passage of stationery and paper except in very limited quantities that do not fill market needs.

Impact of the Blockade and Closure on the Right to Work:

The right to work enjoys distinguished recognition in International Humanitarian Law. Numerous international human rights conventions and covenants, including the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, contain recognition of the right to work for everyone. The right to work means everyone's right to enjoy the opportunity to work freely chosen, receive money for

interim Palestinian-Israeli Agreement on the West Bank and Gaza Strip were transferred to areas classified as "a" in the city of Ramallah under Palestinian control. On 28 March 1996, IOF raided the villages of Birzeit, Abu Qash, and Abu Sh'khidem. The campaign of mass arrests against the students of Birzeit University netted 370 people, including 280 students from the University. They were all transferred to a nearby Israeli army outpost, and were beaten severely at the hands of Israeli soldiers. Later in the day the students were transferred to the Israeli army camp in the area of Beitunia near Ramallah, where they were interrogated by Israeli intelligence. At 2:30 of the following morning 32 students were transferred to the Beit Hanoun Crossing in northern Gaza Strip, where they were handed over to the Palestinian side. Since then, the issue of Gaza Strip students in the West Bank has remained without a solution. The Israeli government has not shown any willingness to respond to all appeals to put an end to the suffering of these students.

material reward for the fair and satisfactory work, and secures a standard of living worthy of human dignity, and provide them with adequate social security. It also means the right to equal access to jobs, and to have full access to all potential opportunities to gain.

The right to work includes a broader dimension added to what was stated above. This includes the right to fair wages and equal value without discrimination in exchange for equal work. It means the right to rest and leisure time, reasonable limitation of daily working hours, periodic holidays with pay, and the right to social security and health insurance. In addition, this broader dimension includes ensuring the right conditions for occupational health and safety at work, the right to organize labor unions, and the right to strike to improve working conditions. These rights as a whole, as guaranteed by international covenants, is what might be called the minimum of what should be enjoyed by workers. Therefore, States are obliged to protect these rights through their incorporation into domestic law, and respect through daily practice.

In the period covered by this report, the conditions of work and workers have been affected as a result of the siege and closures since the beginning of the Aqsa Intifada and the increasing intensity of closure following the implementation of the disengagement plan. This has been a very difficult period for Palestinian workers employed in Israel due to the measures they are exposed to at Beit Hanoun Crossing, and the poor conditions in places of work.

Continued Suffering of Palestinian Workers at Erez Checkpoint and Inside Israel:

As a result of the continued IOF closure of Beit Hanoun Crossing, thousands of workers were unable to reach their places of work inside Israel. In the period covered by the report, the crossing was subject to repeated and prolonged closures. The number of days in which the crossing was closed was 109 days in the period from 12 September 2005 to 30 April 2006. In the days that a limited number of workers were allowed into Israel, they were subject complex security measures and humiliating searches.

The most notable violations and harassment of workers at the crossing include:

- Intentional slowdown of inspection and security procedures;
- Workers subjected to humiliating searches, forced to lift their clothes and reveal their abdomen and legs, and take off their coats;
- Israeli intelligence extortion and blackmail at the crossing point to recruit workers as collaborators;
- Preventing a large number of workers from entering Israel for reasons including that they are relatives of Palestinians killed by IOF or are wanted by IOF.
- Withdrawing the permit of any worker who is absent from work inside Israel more than a week.

The closure of the crossing and the industrial zone at Erez led to the continuing deterioration of conditions of workers in the Gaza Strip and the rest of the OPT. The closure deprived thousands of Palestinians of their right to work. Even when the crossing was opened, IOF did not allow workers with valid permits to enter through the crossing. IOF announce complex procedures that require new work permits. Despite the limited number of these permits, not all those with permits cross to their work places due to the complex procedures.

Cruel and degrading treatment of workers at Beit Hanoun Crossing:

IOF have imposed restrictions on Gaza Strip workers, who were allowed entry through Beit Hanoun crossing to work in Israel. During the period covered by the report, IOF have imposed additional inspection procedures, and subjected workers to cruel and degrading treatment. In addition, IOF forced workers to wait long hours before allowing them to pass. IOF forced thousands of workers Palestinians at Israeli checkpoints to strip almost completely under the proceedings of the so-called security check.

According to the testimonies of many workers to PCHR's fieldworker, workers are subjected to multiple forms of degrading treatment during passage through the checkpoint, including screams and threats of assault, murder, insults and verbal abuse, and being forced to wait. Usually the Israeli soldiers did not differentiate between workers by virtue of their age, all workers were humiliated. Old age does not protect workers from soldiers' abuse. Old workers are exposed to the same insults and degrading treatment if they do not follow security procedures. They are also forced to lift parts of the clothes and rotate in a circle naked in front of soldiers to make sure they are not carrying anything to threaten security. Workers stated that IOF do not allow them to take their necessities except for clothing and food.

Different forms of humiliation:

All workers reported in their testimonies that they are exposed daily to various forms of humiliation, whether through queues in unhealthy conditions, barbaric practices and the threat of attack, or not allowing them to reach their workplaces. On many occasions, IOF forced some workers to return to their homes without any convincing reasons. The workers also emphasized that IOF have imposed additional inspection procedures that was insulting and degrading. On some occasions, IOF soldiers fired poisonous gas grenades in the direction of the workers. Soldiers customarily assaulted workers and severely beat them. IOF soldiers ordered workers to wear only a shirt and pants before entering the Crossing. During the inspection, the workers were forced take off their clothes and raise their hands at gunpoint before passing on to electronic inspection. Workers are banned from taking cellular telephones, metallic coins or even food with them.

Extortion and blackmailing workers:

Due to Israeli practices, the process of obtaining permission to work inside Israel has become a daily ordeal for workers. This is especially true due to the fact that Israeli security services attempt to blackmail workers into cooperating with them in exchange for these permits, or threatens to withdraw the permits if the workers do not cooperate. Some workers are not able to work despite the fact that they are given a permit; because the permit is restricted to one profession and one workplace. On many occasions, IOF arrest workers under the pretext that they are prohibited from staying overnight in Israel. IOF confiscate the permits in these cases. IOF claim that these actions are taken under security pretexts.

The prerequisites for obtaining work permits is that the applicant must be married, aged 35 years or more, must have a valid magnetic card, and must have a specific employer who wishes to hire him in Israel. Upon fulfillment of these conditions, the worker sends him papers to the employer in Israel, who in turn submits the name of the applicant worker to the Israeli Labor Office. After approval the labor office, the worker's resume is sent to the Israeli Permits Office at Beit Hanoun Crossing. The worker's resume is inspected by the Israeli General Security Service (Shin Bet). If the worker's application is approved, the name is sent

in a list of approved names to the Palestinian Ministry of Labor, which distributes the permits to the workers.

Israelis Employers Exploiting Workers:

Gaza Strip workers are subjected to exploitation and extortion by Israeli employers. The situation is such that Palestinian workers are being used as forced labor in one way or another. Israeli employers hire workers; then at the end of the month or after the accumulation of more than a month to pay, the employer stops the work permit. Thus, a worker cannot enter Israel to claim his wage or request his rights. Also, many employers change the names of their companies and their addresses from time to time to evade paying the rights of Palestinian workers.

Workers Forced to Spend the Night at Beit Hanoun Crossing to Access their Jobs:

Due to the IOF stringent inspection procedures at Beit Hanoun Crossing, hundreds of workers are forced to spend the night near the crossing. After a hard day of work, workers spend several hours in the open. Workers from the south of the Gaza Strip tend to do this more. The workers who spend the night near the crossing await the dawn of a new day to be able to reserve a spot at the crossing.

Entrance to the crossing is subject to the temperament of occupation soldiers stationed at the crossing. These soldiers aim their weapons at the workers, and allow only small groups of no more than 4 workers to pass through the gates of the crossing. Workers are forced to raise their hands, showing their personal identity card, magnetic card and a work permit. Workers are forced to comply with the orders of the soldiers to reveal their abdomen, chest and legs. They are forced to strip to their underclothing.

Workers giving testimonies to PCHR's fieldworker stated that IOF soldiers controlling the entry of workers allow a small group of workers to pass through every half an hour. This causes crowding and pushing among, resulting in cases of suffocation or injury among them. Workers view the stringent procedures as part of the policy of humiliation and collective punishment by IOF against Palestinians.

Naval blockade and the Continuous Pursuit of Fishermen:

During the period covered by the report, Israel maintained control of the territorial waters off the coast of the Gaza Strip in spite of the implementation of the disengagement. Thus, IOF continued to violate the rights of Palestinian fishermen, which reflected negatively on their work. IOF also continued to harass and abuse fishermen, who are pursued at sea even when they have not exceeded the permitted fishing limits. Israeli navy forces regularly open fire with their machine guns towards fishermen to frighten them and force them out of the sea. In addition, IOF attacked fishermen and arrested them during their work at sea.

It is noted that the agreements signed between the Palestinian Authority and the Israeli government stipulate that Palestinians are allowed to fish in the territorial waters off the coast of the Gaza Strip for a distance of 20 nautical miles. Israeli gunboats exercise control and guard the fishing area. In reality, IOF pursue, attack, detain, and harass fishermen in a fishing area less than 10 nautical miles off the Gaza Strip coast, and mostly in the area of less than 3 nautical miles off shore.

In addition, a complete naval blockade was imposed during the period between 24 September and 6 October 2005, depriving fishermen from going out to sea; thus depriving them of their only source of livelihood. The naval blockade inflicted heavy losses on Palestinian fishermen and their families, as well as stopped work in professions associated with the fishing.

It is noted that about 35,000 people in the coastal communities and their surroundings in the Gaza Strip rely on fishing for as a source of income. This includes about 2,500 fishermen and 2,500 affiliated merchants, vendors, and carriers. An improvement in the freedom of movement of Palestinians into the sea came about after the completion of the disengagement from the Gaza Strip, especially in the southern sector where the Israelis previously prevented fishing in the Khan Yunis fishing dock and imposed restrictions on work in the port of Rafah. However, Israeli actions still restrict fishing. Since January 2005, IOF allowed Palestinian fishing until 10 nautical miles off the Gaza Strip, compared with six miles in the past. But the Oslo Accords gives fishermen from Gaza a distance of 20 nautical miles. In addition, Palestinian fishermen must stay 1 nautical mile north of the Egyptian waters and 1.5 nautical miles south of Israeli waters.

The Right to Practice Religious Rites:

During the period covered by this report, IOF continued to carry out arbitrary actions against Palestinian citizens, and violated the right of Muslims and Christians to practice their religious rites. With the implementation of the disengagement plan from the Gaza Strip IOF prevented Muslims and the Christians of the Gaza Strip from going to places of religious. Muslims were prevented from going to the city of Jerusalem to visit the Al-Aqsa Mosque or the Dome of the Rock. IOF also prevented them from entering the Haram al-Ibrahimi in Hebron, and other religious sites in the cities of the West Bank. In addition, IOF prevented Christians from the Gaza Strip from going to Jerusalem and Bethlehem to participate in religious ceremonies and festivals of different Christian denominations. Although IOF claim that they facilitated visits to religious sites for Christians, the number of Gaza Strip Christians who have been granted permits to enter the city of Bethlehem did not exceed one-hundred during the month of May 2006. Those granted permits were forced to wait long hours on the Palestinian side of the Beit Hanoun Crossing (Eriz) before heading to Bethlehem. Many were forced to return home after waiting at the crossing till 17:00 in the afternoon.

Palestinians residing in the Gaza Strip and who do not have Israel-issued identity cards were denied going to perform perform Hajj (pilgrimage) in Mecca. This happened during the pilgrimage season, the first after the implementation of the unilateral separation plan from the Gaza Strip, which was completed in late December of the year 2005, as early as January of the year 2006.

Impact of the Blockade and Closure on Movement between the Gaza Strip and West Bank:

During the period covered by this report there were restrictions on family visits, as follows:

Visits across provinces (West Bank and Gaza Strip):

Civilian visits have stopped completely since the start of Al-Aqsa Intifada. These remains remain banned even after the implementation f the unilateral disengagement plan from the

Gaza Strip. Gaza Strip residents are deprived of visiting their sons and daughters studying in the West Bank. In addition, relatives have not been able to visit relatives for years. It is noted that there are many family relations and extended family ties between people living in the Gaza Strip, West Bank, and Israel. The lack of implementing certain clauses in the borders agreement has had an adverse effect on restarting visits. The agreement stipulates running bus conveyances between the Gaza Strip and West Bank starting on 15 December 2005 and truck conveyances on 15 January 2006. However these clauses were not implemented by IOF.

Depriving detainees of their right to receive family visits:

Palestinians detained in Israeli jails have been deprived of their visitation rights as a result of tightening the siege on the OPT. Thus, detainees in Israeli prisons are deprived of meeting their children, their parents, their brothers and sisters, and their relatives. Although these visits are organized by the International Committee of the Red Cross, the visitors are required to be relatives of the first degree (grandparents, father and mother, wife, sons and daughters under the age of 16 years, and sisters who are over the age of 35 years). In many cases, IOF prevent Palestinians from obtaining a permit to visit their detainee kin in Israeli prisons despite fulfilling the necessary criteria. This deprivation is justified by security.

It is noted that the number of Palestinian prisoners in Israeli jails at the time of publication was 9400. This total is divided into 7.2% at 675 prisoners from the Gaza Strip, 86.6% at 8,143 of the West Bank, and 6.2% at 582 prisoners from Jerusalem, historic Palestine, and other Arab countries.

Often, the reasons for the prevention of visits is not known, as was the case on 12 February 2006, when occupation forces have cancelled visits to the families of Palestinian detainees in Israeli prisons, which were coordinated by ICRC.

It should be noted that the IOF arrested more than 40 thousand Palestinians during Al-Aqsa Intifada. There are about 9400 prisoners still under detention in nearly 30 prisons and detention centers. About 421 prisoners have spent more than 10 years in prison. Seven prisoners have spent more than 25 years.

International Travel:

As a result of the closure of the Rafah crossing point, which was followed by the implementation of the disengagement plan, has already implemented partial agreement crossings on the sole outlet of the Gaza Strip. forcing tens of expatriates who have come visiting parents in the sector of waiting on the Egyptian side of Rafah crossing waiting for the opening, allowing them to pass. However, the continuation of the crossing is closed for long periods led to the entry into force of leave days on the Egyptian side of the crossing waiting to cross them. which led to the return in terms of their failure to come and visit. All these conditions have made thousands of expatriate Palestinians are reluctant to visit their parents collective security sector that the success of an adventure to enter the Gaza Strip. Nor are Israeli military occupation forces prevented expatriates who do not have Israeli identity to visit their parents and relatives within the sector. These actions confirm that the Gaza Strip is still under occupation legally and realistic.

Impact of the Blockade and Closure on Business Transactions:

Beit Hanoun (Erez) crossing, Al-Muntar (Karni) crossing, Sofa crossing, and Rafah commercial crossing are the outlets that control the movement of trade and travel between the Gaza Strip and the world. IOF maintain absolute control over movement and passage of goods through these crossings. During the period covered by the report, these crossings were subject to strict closures. In addition, these crossings were subject to complicated operational procedures during the times IOF opened them.

Beit Hanoun (Erez) crossing:

IOF have closed the section used for the transport of goods at Beit Hanoun crossing since the beginning of the Aqsa Intifada. Thus, they prevented Palestinian trucks, which operated a system of convoys from passing through. It is noted that the number of trucks passing through this crossing was 120 trucks per day. Most of these trucks transported cement and food items imported through Israeli ports. During the period covered by the report, there has been no improvement in this regard. The crossing continued to be fully closed for commercial traffic.

Al-Muntar (Karni) crossing:

This crossing is the main commercial terminal for the Gaza Strip. It has been the subject of repeated closures since the beginning of the Intifada. And on the days when it was opened, IOF subjected it to strict operational procedures, which led to a decline in the passage capacity at the crossing. The closure of the crossing affected the Palestinian market. Palestinians suffered from shortage of all goods and materials that enter into the Gaza Strip from Israel and the West Bank through Al-Muntar crossing. This included foodstuffs and gas canisters, petrol, diesel, cement, iron, paper, printing toners, printing aluminum, film screens, and compact disks.

Moreover, IOF imposed complex restrictions on the transfer of goods through the crossing. This led to the expiry of detained goods, including fruit and vegetable produce. The closure caused the expiry of large quantities of drugs cited for transfer from the West Bank to the Gaza Strip and vice versa.

As a result, the local market was flooded with the agricultural surplus. Prices fell dramatically, forcing farmers to abandon their produce and undertake additional financial costs.

Sofa crossing:

Sofa crossing has been subject to severe restrictions and complicated procedures since the start of the Intifada. The crossing is most notably used to transport aggregate from Israel into the Gaza Strip. The repeated closure of the crossing has suspended a number of construction projects due to the suspension in the import of aggregate. Due to the closure that lasted 14 days since February 2006 and as at 27 March 2006, construction companies and contractors were unable to complete projects that had been initiated. In addition, they did not undertake new projects because of the stoppage in the import of aggregate and other construction materials through Al-Muntar checkpoint. For example, Salah El-Deen Construction Company could begin construction of a residential tower consisting of 36 apartments for these reasons, as reported to PCHR's fieldworker. In addition, the company stopped the paving of several major streets owing to the shortage of construction materials.

Rafah commercial crossing:

Rafah commercial crossing is allocated cargo coming from Egypt to the OPT and for the passage of humanitarian assistance donated by Arab and European states to the Palestinian people. Prior to the disengagement plan, IOF hindered the work at the crossing; thus hampering the transfer of goods or humanitarian aid to the Gaza Strip.

After the implementation of the disengagement plan, IOF closed the crossing as part of the Rafah border. Despite the signing of a new agreement the Palestinian and Israeli sides on the operation of Rafah international crossing point, the Rafah commercial crossing remains closed as it requires some technical equipment, along with crossing at Kerm Shalom, the Israeli supervision point.

International conventions have spared commercial crossings from being used as a pressure tool, for blackmail, or for political bargaining. However, IOF resort to that. Israel has a particular interest in the closure of the Al-Muntar crossing in particular, and the conversion of the passage of the goods through crossing Karam Abu Salim (Kerem Shalom) crossing.

PCHR notes that the borders agreement stated that Karam Abu Salim crossing is allocated for goods from Egypt. The attempt to transfer the goods from the West Bank or Israel to that crossing means additional costs and time. It also means the closure of Al-Muntar crossing point, which employs a large number of Palestinian workers.

Impact of the blockade and closure on the Palestinian economy:

The policy of siege and closure imposed by IOF on the OPT has had disastrous economic consequences, and have left their mark on the performance of various economic sectors in the medium and long terms. Palestinian commercial transactions rely on the ability to travel between cities and provinces; thus, the military roadblocks isolating these provinces and cities cripple movement and impede the transfer of goods and products. Furthermore, 90% of the Palestinian industries depend primarily on raw materials imported from Israel or other countries. These raw materials are brought through the border crossings, specifically Al-Muntar crossing. The prevention of entry of goods and materials has led to a decline in the volume of Palestinian industry, and therefore the low level of the contribution of this sector in the Palestinian economy. In addition, the contribution of other economic sectors declined.

Israeli control over border crossings has weakened the Palestinian economy and increased poverty and unemployment. In addition, it has led to the loss of investment opportunities, slowing of development, and the failure to advance the economy. There have been heavy losses in the sectors of trade, industry, and agriculture as a result of the closure. About 20,000 agricultural workers lost their work. And approximately 35,000 textile workers lost their work. In addition, the transportation sector suffered heavy losses. Also, the Palestinian company responsible for the project management and development of agricultural land in the evacuated settlements in the Gaza Strip suffered losses of about \$US 6.2 million. These losses were incurred due to the closure of Al-Muntar crossing, which lasted more than 45 days, that prevented the export of agricultural produce. This company is one of the biggest economic projects in the Gaza Strip, and provides employment for more than 4,000 Palestinian workers. There is fear that the project will collapse, which might lead to the loss of lone source of livelihood of these workers.

It is noted that the Gaza Strip economy has suffered considerable losses since the beginning of the current intifada in September 2000. These losses were the result of the blockade and IOF operations inside the Gaza Strip. According to World Bank estimates around 70% of the population lives below the poverty line and 44% are unemployed. The unemployment figure increases to approximately 55% during times of comprehensive closure. A shortage of basic foodstuffs and consumer goods such as sugar and milk products, oil medicine has increased the prices of these commodities by 4.66%. The Gaza Strip requires daily quantities of basic materials estimated at about 450 tons of flour, 111 tons of sugar, and 72 tons of rice. The rise in prices by 4.66% is due to 20.22% price increase in fruits and vegetables, a 6.54% increase in the price of baby milk, and a 9.44% increase in the price of sugar.

The prices of transport and communications went up by 0.56% during the month of March 2006 as a result of higher fuel prices. In addition, fuel increased by 2.51%. The prices of medical services rose as a result of a 0.27% increase in the prices of medicines and medical products. Housing and household item prices increased by 3.99% due to a 5.15% increase in the price of household fuel.

As a result of the closure of the Al-Muntar crossing and a severe shortage of paper, the price of paper more than doubled to 30 shekels per pack. The price used to be 14 shekels per pack. As a result, a new financial burden was placed on the Palestinians. A bookshop owner informed PCHR's fieldworker that he fears for his livelihood due to the decline of sales in his bookshop due to the increase in prices of paper and ink.

The strict blockade and siege and subsequent restrictions on the entry of construction materials has led to an increase in the prices of these materials. The price of a ton of cement is usually priced at 380 New Israeli Shekels (NIS). But during the closure times in March 2006, the price of one ton of cement rose to more than 600 NIS. The price per ton of iron rose from 2500 to 4000 NIS, an increase of 60%.

The repeated closure and tightened siege has hit all aspects of life. Industrial production units were paralyzed. The failure to bring in industrial raw materials threatens the existence of these industrial facilities. Most of them stopped operations and dismissed their workers after their raw materials ran out; which in turn worsened the unemployment and economic crisis.

The closure has inflicted significant damage on economic links between the Gaza Strip and West Bank. The number of permits granted to traders and businessmen from both areas are few. The goods transported between both areas are subjected to the "back to back" transportation method at Al-Muntar crossing. The long delays, especially at the entry to the Gaza Strip, are detrimental to Palestinian goods.

The closures and blockades and to prevent traders from commuting between the Gaza Strip and West Bank has cut off the links between both areas. Palestinian producers are not be able to market their merchandise in the entire domestic Palestinian market. It has been estimated by Dr. Mohamed Esteyya, Minister of Public Works and Housing, that the losses of the Palestinian people since 28 September 2000 are more than 20 billion dollars. He said that during the siege the Palestinian economy loses \$ 12 million a day.

Conclusion:

IOF rely on the policy of siege and closure as an official policy of the Israeli government. The period covered by the report was characterized by continued closure and siege throughout the OPT. The effects of the closure have more severe and virulent in the Gaza Strip after the implementation of the unilateral disengagement plan. The closure has become the status-quo of the situation in the Gaza Strip.

The Gaza Strip has become an isolated enclave as a result of the closure of its terminals to the outside world. Living conditions of its population has deteriorated; basic productive sectors, especially agriculture and industry, are paralyzed; prices rose; and there is a lack in a number of basic foodstuffs and consumer goods such as flour, milk and sugar products, medicines and oils.

IOF aggression has increased recently to include a sharp increase in the shelling and targeting of Palestinian civilians in violation of agreements signed with the Palestinian side.

The policy of collective punishment imposed by IOF on the Palestinian people is outlawed internationally and contradicts human rights standards and international humanitarian law, in particular the provisions of the Fourth Geneva Convention.

Against this background PCHR repeats the call for the cessation of the policy of blockade and starvation against the Palestinian people. The Centre also appeals to international bodies and organizations to exercise pressure on the Israeli government in order to stop the siege of more nearly 4 million Palestinians without justification. The situation has become catastrophic in an unprecedented way since the Israeli occupation on 5 June 1967. At the center, calls to the following:

- The immediate implementation of the agreement on border crossings reached between the Palestinian and Israeli sides. This call is made so as to reduce the catastrophic situation resulting from the blockade and the closure of the Gaza Strip, and not because it meets the aspirations of the civilian population or the minimum standards of international humanitarian law.
- To stop using crossings as a tool of pressure, blackmail, and political bargaining.
- To put pressure on Israel to immediately lift the siege on the Palestinian people, and to stop its aggression on Palestinians and their property.
- To provide urgent humanitarian assistance to the Palestinian people, whose living conditions deteriorate steadily as a result of the continued Israeli siege on the OPT.
- The prompt intervention by international health organizations to ensure the provision of medicines and medical supplies detained at the crossings.
- To activate mechanisms for the immediate and urgent intervention by the United Nations and its organizations, and by the International Committee of the Red Cross to ensure the delivery of medical and food aid to the Palestinian areas under siege.
- To compel Israel to respect international conventions and to comply with the resolutions of international law.
- To take effective steps by the European Union under Article 3 of the European-Israeli Association Agreement, which requires Israel to respect human rights.
- To prosecute the leaders Israel in an international tribunal for their continued perpetration of war crimes against the Palestinian people.

Annex: Table of closure of crossings of the Gaza Strip for the period 12 September 2005 till 30 April 2006

| Crossing | Closure | Total Days of Closure |
|-----------------|--|------------------------------|
| Al-Muntar | <ul style="list-style-type: none"> - 3-8 October 2005 - 24-25 October 2005 - 10 January 2006 – 4 February 2006 - 21 February 2006 – closed till noon - 22 February 2006 – 8 March 2006 - 9-13 March 2006 (partial opening 1 hour daily) - 14-19 March 2006 - 20 March 2006 (opened for 40 minutes only) - 28 March 2006 - 4-6 April 2006 - 7 April 2006 (opened for 2 hours only) - 8-11 April 2006 - 12 April 2006 (opened for 4 hours only) - 13-14 April 2006 - 16-19 April 2006 - 26-30 April 2006 | 83 |
| Sofa | <ul style="list-style-type: none"> - 25 September – 9 October 2005 - 22-27 November 2005 - 15-19 December 2005 - 18 January 2006 - 14 February – 26 March 2006 - 28 March 2006 - 13-15 April 2006 - 18-19 April 2006 | 74 |
| Beit Hanoun | <ul style="list-style-type: none"> - 12-17 September 2005 (partial closure) - 18 September 2005 - 25 September 2005 - 3 October 2005 - 25 October 2005 - 7-12 November 2005 - 17-19 November 2005 - 6-11 December 2005 - 16 December 2005 - 25 December 2005 – 14 January 2006 - 15-21 January 2006 - 9-12 February 2006 - 7 March 2006 (from 13:30 – 16:00) - 12 March – 30 April 2006 | 109 |
| Rafah | 12 September 2005 – 25 November 2005 (with the exception of a few hours of opening spread over this period) | 75 |