

Published @ 8:00 hours GMT on November 6th 1996

CLOSURE UPDATE NO.15

**Report by the Palestinian Centre for Human Rights
on the closure imposed by Israel
on the Occupied Territories**

On the evening of Wednesday, October 23, 1996, Israeli authorities re-imposed a total closure on the Occupied Palestinian Territories, including those areas under Palestinian Authority, cancelling all previous announcements to ease restrictions. This *Closure Update* documents the destructive effects and implications of the closure imposed on the Gaza Strip and all aspects of Palestinian society.

In accordance with the closure measures imposed by Israeli authorities, all border crossings between the Gaza Strip and Israeli territories are closed, restricting the movement of individuals and goods through Israeli territory to the outside world. The most recent information gathered by Palestinian Centre for Human Rights field work staff indicates that the closure continues to effect every aspect of life in the Gaza Strip through:

- 1) restrictions on commercial transactions between the Gaza Strip and Israel or the outside world.
- 2) prevention of Gazan labourers from reaching their work in Israel.
- 3) denial of access to patients who seek medical treatment outside the Gaza Strip
- 4) denial of freedom of movement between the Gaza Strip and the West Bank, including for Gazan students studying at universities in the West Bank
- 5) denial of family visits to relatives inside Israeli jails
- 6) denial of freedom of travel out of the country via Israel.

I. Preventing Commercial Transactions

Since the evening of 23 October 1996, Israel has closed all Gazan border crossings with Israel, preventing the export and import of all agricultural and manufactured goods and resulting in

great losses to the local economy of Gaza. The Palestinian Ministry of Agriculture estimates losses in agriculture alone at more than US \$500,000 dollars per day.

Six days after its closing, on 29 October, Israeli authorities agreed to reopen the Karni border crossing, the main outlet for commercial transaction for the Gaza Strip. Upon its opening, however, Israeli authorities only allowed goods from Israel to cross into Gaza, denying, under the pretext of non-readiness of security arrangements, the export of Gazan products. In response, Palestinian officials closed the Palestinian side of the border crossing at noon on 30 October, preventing Israeli products from entering the Gaza Strip. By noon on 31 October, the two sides had reached a compromise and Gazan exports were allowed to pass through the Karni crossing, although the rate of passage was far below its normal level. For example, for every ten Israeli trucks allowed to cross into Gaza, only one Palestinian truck was allowed to cross into Israel because of the lengthy process of security checks; sometimes Israeli authorities take four to five hours to check the load of only one vehicle.

The continuation of these unjustified security arrangements results in a paralysis of Gazan exports, despite the official declaration from Israel that exports will be allowed.

Similar conditions apply to the Erez border crossing where it was closed totally to commercial transactions from 23 October until 30 October. The following table shows the movement of Palestinian vehicles through Erez from 30 October, when the checkpoint was re-opened, to 3 November.¹

DATE	VEHICLES
30 Oct.	31
31 Oct.	10
1 Nov.	23
2 Nov.	0
3 Nov., until noon	2
TOTAL	66

Prior to the 25 February 1996 closure, approximately 500 Palestinian vehicles passed through Erez checkpoint per day. Following the easing announced in August 1996, approximately 200 Palestinian vehicles crossed per day. Thus, the sixty-six Palestinian vehicles which crossed

¹ Normally, crossings through Erez are conducted in a convoy fashion, in which a group of Palestinian trucks undergo security checks and are then escorted by Israeli military guards through Israel to their destination.

through Erez over a period of five days, from the morning of 30 October to noon on 3 November, did not provide a true easing of measures in real and practical terms.

The Palestinian Centre for Human Rights expresses its belief that the continuation of restrictions imposed on Gazan commercial transactions is not related in any way to the security justifications stated by Israel. Rather, the Palestinian Centre believes it is a systematic Israeli policy designed to damage the Palestinian economy, prohibiting any chance for its development and the achievement of any kind of Palestinian economic independence. Moreover, the Palestinian Centre also believes that the continuation of this policy will lead to further deterioration in the conditions in the Occupied Territories and potentially may have disastrous consequences.

II. Denying Access to Workers

As a result of the border closure on the evening of 23 October, thousands of Palestinian workers from the Gaza Strip have been denied access to their work in Israel.

The devastating effects a closure has on Palestinians and their economy is more clearly understood when considered in the context of the previous Israeli occupation. Twenty-seven years of direct Israeli military occupation destroyed the economic infrastructure of the Gaza Strip, rendering it a market for Israeli products and a source of cheap labour and creating Palestinian dependence upon employment in Israel as a primary source of income.

Since Israel began imposing closures in 1988, the number of workers granted permits has decreased dramatically. Whereas approximately 85,000 workers from Gaza travelled to Israel daily in 1988, only about 22,000 were allowed to pass prior to the 25 February 1996 closure. Consequently, the unemployment rate rose to an estimated 57%. Most recent statistics, however, suggest that the unemployment rate is around 68% due to the stagnation in the local economic sectors. All sectors of the economy have been affected, including small businesses, restaurants, construction, agriculture and industry. For example, many local workers have lost their jobs as factories are forced to close because they are unable to export their products or import the raw materials needed for production.

III. Denying Access to Patients

Closure measures imposed by Israeli authorities include the denial of access to medical facilities for Gazan patients who must seek treatment not available in the Gaza Strip.

Israeli authorities require Gazan patients to obtain permits prior to travelling to hospitals and clinics in Israel, the West Bank and Jerusalem, and neighboring countries. Only a limited number

of permits are granted, however. The Palestinian Ministry of Health stated that between 24 October and 3 November 1996, only thirty permits were granted out a total of ninety applications, despite the fact that each patient's application included an official referral from a Gazan hospital and a scheduled appointment for surgery or other treatment. Many of those denied permits are cases of individuals suffering from cancer, although Israel previously agreed it would allow such cases to travel for the necessary chemotherapy and related treatment.

Denying access to sick children

The patients denied access to medical treatment include a number of children in critical condition. Many of these children require urgent surgery, as in the case of Yahya Jawad Ziada. Yahya, born in 1995 in Jabaliya refugee camp, was scheduled to have brain surgery on 3 November at Assuta Hospital in Israel. Although his application for a permit was submitted to Israeli authorities several days prior to the scheduled surgery, Yahya has not been granted permission to travel. Once again, the Palestinian Centre for Human Rights stresses the lack of cogency in Israel's use of security as a pretext for restricting the travel of Palestinians residing in the Gaza Strip.

IV. Depriving the Right of Movement between the Gaza Strip and West Bank, including that of university students

The peace agreements signed between the Palestinian Liberation Organization and the government of Israel guaranteed the territorial integrity of the West Bank and the Gaza Strip, including a provision which ensured safe passage between the two areas. Israel's closure measures, which deny Palestinians the right to free movement, violate these agreements and subsequently cause the suffering of thousands of Palestinian citizens.

For example, Palestinians who live in the Gaza Strip are denied the right to visit family members in the West Bank and Jerusalem, and are also prevented from visiting holy sites in these areas. Hundreds of families have been separated because the husband and wife possess identification cards from different areas, forcing them to return to the area where their card was issued when a closure is imposed. Furthermore, business people and area merchants are denied access to markets and vital contacts.

Israeli authorities continue to deny the right to education to approximately 1200 Gazan students, by depriving them access to their institutions in the West Bank. For the ninth consecutive month, since Israel imposed a total closure of the Gaza Strip and the West Bank on 25 February

1996, Gazan students have been prevented from travelling to the West Bank and prohibited from being in areas under Palestinian jurisdiction in the West Bank. This has led to the loss of the whole previous academic year and the first semester of the 1996-97 academic year.²

Background information on Gazan university students

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 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.

V. Denial of Family to Visit Relatives in Israeli Prisons

The most recent total closure imposed on 23 October suspended once again the family visit program for Gazan Palestinian families to visit their relatives in Israeli prisons.

The total number of Gazan prisoners currently inside Israeli prisons is estimated to be around 750.³ This number fluctuates as a function of Israeli arrests of Gaza Palestinians at the external

² Israeli authorities did not grant permits to Gazan students until three months into the first semester of the 1995-96 school year. This, combined with the closure imposed on 25 February 1996, resulted in the loss of the entire academic year.

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, in 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. in from 13

VI. Denial of Freedom of Travel to Gazans via Israel to the Outside World

Israeli authorities continue to impose severe restrictions on freedom of travel to places outside of Gaza. The most recent information from the Palestinian Ministry of Interior states the following:

- The imposition of the closure on 25 February by Israeli authorities denied Gazan residents freedom of travel via Israel to Jordan. Although Israel announced an easing of these regulations in August, the actual policies did not change in real and practical terms. At best, some Palestinians were allowed to travel in convoys, guarded by Israeli military personnel, on prescheduled dates. However, since 23 October, all measures easing the closure were cancelled, resulting in the revocation of permits for two hundred people who had previously been granted permission to travel outside the Gaza Strip. Presently, these individuals are unable to leave the Gaza Strip and it remains undetermined if they will be allowed to reuse their permits or if the permits will be invalidated, resulting in additional burdens on individuals in terms of time and money.

Many of these people travel on business and are being forced to cancel pre-scheduled meetings and conferences.

³ 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.

- Palestinians residing in Gaza continue to be denied access to Ben Gurion airport.⁴ From 26 September to 23 October, forty-three people out of a total of seventy-two applicants were allowed to leave from Ben Gurion airport. The total number of applications, however, does not reflect the actual number of Palestinians who desire to travel via Ben Gurion. Rather, the criteria for applications is so restrictive that most people are denied the right to even apply for a permit. Since 24 October, no applications have been considered by Israeli authorities.
- Many Gazans who were previously granted permission to travel to Jordan during the easing of the closure, or who travelled through Egypt, are currently not allowed to return to Gaza due to the closure measures presently imposed.
- Israeli authorities have maintained a policy of refusing visit permits to Diaspora Palestinians in Jordan and severely restricting visit permits from Egypt; out of 1300 applications to visit the Gaza Strip via Egypt, only 900 were accepted during the month of October.
- Israeli authorities deny that they ever received twenty-one applications for family visit visa permits from Palestinians living in Canada refugee camp.⁵ The Palestinian Ministry of Interior confirms they already forwarded the applications to Israeli authorities at Erez checkpoint.

VII. Conclusion

The Palestinian Centre for Human Rights, in addition to protesting the continued closure of the Occupied Palestinian Territories, expresses the following:

- 1- The closure is part of a systematic Israeli policy of imposing a collective punishment upon Palestinians in defiance of international standards regulating the behavior of occupying forces in occupied territories, especially as stated in the Fourth Geneva Convention.
- 2- Israeli justification of policies of provocation against the Palestinian people, in terms of security, do not withstand objective examination, particularly in the case of the most recent

⁴ Palestinians may travel from Cairo airport but must first obtain a permit from Israeli and Egyptian authorities to enter Egypt and entails a day-long overland trip across the Sinai Desert, which both impractical and expensive.

⁵ Following the Camp David Accords the city of Rafah, located on the Egyptian border, was split into two sections, placing Canada refugee camp inside Egyptian territory. Consequently, many families are now prevented from seeing one another although they actually live only a few miles apart.

closure imposed on the evening of 23 October, which was taken as a preventative measure against expected operations in reaction to the 10 year anniversary of the assassination of the Islamic Jihad leader, Fathi Shikaki. It is evident from past acts against Israeli targets that closures are not an effective security measure. Furthermore, the Palestinian Centre does not see the correlation between Israeli security and denying patients medical treatment at facilities outside of Gaza, denying students access to reach their academic institutions in the West Bank, denying families visits to relatives in Israeli prisons.

- 3- In the agreements signed between them, the Israeli government and the Palestinian Liberation Organization recognized the West Bank and the Gaza Strip as one integral territory and guaranteed safe passage between the two regions. Thus, Israel is under obligation not to inhibit the freedom of movement between the two areas for individuals or goods. Even if Israel disregards its obligations under international human rights standards, the lifting of the closure is a legitimate right of the Palestinian people embedded in the peace accords.
- 4- The Palestinian people should not be expected to tolerate the current situation in which Israel remains in control of the Occupied Palestinian Territories, keeping them hostage inside the West Bank and Gaza Strip subject to the political mood of the government of Israel.
- 5- The international community is called upon to exert pressure on the Israeli government to end the suffering of the Palestinian people. Because Israel plays a significant role in the stability of the whole region, the continuation of its current policies may result in a chain reaction of violence, as was seen in the clashes of September 1996 when sixty-five Palestinians were killed and hundreds more wounded.