

Published @ 18.00 hours GMT on May 16th 1996

CLOSURE UPDATE NO.9

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

This is the ninth update published by the Palestinian Centre for Human Rights documenting the effects of the ongoing closure imposed by Israeli occupying forces on the Gaza Strip. The Israeli military closure of the Gaza Strip began on February 25th and is now in its 81st consecutive day.

Throughout the military occupation of the Gaza Strip, West Bank and Jerusalem, Israel has maintained a stranglehold over Palestinian life. The sealing of borders and the restrictions on movement of persons and goods have been a policy of the occupying Israeli military authorities, and constitutes the collective punishment of the 2.5 million Palestinian people who inhabit these areas and is forbidden under international law. The closure imposed since February 25th has been the strictest ever since the occupation began in 1967. It has virtually closed off the Occupied Territories from the outside world, causing immense suffering and hardship for Palestinians. Israel has claimed that the closure is necessary to ensure its security; but, as the subsequent bomb attacks in Jerusalem and Tel Aviv show, and as experts argue, the closure is not effective for this purpose.

Most recent information collected by the Closure Monitoring Team of the Palestinian Centre for Human Rights shows that the closure continues to severely disrupt life in the Gaza Strip: the majority of workers from the Gaza Strip are prevented from travelling to work in Israel; the income they derive sustains not only their families, but forms a vital part of the economy in the Gaza Strip; fishing, another major source of income, has been restricted to a strip of sea which stretches only 12 nautical miles from the Gaza coast; over 1,200 Gazan students are prevented from travelling to their schools and universities in the West Bank, denying them their basic right to education and disrupting their studies for 1996; Gazans are severely restricted in their rights to visit relatives in Israeli prisons; Israeli measures have caused a deterioration in the health situation in Gaza and restricts the provision of medical supplies to Gaza; Israeli

occupying forces stationed inside the Gaza Strip continue to perpetrate acts of violence against Palestinians.

During the period of the closure the Israeli government has introduced a number of measures which it claims are to ease the closure, describing them as humanitarian in nature. However, the benefit of these has been diminished by the imposition of new stringent security measures. In addition the total closure was re-instated between April 22nd and 28th and all closure-easing measures were cancelled and border crossings were re-sealed. The Government of Israel has announced a further re-imposition of the total closure beginning on Wednesday May 15th 1996; no date has been set for the easing of this closure.

1. ACTIVITIES OF THE PALESTINIAN LEGISLATIVE COUNCIL ARE OBSTRUCTED

Israeli authorities have consistently obstructed the movement of Palestinian senior officials between the West Bank and Gaza Strip. At every Legislative council meeting members travelling between the Gaza Strip and West Bank have faced disruptive obstacles from the Israeli authorities. On May 15th and 16th the Council members from the Gaza Strip were delayed from travelling to the Council meeting in Bethlehem.

The Council members from the Gaza Strip were granted permits by the Israeli authorities to travel from Gaza Strip to Bethlehem only after some delay. However, these permits were restricted to use between May 14th and 20th and were valid only from 5.00am until 7.00pm. There was an additional problem because the permits issued did not state that they were for travel on official business, but rather for personal business. The restrictions thus required Council members to return to the Gaza Strip from Bethlehem each evening, preventing Council members from the Gaza Strip from attending evening meetings and other official activities outside these time limits.

Many people with valid permits are turned back by Israeli soldiers at border crossings. The Council members feared that the already long and humiliating security procedures at border crossings would be lengthened and complicated because the permits did not indicate that they were for travel on official business; therefore they returned their permits asking for them to be amended.

On Tuesday April 14th the Israeli military authorities re-issued the permits. Although the new permits no-longer included the restriction which required them to return to Gaza Strip each day, they still failed to specify the official nature of their travel. The members returned the permits again and new permits were issued that evening by the

Israeli authorities to all but three members of the Council: Dr Haidar Abdul Shafi, Jawad Tibi and Ra'afat Najjar. These three members were not issued with permits until 9.00pm on the evening before the Council meeting.

The Council was established following the first Palestinian general elections in the Occupied Territories. The establishment of the Legislative Council was provided for in the Declaration of Principles, and provision for the general elections was made in the Cairo and Taba Agreements, subsequently signed between Israel and the PLO. The elections were hailed as a success by international and local observers and were seen as a significant step on the road to democracy. The closure and this permit system undermines the right of Council members to carry out their official duties; thus undermining the development of democratic structures in the Occupied Territories and violating the spirit of the peace agreements.

2. ISRAEL'S REFUSAL OF PERMISSION FOR TREATMENT RESULTS IN THE DEATH OF A PALESTINIAN FROM GAZA

On April 30th, Mohammed Shakar Shawwa, 62 years old from Gaza City, died because he was prevented from receiving treatment for his throat cancer. The urgent treatment he required could not be obtained in the Gaza Strip; the Palestinian Authority through the Joint Liaison Committee, had made 2 applications requesting the Israeli military authorities to grant Mr Shawwa permission to travel to Jordan for treatment, both of which had been refused. The applications set out the urgency of the case and provided all necessary documentation. No reasons were given for the refusal. It was impossible for Mohammed Shakar Shawwa to obtain specialist treatment in the Gaza Strip because the Israeli occupation has left a dearth of facilities for such treatment in the Gaza Strip.

Throughout the Israeli occupation, patients had to travel abroad or to Israel in order to receive anything more than basic treatment. Since the closure, obtaining permits for travel for medical treatment outside Gaza from the Israeli military authority has become extremely difficult, and very few patients are granted permits. Israel has claimed that it has acted with humanitarian concern and has eased the passage of patients through its territory. However of the 180 applications submitted between April 25th and May 11th, 50 cases were rejected. No reasons are given for refusal, nor is there any right to appeal or have the decision reviewed.

3. ONLY 30% OF THE PRE-CLOSURE WORKFORCE HAS BEEN PERMITTED TO RETURN TO WORK IN ISRAEL

Until May 12th, the Palestinian Ministry of Labour had received only 6,784 permits for workers to return to their places of work in Israel. This constitutes only 30% of the Palestinian workforce which was employed in Israel prior to the closure. The Israeli authorities have limited distribution of permits for work in Israel to Palestinians who are over 40 years of age.

Those Palestinian workers who obtain permits are subject to further restrictions which obstruct their ability to reach their workplaces in Israel. Israeli soldiers at Erez checkpoint, the only exit point for persons from Gaza, continue to harass workers during the lengthy security checks to which they are subjected. Scores of workers are forced to return to Gaza because Israeli soldiers refuse to permit their entrance to Israel, or confiscate their permits, even though they are valid and in order.

Agricultural workers face specific problems. Prior to the closure these workers exited Gaza from the Sofa border-crossing in the south of Gaza Strip, because this is relatively close to their places of work in Southern Israel. Once some workers were allowed to return to work in Israel this border-crossing was not re-opened forcing agricultural workers to travel a further 70 kilometres each day because they can only leave via Erez Checkpoint in the north of Gaza.

4. PALESTINIANS ARE RESTRICTED FROM VISITING RELATIVES IN PRISON IN ISRAEL

Recently the Israeli authorities have permitted some visits by Palestinians from the Gaza Strip to their relatives in prisons in Israel. However only prisoners held in Ashkelon and Nafhar can be visited, and although there are no restrictions on visits by women and children, visits by males are restricted to those over 50 years of age.

Permission for visits has to be sought from the Israeli military authorities.¹ Once permission has been granted visitors must take special buses to Erez Checkpoint. Visitors must disembark from the bus and walk the 1 kilometre to the Israeli military checkpoint, where they are then submitted to rigorous physical security checks before being allowed to re-board the buses. The buses travel to the prisons in convoy with an Israeli military escort. Although the actual journey time from Gaza to the prisons is

¹ See Update No.8 for details of the process for applying for permission for prison visits.

around 2 hours, because of the security procedures at Erez, the whole trip can take up to 18 hours.

Some 3,500 Palestinians are imprisoned in Israeli prisons; the Israeli Government links their release to the performance of the Palestinian Authority in dealing with issues such as Israeli security. The release of prisoners was listed as one of the confidence-building measures in the Peace Agreements signed between Israel and the PLO. However, Israel has ignored this.

On re-deployment of Israeli occupying forces in May 1994 the Palestinian prisoners who were held in Israeli prisons inside Gaza Strip were transferred to Israeli prisons inside Israel, in contravention of international law. Many Palestinians were imprisoned following a trial process before the Israeli Military Court, the structure and procedures of which violate all fair trial standards. Their continued imprisonment in Israel constitutes a violation of international humanitarian law, and is contrary to the Peace Agreements.

5. ISRAELI FORCES CONFISCATE PALESTINIAN LAND INSIDE THE GAZA STRIP

At 8.00am on May 7th 1996 an Israeli military bulldozer and two military jeeps began to clear land belonging to Palestinian families in the Gaza Strip in order to build a road joining the Israeli settlement of Gush Qatif with Moraj Settlement. The land was owned by Hamdam Dhai and Hussein Asha'ar, who each lost a total of 177.029 dunams and 386.783 dunams of land respectively.²

On protestation by the Palestinian families a large contingent of Israeli forces arrived to remove them from the area. Violent and excessive force was used by the Israeli soldiers, which resulted in a Palestinian being shot in the leg and a number of women were beaten so severely that they required hospital treatment. The bulldozing of the land stopped when a Palestinian delegation from the Palestinian-Israeli Joint Liaison Committee arrived on the scene to protest the land clearing.

CONCLUSION

The closure has now been imposed on the Occupied Territories for 81 consecutive days. The closure-easing measures which Israel claims it has implemented have been minor and have done little to alleviate the daily suffering of the Palestinian people.

² 1 dunam of land is equal to 1000 square metres.

This Israeli instrument of collective punishment is having severe and destructive effects on the Palestinian people. The Palestinian Centre urges the following:

- i. The closure should be lifted immediately and unconditionally.
- ii. The repeated abuses of international accepted human rights standards, perpetrated by Israel against the Palestinian people must end.
- iii. The Israeli government must fulfil its obligations under the peace agreements which it has signed.

Until this is done peace and stability in the region remains under threat.