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# The Palestinian Centre for Human Rights

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***A report on:***

***Israeli Attacks on Palestinian Fishers in the Gaza Strip***

***1 June 2008 – 31 August 2009***



## **Palestinian Centre for Human Rights**

Consultative Status with the ECOSOC of the United Nations

Affiliate of the International Commission of Jurists - Geneva

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

Member of the Euro-Mediterranean Human Rights Network – Copenhagen

Member of the International Legal Assistance Consortium (ILAC) - Stockholm

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## Introduction

This report documents Israeli attacks against Palestinian fishermen in the Gaza Strip from 1 June 2008 to 31 August 2009. This is the third report in a series published by the Palestinian Centre for Human Rights (PCHR); it discusses the reality of life for Palestinian fishermen in the Gaza Strip and the attacks which they are subject to as they attempt to perform their work. These Israeli attacks aim at imposing restrictions on the areas in which Palestinian fishermen are allowed to work, and effectively deny their right to work. Attacks on fishermen are one element of the widespread violations of international law perpetrated by Israel in the Gaza Strip.

Israeli attacks violate Palestinian fishermen's right to life, security and personal safety. The targeting of fishermen, and their property, including seaports, boats, and fishing equipment, constitutes serious violations of international human rights and humanitarian law. Israeli forces periodically escalate their attacks, for example, in the last week of the reporting period, Israeli forces attacked a number of Palestinian fishing boats, resulting in one boat being set afire.

During the reporting period, Israeli occupation forces (IOF) continued imposing a naval blockade on the Gaza Strip. This blockade, part of the wider blockade imposed on the Gaza Strip, constitutes a form of collective punishment, in violation of Article 33 of the Fourth Geneva Convention. In addition, IOF reduced the area allowed for fishing in the Gaza Strip Sea from 20 nautical miles – the area agreed on in the Palestinian-Israeli agreements<sup>1</sup> – to six nautical miles in 2008. In 2009, this area was further illegally reduced to just 3 nautical miles. During the latest offensive on the Gaza Strip (from 27 December 2008 to 18 January 2009), IOF imposed a complete sea closure on the Gaza Strip whereby Palestinian fishermen were prevented from reaching seaports, sailing or fishing. The period following the offensive witnessed a partial sea closure which prevented fishermen from performing their work freely.

IOF continued to attack Palestinian fishermen, even in the restricted area in which they were allowed to fish. Such attacks prevent fishermen from working, endanger their lives, and damage equipment. IOF also confiscated fishing boats and detained, attacked and arrested fishermen, often imposing heavy fines.

PCHR's Economic and Social Rights unit has closely monitored the fishing sector in the Gaza Strip. The unit has consistently highlighted and documented the issues relating to fishermen and the fishing sector, and has issued a number of specialized reports and periodicals which covered the Israeli violations against the Gaza Strip fishermen. The unit also reinforced its activities in that field and

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<sup>1</sup> According to Oslo agreement, the 42-km Gaza Strip Coast was divided to k.m.1 areas. K extends to 20 miles in the north of Gaza and 1,5 miles to the south, m extends from 20 miles in the south to a mile in the Egyptian waters, and l area extends to 20 miles from the seashore

started working with Fishermen's Union and other NGOs within a cooperative and consultative framework to serve the interests of fishermen in the Strip. PCHR also support fishermen who are victims of Israeli attacks, by providing legal support and representation, and through the submission of compensation claims.

### **Summary of the Report**

- IOF have continued attacking and detaining Palestinian fishermen in the Gaza Strip, violating their right to life, liberty, and safety and security.
- PCHR documented 13 cases where fire was opened on the fishermen and their boats; one fisherman was killed and eight were injured.
- In violation of the Oslo Agreement, Israeli forces continue to restrict the area of water open to Palestinian fishermen. In 2008 this area was reduced to six nautical miles, in 2009 it was further illegally reduced to 3 nautical miles. Legally, Palestinians are entitled to fish to a distance of 20 nautical miles from the coast.
- IOF have continued detaining fishermen. 55 Palestinian fishermen and three foreign activists were detained in the period covered by the report. They were taken to Ashdod for interrogation.
- IOF have continued confiscating supplies and fishing equipment. PCHR documented 16 cases where 31 boats and a number of fishing nets were confiscated.
- As a result of the illegal blockade imposed on the Gaza Strip fuel and spare parts cannot be obtained. This frustrates the maintenance and repair of nets, fishing boats, and other equipment. Replacements are impossible to obtain. The Palestinian fishermen have lived under tragic conditions.
- The Israeli offensive inflicted huge damage on the fishing sector. The direct losses during the offensive were estimated at US \$400,000, and the indirect losses resulting from the stoppage of fishing were estimated at 1.7 million dollars.

## **Fishermen and workers in fishing sector in the Gaza Strip**

The fishing sector plays an important role in the economic and food structure of Palestinian society in the Gaza Strip. Statistics show that the fishing sector witnessed different changes regarding contribution in the Palestinian national economy; it was unable to actually contribute in the Palestinian national economy through out the period prior to the establishment of the Palestinian National Authority; consequently, it only contributed by 0.5% in the national product. However, statistics indicate that after 1993, a rise was witnessed in the fishing sector's contribution to the national product which reached 2.5% in 1996<sup>2</sup>. Its contribution in the agricultural sector, according to the data of 2000, was estimated at 5%. This rise goes back to the increase in the number of fishermen and workers in the field of fishing sector.

### **Number of Palestinians Employed in the Fishing Sector**

Over the last two decades, the fishing sector has witnessed a notable increase in the number of fishermen and related employees in the Gaza Strip. In 1992, there were about 1680 fishermen; the number increased to 2000 fishermen in 1993, then to 2543 fishermen in 2002, 2500 fishermen in 2003, 2700 fishermen in 2004, and 3000 fishermen in the years from 2005 to 2008. In the current year 2009, the number reached 3403 fishermen distributed throughout the Gaza Strip's five governorates: 154 fishermen in the northern governorate, 1574 fishermen in Gaza governorate, 579 fishermen in the middle area governorate, 668 fishermen in Khan Yunis governorate and 428 fishermen in Rafah governorate.

The number of fish traders and part-time fishermen, who do not practice fishing permanently, is estimated at 1054 traders and part-time fishermen distributed as follows: 6 in the northern area, 411 in Gaza, 210 in the middle area, 316 in Khan Yunis, and 111 in Rafah.

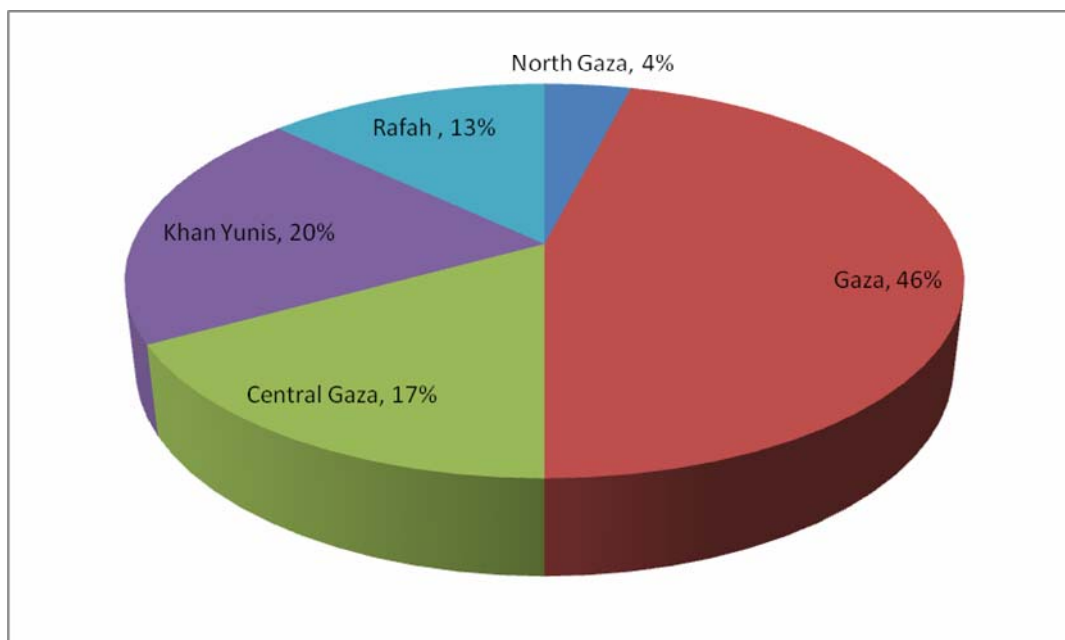
The following table shows the number of workers in fishing including fishermen, traders and part-time fishermen.

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<sup>2</sup> For more information, review A Report on the Israeli Attacks against the Palestinian Fishermen in the Gaza Strip from 1 June 2002 to 25 October 2003, PCHR

**Table (1):** shows the number of fishermen distributed on the Gaza Strip governorates in 2009<sup>3</sup>

Area	Number of Fishermen	Number of Traders and part-time fishermen
Northern Gaza	154	6
Gaza	1574	411
Middle area	579	210
Khan Yunis	668	316
Rafah	428	111
Total	3403	1054

**Diagram (1):** shows the number of fishermen and percentages in the Gaza Strip governorates

The number of workers who work in professions related to fishing, such as building and maintaining boats, preparing fishing nets, ice-making for fish preservation and fish gutting and gilling is estimated at 2000 workers who support approximately 40,000 Palestinians in the Gaza Strip.

<sup>3</sup> The general administration of fish sector

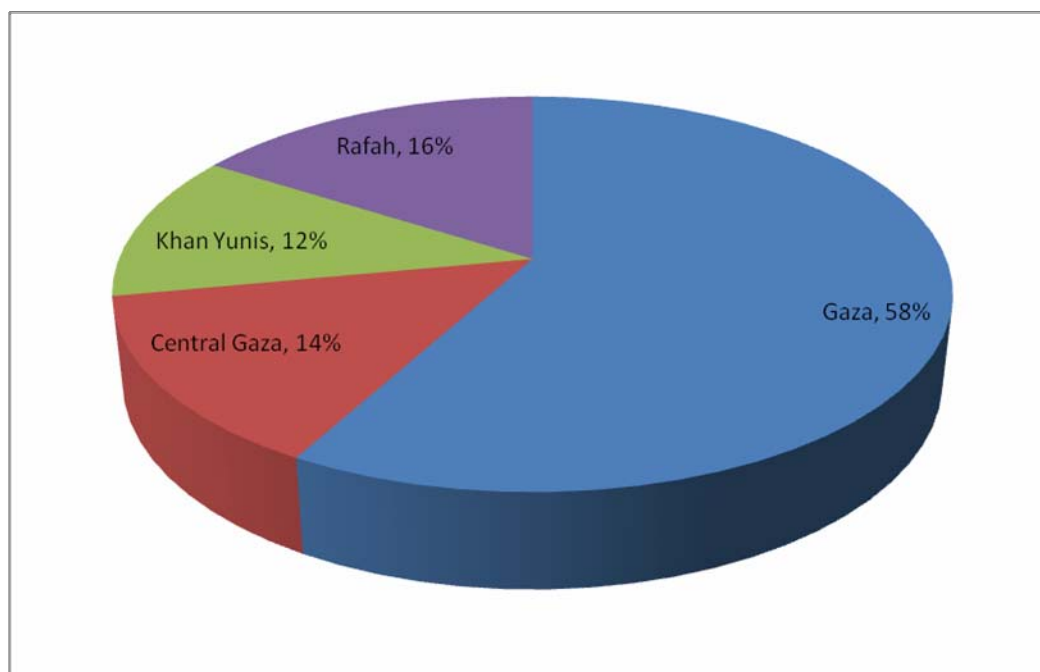
### **Fishing Tools and Means**

Fishermen in the Gaza Strip use approximately 975 boats of varying quality distributed. These boats are distributed throughout the Gaza Strip as follows:

**Table (2): shows the number of boats in the Gaza Strip in 2009<sup>4</sup>**

<b>Area</b>	<b>Number of Boats</b>
Gaza	447
Middle area	113
Khan Yunis	93
Rafah	122
All areas	200
Total	975

**Diagram (2): shows the number of boats and percentages in the Gaza Strip governorates**



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<sup>4</sup> The general union of fishing workers in the Gaza Strip governorates

## **Fish Production**

The dramatic increase in the number of fishermen and boats used in fishing only led to a slight increase in the production of fish. This goes back to weakness of the infrastructure, the Israeli attacks against fishermen, the detention of fishermen and the confiscation of boats, and the reduction in the area allowed for sailing and fishing. The following table shows a comparison between fish production in different periods according to the statistics of the general administration of the fishing sector in the Ministry of Agriculture.<sup>5</sup>

**Table (3): shows the size of fish production in the Gaza Strip through out different years<sup>6</sup>**

<b>Year</b>	<b>Size of Fish Production</b>
2000	2490 tons
2001	2083 tons
2002	2296 tons
2003	1481 tons
2004	2840 tons
2005	1813 tons
2206	2322 tons
2007	2700 tons
2008	3100 tons
Till 30 June 2009	500 tons

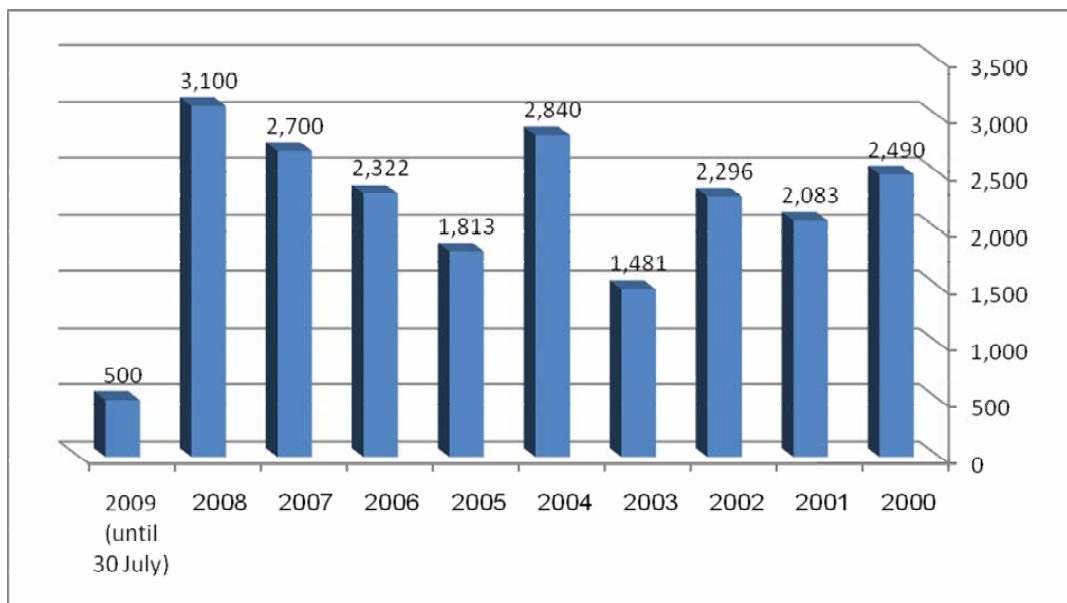
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<sup>5</sup> For more information about the size of fish production in the Gaza Strip in the period from 1985 to 2002 review:

- PCHR Report on the Israeli Attacks against the Palestinian Fishermen in the Gaza Strip from 29 September 2000 to 31 May 2002 – during Al-Aqsa Intifadah
- PCHR Report on the Israeli Attacks against the Palestinian Fishermen in the Gaza Strip from 1 June 2002 to 25 October 2003

<sup>6</sup> The general administration of fish sector in the Ministry of Agriculture



**Diagram (3): shows the size of fish production in the Gaza Strip through out different years**

The increase in the size of fish production in 2008 compared to the other years is related to the presence of foreign activists in the Gaza Strip and their support of Palestinian fishermen. International activists – acting as a deterrent to Israeli attacks – accompanied fishermen past the six miles allowed for Palestinian fishermen, and they were able to fish approximately 8.5 nautical miles from the shore. However, fish production decreased as Israel escalated the number of attacks and detentions, and arrested and deported international activists. Further decreases occurred in the first six months of 2009, as a result of the complete disruption of fishing during the offensive on Gaza. Partial disruption continued at the time of writing.<sup>7</sup>

### **Israeli Attacks on Palestinian Fishermen<sup>8</sup>**

IOF continued attacking Palestinian fishermen in the Gaza Strip during the period covered by the report, 1 June 2008 to 31 August 2009<sup>9</sup>. The main attacks were characterized by IOF entering the

<sup>7</sup> An interview with Dr. Hassan Azzam, the head of fish sector in the Ministry of Agriculture, on 25 June 2009

<sup>8</sup> The information in this part was taken from:

- The documented data in the weekly report issued by PCHR on **the Israeli Violations in the Palestinian Territories, No. 5-11 January 2008 – 20-26 August 2009**
- **The daily documentation report of the Israeli attacks against fishermen in the Gaza Strip**, the General Union of Workers of Fishing. PCHR's researcher got a copy of it

Gaza Strip's territorial water, directing heavy fire at Palestinian fishermen, intercepting their boats, attacking them and forcing them to sail towards Ashdod port to be detained there.

IOF also shelled and confiscated a number of fishing boats belong to Palestinian fishermen. In addition, IOF detained three international activists who were accompanying Palestinian fishermen off the coast of Deir el-Balah. Those activists came to the Gaza Strip to support the Palestinian fishermen in lifting the siege.

IOF imposed a naval blockade on the Gaza Strip Sea for prolonged periods which led to depriving the Palestinian fishermen from performing their work. The area allowed for fishing was reduced from 6 miles in 2008 to less than 3 miles in 2009; in addition to the complete closure imposed during the 23-day Israeli offensive on the Gaza Strip. It negatively affected the quality and quantity of the fish sector. The following is a documentation of the Israeli attacks against the Palestinian fishermen during the period covered by the report:

### **Violating Fishermen's Right to Life, Security and Safety**

IOF violated Palestinian fishermen's right to life, security and safety during the reporting period covered. The direct targeting of civilians is a violation of international humanitarian law, and amounts to a war crime.

Fishermen continued to be attacked despite the fact that they posed no threat to Israeli forces, and were fishing within the area defined in the Oslo Agreement. PCHR documented several cases in which fishermen and their boats were attacked. These attacks resulted in the murder of one fisherman, while eight others were injured. A number of fishing boats and equipment were also damaged. The cases are as follows:

#### **I: Killing a Fisherman in the Sea**

- On 17 January 2009, IOF opened fire on the boat of the fisherman, Mohammed Jarbou', while he was sailing off the coast of al-Shati' refugee camp in Gaza. He sustained a serious injury in his head which led to his death on 25 January 2009; in addition, two other fishermen were injured in the attack. Ameer Zeyad Hassan Kaskeen, aged 20, from the northern Shati' refugees' camp informed PCHR that:

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<sup>9</sup> In the light of the PCHR highlighting of the daily developments, the average of the Israeli attacks reached 10 attacks a day including detention of fishermen, opening fire, damaging boats and fishing nets, and confiscating fishing boats

*"At 6:00 am, on 17 January 2009, the fisherman Nedal Zeyad el-Najjar, aged 21 from the northern Shati' refugees' camp, and I were sailing close to the boat of the fisherman Mohammed Jarbou'. Both boats started sailing before el-Mashtal area in Gaza. I saw an Israeli gunboats getting close to ours; it started shooting us at a distance less than 200m. Mohammed Jarbou' was injured in his legs and head and fell in the sea water, I was injured in my hand and Nedal was injured in his stomach. Other fishermen rushed to help us and we were immediately taken to hospital by a car. After we were treated, doctors allowed us to leave, however, Mohammed el-Jarbou' died on 25 January 2009 due to his serious injury."*

The fisherman, Re'ed Zeyad Hassan Kaskeen, aged 29, from the northern Shati' refugees' camp said to PCHR's researcher:

*"On 17 January 2009, while I was fishing in el-Mashtal area, in the west of Gaza, I saw five fishing boats sailing in the same area. There were the boats of Mohammed Jarbou, our colleague, my brother Ameer and the fisherman Nedal el-Najjar among them. While working, I saw Israeli gunboats getting close to them; they were at a distance less than 200m away from the seashore. The Israeli gunboats opened fire on them which caused the injury of Mohammed Jarbou' in his head where he was taken to hospital, my brother Ameer in his hand and Nedal el-Najjar in his stomach. I immediately moved to rescue them. Mohammed Jarbou' died a few days later due to his injury."*

## **II: Fishermen Injured**

- On 5 October 2008, IOF opened fire on the fisherman, Mohammed Jihad Mosleh, aged 19 from Tal el-Soltan neighborhood in Rahaf. He was shot in his leg when IOF opened fire on a number of small fishing boats which were sailing in the sea of Rafah before the fishing seaport in the south of the Gaza Strip. Medical sources stated that his injury was moderate to serious.
- During the latest Israeli offensive on the Gaza Strip, the fisherman, Nedal Ibraheem Ayyash, was injured due to the intensive Israeli shelling of the fishing seaports.
- Also during the latest Israeli offensive on the Gaza Strip, IOF opened fire on Palestinian fishermen due to which four fishermen were injured: Ibraheem Mohammed el-Aqra' (fracture in his shoulder), Mahmoud Lotfi Ayyash (injury in his hand), Zoheir el-Masar'i (injury in his hand) and Abdullah Yusuf Salah (injury in his lung and leg).
- On 6 June 2009, Eyyad Abed el-Nabi was injured when the Israeli gunboats opened their heavy machine guns towards the fishermen boats opposite Rafah seashore in the south of the Gaza Strip.
- On 14 August 2009, at about 6:00 pm, Israeli gunboats opened fire towards the fishermen boats opposite Rafah seashore. Mohammed Bassam Ashoor, aged 12 from Yebna refugees' camp, was shot in his head while he was resting near the fishing seaport. The injured child was taken to the Martyr Mohammed Yusuf el-Najjar Hospital in Rafah to get the medical treatment needed. The medical sources stated that his injury was moderate to serious.
- On 27 August 2009, the Israeli gunboats shelled the boat of Salem el-Attar, aged 24 while he was sailing before Beit Lahia seashore in the northern area which led to moderate injuries.

**Table (4): names of fishermen who was killed or injured from 1 June 2008 to 31 August 2009**

#	Name	Date	Notes
1.	Mohammed Jihad Mosleh	5 October 2008	Injured in his leg
2.	Nedal Ibraheem Ayyash	During the offensive	Injured
3.	Ibraheem Mohammed el-Aqra'	During the offensive	Fracture in his shoulder
4.	Mahmoud Lotfi Ayyash	During the offensive	Injured in his hand
5.	Zoheir el-Masar'i	During the offensive	Injured in his hand
6.	Abdullah Yusuf Salah	During the offensive	Injured in his lung & hand
7.	Mohammed Jarbou'	25 January 2009	Injured on 17 January 2009 & died on 25 January 2009
8.	Eyyad Abed el-Nabi	6 June 2009	Injured
9.	Mohammed Bassam Ashoor	14 August 2009	Injured in his head

### Shelling Fishing Boats

- On 26 June 2008, the Israeli gunboats opened fire several times on the Palestinian fishermen and their boats in Khan Yunis and Deir el-Balah forcing them to retreat which caused reducing the chances of fishing.
- On 29 December 2008, IOF gunboats bombarded the fishing seaport.
- On 15 April 2009, the Israeli naval forces shelled fishing boats which led to the destruction of one of the boats without causing injuries. IOF claimed that they observed a booby-trapped boat intending to target Israeli ships and that it was observed more than an hour before shelling and destroying it. Eye-witnesses from the Palestinian fishermen, who were there, stated that the Israeli gunboats besieged the boat, which was close to the seashore and was carrying fishing nets on its board, then bombarded it. The Palestinian Ministry of Agriculture revealed that the issue of the IOF bombardment of the fishing boat was "an Israeli fabrication" to escalate the Israeli attacks against fishermen and to reduce the area allowed for fishing which is no longer beyond two miles. IOF intended to escalate their attacks against the Palestinian fishermen in the Gaza Strip with the beginning of fishing season; besides, tens of fishermen have been detained in the sea of Gaza. Fishermen became insecure and unable to provide their children with food from the only source of their livelihood<sup>10</sup>.
- On 19 April 2009, Israeli naval troops attacked Palestinian fishing boats in Rafah. A number of fishermen stated that an Israeli warship shelled the boat they were on. As a result, these fishermen left the sea and stopped fishing.
- On 21 April 2009, Israeli gunboats opened fire towards Palestinian fishing boats across the sea in the northern area due to which fishing boats, equipment and nets were damaged.

<sup>10</sup> A press release issued by the Palestinian Ministry of Agriculture in the Gaza Strip, on 15 April 2009. [www.moa.gov.ps](http://www.moa.gov.ps)

- On 9 May 2009, Israeli gunboats opened fire towards fishing boats across the sea in el-Sodaniyah area in the north. A number of boats were damaged but there were no injuries.
- On 26 May 2009, Israeli naval troops stationed in the sea of the Gaza Strip opened fire towards the boat of the fisherman Ibraheem Matar el-Qur'an. The boat was damaged but the fisherman was not hurt.
- On 31 August 2009, at about 8:15 am, Israeli gunboats stationed opposite el-Waha Tourist Resort, in the west of Beit Lahia in the northern area, opened fire towards Palestinian fishing boats after they had over passed the warning signals put by IOF before el-Waha Resort. The warning signals prevent boats from heading to the northern area of the resort. Direct and indiscriminate fire led to completely burning a fishing boat which belongs to the brothers: Omar, Khaled, Mahmoud and Hassan Ibraheem el-Habeel living in el-Shati' refugee camp in the west of Gaza. The fishermen: Adham Khaled el-Habeel aged 22, Mohammed Khaled el-Habeel aged 19, Mohammed Sa'eed Sa'd Allah aged 23, Ahmed Majed el-Habeel aged 19, and Mohammed Mohammed el-Arayshi aged 20 – who were on the board of the boat – could escape from the area but IOF intensified fire-opening towards the boat which led to directly striking the gas bottles on the board of the boat. This caused a fire which then burnt 2000 liters of diesel at the bottom of the boat. The fishermen were forced to jump from the boat after they sustained minor burns in different parts of their bodies. Another fishing boat belonging to Abdel Mu'ti el-Habeel, aged 49, from el-Shati' refugees' camp was also damaged, and fishing nets on the board of the two boats were lost. Israeli gunboats tried to extinguish the fire but they could not stop it completely. At the end, the Israeli gunboats allowed some of the Palestinian boats to get closer from the targeted boat, pull it, and take the five fishermen to Gaza seaport. After the boat had reached Gaza seaport, civil defense staff could extinguish the fire completely.

**Table (5): fishing boats which were exposed to bombardment from 1 June 2008 to 31 August 2009**

#	Date	Bombardment
1.	29 December 2008	Bombarding the fishing port in Gaza seaport
2.	15 April 2009	Destroying a fishing boat
3.	21 April 2009	Fishing boats were shelled in the northern area
4.	9 May 2009	Fishing boats were shelled in the northern area
5.	26 May 2009	A fishing boat was seriously damaged
6.	31 August 2009	Burning a fishing boat in the northern area

### **Detention of Fishermen**

55 fishermen and 3 international activists were detained in the period covered by the report. Below are some of the detention cases, as documented by PCHR:

- On 1 August 2008, a fishing boat, which belongs to the fisherman Isma'el el-Bardaweel, was sunk by IOF across the sea of Rafah. Isma'el was detained.
- On 10 August 2008, the fisherman Khalil Abdullah el-Bardaweel, from Rafah, was detained by IOF.
- On 16 August 2008, at around 7:00 a.m., IOF opened fire on a fishing boat before el-Waha Tourist Resort which is located in the west of Beit Lahia in the northern area. Two fishermen, Ayman Mostafa el-Assi aged 29 and Abdul Kareem el-Nahhal aged 40, were on the board of the boat; they are from el-Shati' refugees' camp in Gaza. The Israeli gunboat got closer to the fishing boat and forced the two fishermen to jump in the sea water and swim towards the Israeli gunboat. They were detained and transferred to Ashdod seaport where they were interrogated and kept in detention till 3:30 pm. Later, they were transferred to Erez Crossing and freed while they were wearing their underwear only.
- On 18 November 2008, at about 10:00 am, IOF intercepted three Palestinian fishing boats carrying 15 Palestinian fishermen and 3 international activists; they were sailing before el-Nuseirat Sea. IOF detained them and took them to Ashdod seaport. Two hours later, 9 Israeli gunboats came and pulled the Palestinian fishing boats into the Israeli borders, however, they were released the following morning. The 3 international activists were deported by the immigration department after few days. Here are the names of the Palestinian fishermen and international activists who were detained:
  1. Andrew MacDonald, aged 34, from the UK
  2. Darlene Wolak, aged 57, from the USA
  3. Vittorio Arrigoni, aged 37, from Italy
  4. Ali Fakher Bakr
  5. Wesam Sa'ed el-Habeel
  6. Ali Kamal Abu Ryalah
  7. Mostafa Sha'at
  8. Mohammed Abu Oda
  9. Nedal Haydar Abu Oda
  10. Jihad Ibraheem Abu Oda
  11. Nemer Sliman Abu Ryalah
  12. Jihad Mas'oud Abu Oda
  13. Adham Khaled el-Habeel
  14. Mohammed Khaled el-Habeel
  15. Mohammed Mohammed el-Arayshah
  16. Saddam Majed Bakr
  17. Maher Kamal Kamel Abu Soltan

Adham Khaled el-Habeel aged 21, who is a captain of one of the fishing boats and was released on the dawn of Wednesday, 19 November 2008, stated:

*"On Tuesday, 18 November 2008, three big fishing boats started sailing at about 7:30 am from Gaza seaport towards Deir elBalah town. There were 15 fishermen and 3 activists on the board of the boats; we were about 7 naval miles away from the Gaza seashore. Suddenly, at about 10:15 am, three Israeli gunboats, accompanied by six inflatable boats and carrying about 15 to 20 Israeli soldiers each, surrounded the boat of the four fishermen and the activist Andrew MacDonald from the UK. I saw a number of the Israeli soldiers jumping out of the inflatable boat and swimming towards the fishing boat; they confiscated the camera of Andrew and arrested him. The four Palestinian fishermen were obliged to get their clothes off; then after two minutes, they were obliged to put them on. The fishermen were handcuffed and taken to the Israeli boats. IOF moved towards our boat; they forced us to take our clothes off and arrested the four fishermen and the activist Darlene Wolak. Similarly, they moved to the third boat and arrested the four fishermen, but the activist Vittorio Arrigoni resisted. He went up, but some Israeli soldiers followed him and attacked him with electrical tools on his body. He jumped into the sea water then was arrested. IOF forced us to sail towards the north where we arrived at Ashdod seaport at about 5:20 pm. We were blindfolded and detained in a hall to be interrogated on the reasons of having the international activists with us. On Wednesday, at about 1:00 am, we were transferred to Erez Crossing and asked to go to Gaza."*

- On 15 December 2008, IOF detained the fisherman Wa'el Abu Ryalah while he was fishing in el-Sudaniyah area.

Wa'el Abu Ryalah aged 25, from Gaza, told PCHR:

*"On 15 December 2008, my brother Jihad and I went to el-Sudaniyah area and we did not go beyond the two miles allowed. An Israeli gunboat carrying 6 soldiers asked us to stop, but we did not listen to them; so they opened fire and forced us to stop. After that they asked us to take our clothes off and sail towards the north. We were detained and taken to Ashdod seaport where they confiscated the boat and other fishing equipments. My brother and I were detained for 7 hours, and then we spent 3 hours under interrogation. We were released at 7:00 am. After three months, IOF called us to take our confiscated stuff. I got the boat whose engine was broken, which costs 5,000 NIS to be repaired. But I did not get the rest of the equipments due to which I could not work in fishing for three later months."*

- On 13 March 2009, IOF detained the fisherman Daher Mahmoud Zayed and his son.
- On 19 March 2009, IOF detained four fishermen: Ramzi el-Soltan, Mahmoud Mohammed Zayed, Kamel Barkat el-Anqah and Mohammed Hassan el-Soltan while they were fishing in the northern area of the Gaza Strip.
- On 25 March 2009, IOF detained five fishermen: Abdullah Khalil el-Najjar, Khalil Abdullah el-Najjar, Mohammed Abdullah el-Najjar, Yusuf Abdullah el-Najjar and Ali Hassan el-Najjar.
- On 6 April 2009, IOF detained eight fishermen in the northern of the Gaza Strip. They are: Eshaq Mohammed Zayed, Rasem Eshaq Zayed, Hafeez el-Soltan, Ahmed As'ad el-Soltan, Ref'at Zayed Zayed, Nash'at Zayed, Ramez Adnan el-Soltan and Ahmed Khairy el-Soltan.

- On 21 April 2009, at about 9:00 am, Israeli gunboats intercepted a boat near the fishing seaport in Rafah. The fishermen, Ra'ed Ali Othman aged 40 and Mohammed Samir Owaidah aged 21, were detained and taken to an unknown destination.
- On 7 May 2009, Israeli gunboats detained five fishermen and took them to an unknown destination while they were fishing in Gaza Sea. The sources added that the boat was sunk by IOF for it exceeded the area allowed.
- From 14 to 20 May 2009, IOF continued intercepting the Palestinian fishermen, shelling their boats and detaining them in the Gaza Strip. In the south of Rafah, two brothers were detained and taken to an unknown destination; one of them was a child.
- From 21 to 27 May 2009, IOF kept chasing and detaining a lot of Palestinian fishermen where six fishermen were detained; four in the west of el-Sodaniyah area in the northern area of the Gaza Strip and two before the Swedish Village in the Southern area of the Gaza strip.
- On 4 June 2009, IOF detained six fishermen before the shores of Gaza City after opening fire on them and intercepting their boats. Two fishermen were identified: Omar el-Hessi and Amer el-Habeel. They were taken to an unknown destination after forcing them to take their clothes off and swim towards the Israeli gunboat.
- On 4 June 2009, IOF detained six fishermen in the northern area of the Gaza Strip while they were fishing. They are: Maher Abu Soltan, Adham Khaled el-Habeel, Mohammed el-Habeel, Ahmed el-Habeel, Mohammed el-Arayshi and Saddam Bakr.
- On 5 June 2009, IOF confiscated a boat belonging to Khaled Ibrahim el-Habeel aged 44, from el-Shati' refugees' camp in the north of Gaza City. The boat was carrying six fishermen who were detained then released later in the same day.
- On 16 June 2009, IOF detained two brothers, Hadi (19 years) and Ashraf Sobhi Sa'dallah (26 years). The brothers were taken to Ashdod seaport for interrogation, and then to Erez Crossing where they were released.

Hadi Sobhi Sa'dallah stated:

*"On Monday 15 June 2009, at about 7:00 pm, we threw the fishing nets at a distance of 2.5 miles before el-Waha Tourist Resort. However, air currents moved the nets towards the north, close to the Israeli gunboats. On Tuesday 16 June 2009, at about 6:00 am, my brother Ashraf and I sailed towards the net, but three Israeli gunboats surrounded the area and opened fire. At about midday, we were taken to Erez Crossing for interrogation; they asked me about my relatives and my work. They told me that they would bring all fishermen, one by one, for interrogation. After that, we were put into the police jeep for four hours then released at about 7:00 pm at Erez Crossing."*

- On 22 June 2009, IOF intercepted two small boats carrying four fishermen in the el-Sodaniyah area. They were detained and their boats were confiscated. The fishermen were: Oday Abdull Bari el-Soltan, Saddam Abdull Bari el-Soltan, Hassan Ramadan el-Soltan and Mohammed Nori el-Soltan.



- On 6 August 2009, at about 6:00 am, two Israeli inflatable boats approached to within 600 metres of the Swedish village in Rafah. At the time there were approximately 14 fishermen fishing on board 7 small boats. Two brothers: Zeyad Abdul Karim Meqdad (38 years) and Abdullah Abdul Karim Meqdad (23 years) were detained.

Zeyad Abdul Karim Meqdad told PCHR that:

*"After detaining my brother and me, IOF transferred us to Ashdod seaport to be interrogated. They offered us to work with them for financial incentives, but we refused. During interrogation, we were exposed to inspection, taking our clothes off, handcuffing and blindfolding. We were released the same day at 5:00 pm at Erez Crossing, but our small boat was kept in detention."*

- On 18 August 2009, at about 6:00 am, two Israeli inflatable boats approached to within 600 metres of the Swedish village in Rafah. IOF detained two fishermen on the board of a boat; they are: Mohammed Mahmoud Hasouna (45 years) and his son Shehab Mohammed Hasouna (18 years). They were taken to an unknown destination, then at about 7:00 pm, they were released at Erez Crossing, but their small boat was kept in detention.

### **Confiscation of Fishing Equipment**

During the reporting period, IOF confiscated 26 boats and number of fishing tools and nets. As a result the fishermen were unable to work and sustained heavy financial losses.

- On 10 June 2008, IOF confiscated the boat of Saleh Mohammed Kabajah as the wind caused it to drift towards Israel.
- On 18 November 2008, IOF detained three boats belonging to: Zaki Abu Oda, Abdul Mo'ti el-Habeel and Khaled el-Habeel.
- On 3 December 2008, IOF confiscated the fishing nets of Saqer Mohammed Bakr.
- On 15 December 2008, IOF detained the boat of Wa'el Abu Ryahlah.
- Since the end of the latest Israeli offensive on the Gaza Strip on 18 January 2009, IOF confiscated 12 boats in Gaza City and the northern area and two boats in Rafah.
- On 11 March 2009, IOF confiscated the nets of Mohammed Sobhi Bakr.
- On 13 March 2009, IOF confiscated a boat of Daher Mahmoud Zayed.
- On 15 March 2009, IOF confiscated a number of fishing nets of Khaled Redwan el-Lahham and Na'em Ramadan Qannan.

Khaled Redwan el-Lahham, from el-Mawasi area in Khan Yunis, said:

*"On 15 March 2009, I started preparing for fishing on the shores of Khan Yunis, suddenly, I found that the Israeli gunboat was getting closer; the Israeli soldiers started threatening me not to sail or I would be arrested. After few minutes, they started opening fire to frighten me and prevent me from sailing. Then the gunboat got close to my boat and confiscated the fishing nets and baits. My losses are estimated at US \$1,000."*

- On 18 March 2009, IOF detained the boat of Yunis Diyab el-Soltan.
- On 19 March 2009, IOF confiscated four fishing boats belonging to: Ramzi el-Soltan, Mahmoud Mohammed Zayed, Kamel Barkat el-Anqah and Mohammed Hassan el-Soltan.
- On 25 March 2009, IOF confiscated the fishing equipment and boats of: Abdullah Khalil el-Najjar, Khalil Abdullah el-Najjar, Mohammed Abdullah el-Najjar, Yusuf Abdullah el-Najjar and Ali Hassan el-Najjar.
- On 31 March 2009, IOF confiscated the fishing nets of four fishermen off the coast of Deir el-Balah. They are: Yusuf Mohammed el-Qur'an, Samir Mustafa el-Aqra', Mazen Ahmed Joma'a el-Qur'an and Ibrahim Matar el-Qur'an.
- On 6 April 2009, IOF confiscated a number of boats belonging to: Ishaq Mohammed Zayed, Rasem Ishaq Zayed, Hafeez el-Soltan, Ahmed As'ad el-Soltan, Ref'at Zayed Zayed, Nash'at Zayed, Ramez Adnan el-Soltan and Ahmed Khairy el-Soltan.
- On 4 June 2009, IOF confiscated a boat and fishing equipment belonging to Khaled Ibrahim el-Habeel.

Khaled Ibrahim el-Habeel from the northern Gaza Strip stated:

*"On 4 June 2009, the Israeli gunboats got close to our boat and started opening fire and frightening us till they could detain all the six boats on the board of the boat. They were taken to Ashdod seaport then released in the same day at Erez Crossing. The boat was confiscated and we got it back before a week from now, on 13 July 2009. The boat and equipments were damaged due to fire-opening and they became useless. The damages represented in: "damages in the body of the boat, the fishing equipments, two batteries, a diesel tank, 1000 liters of diesel, a 1000-meter cable, oil tank and 70 empty fish boxes."*

- On 22 June 2009, IOF confiscated a number of nets and two boats belonging to: Odai Abdul Bari el-Soltan, Saddam Abdul Bari el-Soltan, Hassan Ramadan el-Soltan and Mohammed Nori el-Soltan.
- On 6 August 2009, IOF confiscated a small boat belonging to Zeyad Abdul Karim Meqdad.
- On 18 August 2009, IOF detained a small boat belonging to Mohammed Mahmoud Hassouna.

**Table (6): confiscated fishing equipment: 1 June 2008 to 31 August 2009**

#	Confiscated Equipment	Date of Confiscation	Notes
1.	A boat	10 June 2008	Confiscation denied by IOF
2.	Detaining 3 boats	18 November 2008	They were returned after a month
3.	Confiscating fishing nets	3 December 2008	Still confiscated
4.	Detaining a boat	15 December 2008	Confiscated till 15 March 2009

5.	Confiscating 14 boats	After the latest Israeli offensive on the Gaza Strip	Subsequently returned
6.	Confiscating fishing nets	11 March 2009	Still confiscated
7.	Confiscating a boat	13 March 2009	Subsequently returned
8.	Detaining a fishing boat	18 March 2009	Subsequently returned
9.	Detaining 4 fishing boats	19 March 2009	Subsequently returned
10.	Confiscating fishing tools and boats	25 March 2009	Still confiscated
11.	Confiscating nets of 4 fishermen	31 March 2009	Still confiscated
12.	Confiscating boats	6 April 2009	Still confiscated
13.	Confiscating a boat and fishing tools	4 June 2009	Subsequently returned
14.	Confiscating nets and 2 boats	22 June 2009	Still confiscated
15.	Confiscating a fishing boat	6 August 2009	Still confiscated
16.	Confiscating a fishing boat	18 August 2009	Still confiscated

### Illegal Naval Blockade

IOF have continued to illegally impose a complete naval blockade on the sea of the Gaza Strip denying Palestinian fishermen's legal right to fish Palestinian waters.

In addition to illegally restricting the area of water within which Palestinian fishermen are allowed to work, IOF have continued to attack and intimidate fishermen in an effort to prevent them from continuing with their work. Measures of intimidation include shining phosphorescent lights on fishermen's boats to distract the fish and prevent them from fishing, firing sound bombs and opening direct and intimidatory fire to frighten the fishermen and force them not to fish.

Before the outbreak of the *Al-Aqsa Inifada* in September 2000, fishermen were allowed to fish an area of 20 nautical miles off the coast of the Gaza Strip in accordance with the Oslo agreements. This area was gradually reduced to 10-12 miles in 2005. In June 2006, after the operation carried out in Karem Abu Salem (Kerem Shalom) Crossing which resulted in the death of two Israeli soldiers and the kidnapping of a third, IOF imposed a complete blockade on the sea for several months. This blockade was subsequently partially lifted but fishing was restricted to within 6 miles. This limit was then reduced further to 3 miles after Hamas Movement took over the Gaza Strip in June 2007.

In 2008 fishermen were allowed to fish within 6 nautical miles, this was unilaterally and illegally reduced to 3 nautical miles in 2009. With the beginning of the Israeli offensive on the Gaza Strip (27 December 2008 – 18 January 2009), IOF imposed a comprehensive blockade on the Gaza Strip Sea

where fishing was completely stopped. However, after the offensive, Israel permitted fishing within a strictly enforced limit. After Palestinian fishermen organized a protest in the sea at a distance of 3 miles in 2009, this area was reduced to a mile as a punishment. New restrictions are not communicated to Palestinian fishermen, but rather are enforced with direct fire<sup>11</sup>.

Dr. Hassan Azzam informed PCHR that IOF practices are gradually destroying the fishing industry in the Gaza Strip<sup>12</sup>. The three-mile distance is not enough to meet the needs of the Palestinian citizens; as a result, the waters are being overfished leading to the decimation of marine life, in particular certain types of fish such as Sargus and Sea bream. Dr Hassan asserted that the output of the fishing industry would decrease compared to previous years if case the naval blockade continued.

### ***The Naval Blockade and Sardine Season***

Sardine season is the main annual source of income for fishermen in the Gaza Strip, traditionally accounting for over 60% of total fish production. However, due to the illegal naval blockade imposed on the Gaza Strip, sardine's contribution to total fish production does not currently exceed 5% of total production.

Sardine season begins in April and ends in June every year. The majority of Palestinian fishermen work during this season and depend upon it to pay their debts accumulated throughout the whole year. The naval blockade and consequent shortages led to an increase in the price of Sardines to an unprecedented level reaching 25 NIS a kilo.

Dr. Hassan Azzam claimed that IOF deliberately reduce the area allowed for fishing during the Sardines' season every year so as to destroy the Palestinian economy. After the season ends, they ease the restrictions imposed, and then they impose restrictions again by the next March. The sardines' season was missed this year and there are limited quantities of sardine fish in the market. Similarly, in 2008, only 40% of the Palestinian fishermen could sail and fish during the season.

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<sup>11</sup> An interview with Dr. Hassan Azzam, head of fish sector in the Ministry of Agriculture, on 25 June 2009

<sup>12</sup> The Palestinian Ministry of Agriculture worked on a project of fish farming in May 2009 to overcome the siege imposed on the Gaza Strip. It established 3 stations for fish farming in Khan Yunis, Deir el-Balah and Gaza. Dr. Hassan Azzam confirmed that the idea of the project came as a result of the Israeli limitation of the fishing area into 3 miles, or imposing a complete closure on the sea. He added that these projects are considered as an important step in the way of self-reliance and a real contribution in increasing the quantity of fish production, thus improving the economic situation. For more information, review [www.moa.gov.ps](http://www.moa.gov.ps)

## **Impact of the Israeli Offensive on the Fishing Sector**

All economic sectors were seriously damaged during the latest Israeli offensive on the Gaza Strip. The damages of the economic activities were estimated at 3.9 million dollars a day, a total of 86.7 million dollars during the period of the offensive<sup>13</sup>.

The direct losses arising from the targeting of the fishing sector in all the Strip's ports during the Israeli offensive were estimated at US \$ 333,220; the indirect losses arising from the imposition of the complete naval blockade during the offensive were estimated at approximately 1.7 million dollars<sup>14</sup>.

Mr. Mohammed el-Hessi, Director of the Fishermen's Union in Gaza<sup>15</sup>, talked about the fishing sector during and after the Israeli offensive on the Gaza Strip. 1500 fishermen from Gaza port stopped working completely while the remainder continued working only intermittently as a result of IOF measures, including direct attacks, damage to property, and the reduction in the fishable area. El-Hessi noted that fish stocks are best at a distance at least 6 miles from the shore, an area denied to Palestinian fishermen. Consequently, fishing activities are brought to a halt, and necessary maintenance and repairs cannot be conducted as a result of the loss of income. He noted that the Gaza Strip fishermen currently depend on aid offered by international organizations and NGOs<sup>16</sup>. 230 fishermen, 70 of them from Gaza City, benefited from the projects of guarding the properties of fishermen and maintaining fishing nets carried out by UNRWA. 150 fishermen benefited from the project of seashore cleanliness funded by Ma'an Institution for Development, while 50 others received food parcels for approximately 10 continuous weeks. In Khan Yunis, 48 fishermen benefited from the work programs funded by UNRWA. They are distributed as follows: (28 fishermen for repairing fishing nets, 10 fishermen for guarding the properties of fishermen, 3 fishermen for recording the quantity of fish fished, and 7 fishermen for cleanliness works)<sup>17</sup>.

In Rafah governorate, UNRWA conducted a work program for fishermen registered with the Fishermen's Union. The program includes: seashore cleanliness, repairing fishing nets and night-guarding in the seaport. 250 fishermen benefited from the project. The Norwegian People's Aid Society offered a number of fishing nets for the benefit of 35 fishermen. Mawasi Rafah Cooperative Society offered a number of food parcels containing rations, tools for domestic use and maintenance tools<sup>18</sup>.

## **Losses in the Seaports of the Gaza Strip**

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<sup>13</sup> For more information, review the **Report on the Direct Losses of Infrastructure during the Offensive on the Gaza Strip on 28 January 2009**. The Palestinian Central Bureau of Statistics, [www.pcbs.gov.ps](http://www.pcbs.gov.ps)

<sup>14</sup> Statistics of the General Union of Fishing Workers indicate that the direct losses since el-Aqsa Intifada were estimated at a million dollar, and the indirect losses were estimated at 13.250 million dollars during the same period

<sup>15</sup> An interview with Mr. Mohammed el-Hessi, Director of Fishermen Union in Gaza, on 20 July 2009

<sup>16</sup> UNRWA has contracted with the Fishermen Union since 4 years to work fishermen in different relief programs

<sup>17</sup> An interview with Mr. Fo'ad el-Amoudi, Director of Fishermen Union in Khan Yunis, on 21 July 2009

<sup>18</sup> An interview with Mr. Rashad Farahat, Director of Fishermen Union in Rafah, on 26 July 2009

Direct losses arising from the Israeli offensive were estimated at US \$ 333220, distributed throughout the Gaza Strip's seaports. The losses included complete and partial damage affecting primarily fishing tools, facilities and properties of the fishing sector.

**Table (7): fishing sector losses in the Gaza Strip governorates during the Israeli offensive on the Gaza Strip<sup>19</sup>**

#	Kind of losses	Losses in USD
1.	Losses in the seaport of northern Gaza	27600
2.	Losses in the seaport of Gaza and Netzarim area	52700
3.	Losses in the seaport of Deir el-Balah	30900
4.	Losses in the seaport of Khan Yunis	21600
5.	Losses in the seaport of Rafah	200420
Total: 333220		

#### *Losses of the Northern Gaza Seaport*

The losses of the northern Gaza seaport were estimated at about US \$ 27600. They included damage to fishing boats, facilities and tools. The following table shows the losses resulted from the Israeli offensive in the northern Gaza seaport:

**Table (8): fishing sector losses in the northern Gaza seaport**

Kind of losses	Losses in UDS	Notes
Boats and infrastructure	27600	Damage to boats, fishing infrastructure and other fishing tools
Total: 27600		

#### *Losses in Gaza Seaport*

The losses of Gaza and Netzarim seaport were estimated at US \$ 52700; they included damages in the fishing boats and tool. The following table shows the losses resulted from the Israeli offensive in Gaza seaport:

<sup>19</sup> The data available in the table was taken from Nezar Ayyash, the Unionist of Fishermen Union in the Gaza Strip

**Table (9): fishing sector losses in Gaza seaport**

Kind of losses	Losses in USD	Notes
Boats	23400	Damage to boats
Boats (Netzarim area)	29300	Destruction of boats
Total: 52700		

During the Israeli offensive on the Gaza Strip, IOF completely destroyed the fish farming project which belongs to Sofyan Awni Ahmed Kheil, from el-Bahar Street – el Zahra' town. Israeli bulldozers broke into the land of the project and destroyed everything including: the power generator room, saltwater well, control panel and fish pools. According to the estimates of the project owner, given to PCHR on 26 July 2009, the losses were estimated at US \$ 213000.

#### ***Losses in Deir el-Balah Seaport***

Losses in Deir el-Balah seaport were estimated at US \$ 30600 including: damage to the fishing boats and tools, lights and electric cables. The following table shows the losses resulted from the Israeli offensive in Deir el-Balah seaport:

**Table (10): fishing sector losses in Deir el Balah seaport**

Kind of losses	Losses in USD	Notes
Boats	14700	Targeting the boats
Facilities	8200	Windows and ceilings
Lighting	3200	Lights and electric cables
Machines and nets	4500	Equipments and electric machines
Total: 30600		

#### ***Losses in Khan Yunis Seaport***

The losses in Khan Yunis seaport were estimated at approximately US \$ 21600 including: damage to fishing boats and tools, the destruction of facilities and the power generator room. The following table shows the damages resulted from the Israeli offensive in Khan Yunis seaport:

**Table (11): fishing sector losses in Khan Yunis seaport**

Kind of losses	Losses in USD	Notes
Boats	2700	Damage to the boats and main pillars
Small boats	5700	Damage to the boats
Rooms	5600	Destruction of ceilings and doors
Kiosks	2100	Destruction of ceilings and asbestos
Facilities	5500	Damage to the Union of Fishermen's building, power generator room
Total: 21600		

### Losses in Rafah Seaport

The losses in Rafah seaport were estimated at about US \$ 70,000 including: damage to fishing boats and tools, infrastructure and power generators. The following table shows the damages resulted from the Israeli offensive in Rafah seaport:

**Table (12): fishing sector losses in Rafah seaport**

Kind of losses	Losses in USD	Notes
Boats – fishermen rooms	70,000	Boats – infrastructure- power generators
Total: 70,000		

### Impact of the Illegal Blockade on Fishing Sector

The Palestinian Fishermen in the Gaza Strip live in tragic conditions. They are exposed to direct Israeli attacks, and are affected by the illegal blockade which prevents, *inter alia*, the receipt of fuel and spare parts necessary for maintenance work.

#### Fuel Shortage

Fishermen depend on fuel for sailing. The fishing boats consume huge amounts of fuel; big boats consume approximately 600-700 liters of diesel daily, while small boats daily consume approximately 20 liters of gasoline. Fishermen need approximately 500 gas bottles daily in fishing seasons.

The reduction in the amount of fuel allowed into the Gaza Strip negatively affected the fishing sector as boats (around 975 boats) are run on gasoline, diesel and gas.

Last year, 2008, witnessed a decrease in the amounts of fuel used in fishing sector. This problem was not addressed until the end of November when the general administration of the fishing sector provided the fishermen with limited amounts of fuel and distributed them according to their needs. The amounts of fuel were about 100,000 liters of diesel from (April to November 2008); however, gasoline was provided only once during the same year despite the fact that some fishing boats depend exclusively on it. For gas, approximately 30 tons were allowed in over three separate shipments. These amounts of fuel are not sufficient to meet fishermen's demands, so fishermen try to provide themselves with the amounts they need<sup>20</sup>.

Mr. Fo'ad el-Amoodi, Director of the Fishermen's Union in Khan Yunis<sup>21</sup>, talked to PCHR about the impact of the Israeli decision to reduce the amounts of fuel allowed into the Strip. He stated:

<sup>20</sup>An interview with Dr. Hassan Azzam, Director of Fishing Sector in the Ministry of Agriculture, on 25 June 2009

<sup>21</sup>An interview with Mr. Fo'ad el-Amoodi, Director of Fishermen Union in Khan Yunis, on 21 July 2009



*"The amounts of fuel provided to fishermen were significantly reduced due to the siege imposed on the Gaza Strip which negatively affected the work of fishermen. The amounts provided constitute 5% of the needs of fishing sector. As a result 90% of fishermen could not perform their work and they became jobless. The amount of fuel given to fishermen is not sufficient for a day, so fishermen do not work the rest of the week. Some of them wait for more than a week to obtain his fuel portion."*

The fisherman, Ahmed Soliman Ahmed el-Rashidi aged 43, from el-Sheikh Redwan neighborhood in Gaza City, supporting a five-member family, stated:

*"The Israeli decision to reduce the amounts of fuel and close the Gaza Strip Crossings led to stopping our work as fishermen and negatively affecting our source of livelihood. Due to lack of fuel, the boat, which was provided with 20 liters of gasoline a day, is provided with 20 liters a week since the beginning of the current year (2008). As a result I can work only one day a week, while I am jobless the rest of the week."*

The fisherman, Fo'ad Rajab Mohammed el-Hessi, aged 54, from el-Shati' refugees' camp, supporting a seven-member family, said:

"Since the beginning of the year, my brothers and I can not go for fishing due to the unavailability of diesel which we use for running our boats; the drag boat consumes 700 liters a day and the launch consumes 300 liters a day. Due to the lack of fuel amounts, we can obtain limited quantities of diesel which are not sufficient for a day of work. One day of work a week is not enough for 24 fishermen working on these boats and supporting about a hundred people. We were waiting for the fishing season to pay our accumulated debts and to recompense part of our losses resulted from preventing us from sailing long distances in the sea; however, the reduction of fuel and closure of crossings led to depriving us from the only source of our livelihood."

### **Unavailability of Fishing Equipment**

The illegal blockade imposed on the Gaza Strip means that necessary equipment is unavailable. The fishing sector needs huge amounts of fiber glass, wood, screws, nails, generators, oil, different kinds of paints and fishing nets. IOF have not permitted any of these goods to enter the Gaza Strip since the current blockade began. As a result, fishing has almost stopped and the majority of fishermen use old equipment, much of which had been previously abandoned.

12 boats were forced to stop operating due to high maintenance costs, and the lack or unavailability of fishing equipment or tools, especially, spare parts, lamps, paints and cork. As a result of closing the crossings and preventing such tools from entering the Gaza Strip, the price of these goods rose by more than 100% above their original price

The fisherman, Ahmed el-Sa'edi aged 31, from el-Shati' refugees' camp in Gaza, stated:

*"Due to the unavailability of fishing equipment needed for the annual maintenance works, which cost about 2000-3000 JD according to the size of the boat, and due to IOF targeting of fishing boats across the sea, we could not work for long periods. The annual sardines' season ended when the majority of fishermen could not go for fishing. Consequently, fishermen could not pay their accumulated debts."*

### **Halt in Maintenance Projects and Fishing Net Imports**

The illegal blockade imposed on the Gaza Strip meant that a number of projects run by international organizations and NGOs for repairing fishing boats were forced to shut down; the equipment and tools necessary for maintenance works were not allowed into the Gaza Strip.

Moreover, the blockade forced a project which imports fishing nets and equipment to shut down. This project started before the Israeli offensive on the Gaza Strip. Half of the equipment was imported before the offensive, the remainder has been denied entry.

Talking to PCHR on 26 July 2009, Dr. Hassan Azzam said that the blockade imposed on the Gaza Strip hindered the implementation of number of the projects funded by international and local organizations, including: the Food and Agriculture Organization (FAO) project for the rehabilitation of the fishing sector (to be implemented by the technical company for engineering consultations costing USD 6 million), a number of projects organized by the Fishermen's Union, the project of el-Rahma Society in cooperation with the general administration of the fishing sector in the Ministry of Agriculture, and projects of tens of investors to establish fish farms.

### **The Legal Prosecution of Israeli Attacks against Fishermen**

PCHR has continued providing free legal support to fishermen, and prosecuting Israel for attacks committed against Palestinian fishermen. Advocates working in the legal unit of PCHR follow up all complaints presented by Palestinian fishermen regarding violations which negatively affect the safety and security of themselves and their property. The advocates advise on appropriate legal responses, and prepare files on all cases. PCHR pursue both compensation and criminal cases, and monitor all activity of the Israeli courts.

Particular attention is paid to cases of detention and confiscation of property. Complaints are submitted to the IOF legal advisor and military prosecution as appropriate, and advocates empowered by PCHR represent clients before the Israeli court system as appropriate.

During the period covered by the report, the legal unit of PCHR followed up several cases regarding IOF violations against the rights of fishermen. The most prominent cases are as follows:

- On 15 August 2008, Israeli gunboats confiscated a fishing boat belonging to the fisherman, Abdul Kareem el-Nahhal. The legal unit presented a complaint to the legal advisor at Erez Crossing and the Israeli prosecution. In April 2009, IOF returned the boat. All fishing equipment was confiscated.
- On 28 August 2008, Israeli gunboats confiscated 6 fishing boats belong to fishermen from the el-Soltan family. On 8 September 2008, the unit presented a complaint to the legal advisor at Erez Crossing and the Israeli prosecution. On 18 September 2008, five boats were returned with all their equipment.
- On 2 September 2008, a boat belonging to the el-Soltan family was confiscated. On 10 September 2008, the legal unit presented a complaint to the legal advisor at Erez Crossing and the Israeli prosecution. On 20 November 2008, the boat and its equipment were returned.
- On 10 August 2008, Israeli gunboats destroyed a fishing boat belonging to Ali Isma'el el-Bardaweel. On 23 October 2008, the legal unit presented a complaint to the compensation officer of the Israeli Ministry of Defence and the military prosecution, the Southern Command. On 18 September 2008, the unit received a reply indicating that an investigation had been opened. However, on 18 February 2009, the unit received a reply refusing compensation for the boat's owner.
- On 10 September 2008, an Israeli cruiser boat rammed a Palestinian fishing boat belonging to Rajab el-Hessi. The Palestinian boat sustained serious damage. On 20 October 2008, the legal unit presented a compensation request to the compensation officer of the Israeli Ministry of Defence. On 2 November 2008, the unit presented a complaint to the compensation officer of the Israeli Ministry of Defence and the military prosecution, IOF Southern Command. The unit received a reply noting the complaint on 13 November 2008 and indicating that the subject matter was still under investigation. On 16 February 2009, a reminder was sent and the legal unit is still following up the issue.
- On 18 November 2008, 3 fishing boats carrying 15 fishermen and 3 activists were intercepted and confiscated. On 26 November 2008, the unit presented, in cooperation with the office of the advocate Leah Tsemel, a lawsuit before the High Israeli Court against the Israeli Minister of Defence and the Israeli Navy Commander. On 26 November 2008, the 3 boats were returned; however, PCHR is still following up the issue of indemnifying the boats' owners for the period of confiscation and the damages caused to the three boats.
- On 15 December 2008, a fishing boat belonging to the Abu Ryalah family was confiscated. On 22 December 2008, the unit presented a complaint to the legal advisor at Erez Crossing and the military prosecution. On 25 December 2008, the unit received a reply that the boat was lost at sea.
- On 17 December 2008, IOF confiscated a fishing boat belonging to the Farahat family. On 21 December 2008, the legal unit presented a complaint to the legal advisor at Erez Crossing and the military prosecution. In February, the boat was returned.
- On 17 January 2009, Israeli gunboats opened fire on 3 fishermen while they were fishing in the area allowed for fishing before the shores of el-Sodaniyah area. One fisherman was killed and the other two were injured. On 18/3/2009, the unit presented a compensation request to the

compensation officer of the Israeli Ministry of Defence. On 21 July 2009, the unit presented a criminal complaint to the military prosecution, the Southern Command, to investigate the accident; but still it is under investigation.

- On 6 April 2009, IOF confiscated 6 boats belonging to the el Soltan family. On 7 April 2009, the unit presented a complaint to the legal advisor at Erez Crossing and the Israeli military prosecution. On 11 May 2009, the boats were returned.
- On 21 April 2009, a fishing boat belong to the No'man family was confiscated. On 19 May 2009, the unit presented a complaint to the legal advisor at Erez Crossing and the Israeli prosecution. On 27 May 2009 the boat was returned, however, the unit is still following up the issue of indemnifying the boat's owner for the period of confiscation and the damages.
- On 5 July 2009, a fishing boat belong to Abdul Mo'ti el-Habeel was confiscated. On 10 May 2009, the unit presented a complaint to the Israeli Ministry of Defence and the Israeli prosecution. On 1 June 2009, a petition was presented to the administrative court in Be'r el-Sabe' (Beersheba) regarding releasing the fishing boat. On 23 June 2009, the boat was returned; however, the unit is still following up the issue of indemnifying the boat's owner for the damages.
- On 4 June 2009, a boat belonging to the fisherman, Khaled el-Habeel, was confiscated. On 8 June 2009, the unit submitted a complaint to the Israeli Ministry of Defence and the Israeli prosecution. On 2 July 2009, the boat was returned; however, the unit is still following up the issue of indemnifying the boat's owner for the damages.

## **Conclusion**

Serious violations of international law were committed against Palestinian fishermen and the fishing sector during the reporting period; a number of the incidents amount to war crimes and grave breaches of the Geneva Conventions.

Israeli practices against Palestinian fishermen in the Gaza Strip constitute a violation of all international conventions and agreements relating to the right to work, especially, article 6 (1) of the International Covenant on Economic, Social and Cultural Rights which states: "The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right." Article 1 (2) of the same covenant states: "All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence." Article 23 (1) of the Universal Declaration of Human Rights assures that "Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment." The Israeli practices against the Palestinian fishermen violate the Fourth Geneva Convention regarding the protection of civilians in times of war in particular the prohibition on collective punishment (article 33), and the prohibition on directly targeting civilians and civilian objects which forms part of customary international law.

Israeli practices also violate the provisions of article 6 of the Universal Declaration on Social Progress and Development which states: "Social development requires the assurance to everyone of the right to work and the free choice of employment. Social progress and development require the participation of all members of society in productive and socially useful labor." And article (10) of the same declaration: "The assurance at all levels of the right to work and the right of everyone to form trade unions and workers' associations and to bargain collectively; promotion of full productive employment and elimination of unemployment and under-employment; establishment of equitable and favorable conditions of work for all, including the improvement of health and safety conditions; assurance of just remuneration for labor without any discrimination as well as a sufficiently high minimum wage to ensure a decent standard of living; the protection of the consumer."

### **Therefore, PCHR calls for:**

- The international community, particularly, the High Contracting Parties to the Fourth Geneva Convention, to immediately intervene and pressurize IOF to stop all violations perpetrated against Palestinian fishermen in the Gaza Strip, including allowing them to freely sail and fish in the regional waters of the Gaza Strip.
- An immediate intervention to stop all types of grave violations committed by IOF against the Palestinian fishermen in the sea which include terror, intimidation and opening fire on the fishermen and their boats.

- The international community to intervene so as to release any equipment and fishing boats which were confiscated previously; in addition to reparations and indemnifying them for the damages resulted from IOF attacks.
- The international community to pressurize IOF so as to immediately open the crossings, allowing the institutions working in the fishing sector to enter the equipment needed for the maintenance and rehabilitation of the fishing seaports and boats destroyed, importing spare parts and equipment necessary for maintenance works of fishing seaports.
- International and humanitarian organizations to provide the financial and technical support needed for fishermen.

## Appendices

### Appendix (1)

#### Names of the Fishermen Detained from 1 June 2008 to 31 August 2009<sup>22</sup>

#	Name	Detention Date	Detention Place	Notes
1.	Isma'el el-Bardaweel	1 August 2008	Detained and his boat was sunk in Rafah	Released
2.	Khalil Abdullah el-Bardaweel	10 August 2008	Detained while fishing in Rafah	Released
3.	Ayman Mostafa el-Assi	16 August 2008	Detained while fishing in el-Sodaniyah area	Released at 3:30 of the same day
4.	Abdul Kareem el-Nahhal	16 August 2008	Detained while fishing in el-Sodaniyah area	Released at 3:30 of the same day
5.	Andrew MacDonald	18 November 2008	An activist from UK, detained in Deir el-Balah	Deported after detention
6.	Darlene Wolak	18 November 2008	An activist from USA, detained in Deir el-Balah	Deported after detention
7.	Vittorio Arrigoni	18 November 2008	An activist from Italy, detained in Deir el-Balah	Deported after detention
8.	Ali Fakher Bakr	18 November 2008	Detained while fishing in Deir el-Balah	Released on 19 November 2008
9.	Wesam Sa'ed el-Habeel	18 November 2008	Detained while fishing in Deir el-Balah	Released on 19 November 2008
10.	Ali Kamal Abu Ryalah	18 November 2008	Detained while fishing in Deir el-Balah	Released on 19 November 2008
11.	Mostafah Sha'at	18 November 2008	Detained while fishing in Deir el-Balah	Released on 19 November 2008

<sup>22</sup> This part is based on:

- The data documented in the weekly report issued by PCHR on the Israeli Attacks in the Palestinian Territories, No. 5-11 June 2008 – 20-26 August 2009
- The researcher got a copy of the daily documentation report on the Israeli attacks against fishermen in the Gaza Strip, the General Union of Fishing Workers

12.	Mohammed Abu Oda	18 November 2008	Detained while fishing in Deir el-Balah	Released on 19 November 2008
13.	Nedal Haider Abu Oda	18 November 2008	Detained while fishing in Deir el-Balah	Released on 19 November 2008
14.	Jehad Ibraheem Abu Oda	18 November 2008	Detained while fishing in Deir el-Balah	Released on 19 November 2008
15.	Nemr Soliman Abu Ryalah	18 November 2008	Detained while fishing in Deir el-Balah	Released on 19 November 2008
16.	Jehad Mas'oud Abu Oda	18 November 2008	Detained while fishing in Deir el-Balah	Released on 19 November 2008
17.	Adham Khaled el-Habeel	18 November 2008	Detained while fishing in Deir el-Balah	Released on 19 November 2008
18.	Mohammed Khaled el-Habeel	18 November 2008	Detained while fishing in Deir el-Balah	Released on 19 November 2008
19.	Mohammed Mohammed el-Araysha	18 November 2008	Detained while fishing in Deir el-Balah	Released on 19 November 2008
20.	Saddam Majed Bakr	18 November 2008	Detained while fishing in Deir el-Balah	Released on 19 November 2008
21.	Maher Kamal Kamel Abu Soltan	18 November 2008	Detained while fishing in Deir el-Balah	Released on 19 November 2008
22.	Wa'el Abu Ryalah	15 December 2008	Detained while fishing in el-Sodaniyah area	Released at 7:00 pm of the same day
23.	Daher Mohammed Zayed & his son	13 March 2009	Detained while fishing	Released
24.	Ramzi el-Soltan	19 March 2009	Detained while fishing in northern Gaza Strip	Released
25.	Mahmoud Mohammed el-Zayed	19 March 2009	Detained while fishing in northern Gaza Strip	Released



26.	Kamel Barakat el-Anqah	19 March 2009	Detained while fishing in northern Gaza Strip	Released
27.	Mohammed Hassan el-Soltan	19 March 2009	Detained while fishing in northern Gaza Strip	Released
28.	Abdullah Khalil el-Najjar	25 March 2009	Detained while fishing	Released
29.	Khalil Abdullah el-Najjar	25 March 2009	Detained while fishing	Released
30.	Mohammed Abdullah el-Najjar	25 March 2009	Detained while fishing	Released
31.	Yusuf Abdullah el-Najjar	25 March 2009	Detained while fishing	Released
32.	Ali Hassan el-Najjar	25 March 2009	Detained while fishing	Released
33.	Ishaq Mohammed Zayed	6 April 2009	Detained while fishing in northern Gaza Strip	Released
34.	Rasem Ishaq Zayed	6 April 2009	Detained while fishing in northern Gaza Strip	Released
35.	Hafeez el-Soltan	6 April 2009	Detained while fishing in northern Gaza Strip	Released
36.	Ahmed As'ad el-Soltan	6 April 2009	Detained while fishing in northern Gaza Strip	Released
37.	Ref'at Zayed Zayed	6 April 2009	Detained while fishing in northern Gaza Strip	Released
38.	Nash'at Zayed	6 April 2009	Detained while fishing	Released
39.	Ramez Adnan el-Soltan	6 April 2009	Detained while fishing in northern Gaza Strip	Released
40.	Ahmed Khairi el-Soltan	6 April 2009	Detained while fishing in northern Gaza Strip	Released
41.	Ra'ed Ali Othman	21 April 2009	Detained while fishing	Released

42.	Mohammed Samir Owaida	21 April 2009	Detained while fishing	Released
43.	Saleem Jamal el-Nahhal	21 April 2009	Detained while fishing	Released
44.	Adham Khaled el-Habeel	4 June 2009	Detained while fishing in northern Gaza Strip	Released on the same day
45.	Mohammed el-Habeel	4 June 2009	Detained while fishing in northern Gaza Strip	Released on the same day
46.	Ahmed el-Habeel	4 June 2009	Detained while fishing in northern Gaza Strip	Released on the same day
47.	Mohammed el-Arayshi	4 June 2009	Detained while fishing in northern Gaza Strip	Released on the same day
48.	Saddam Bakr	4 June 2009	Detained while fishing in northern Gaza Strip	Released on the same day
49.	Hadi Sobhi Sa'dallah	16 June 2009	Detained while fishing in northern Gaza Strip	Released at 7:00 pm of the same day
50.	Ashraf Sobhi Abdullah	16 June 2009	Detained while fishing in northern Gaza Strip	Released at 7:00 pm of the same day
51.	Odai Abdel Bari el-Soltan	22 June 2009	Detained while fishing in northern Gaza Strip	Released after a day
52.	Saddam Abdel Bari el-Soltan	22 June 2009	Detained while fishing in northern Gaza Strip	Released after a day
53.	Hassan Ramadan el-Soltan	22 June 2009	Detained while fishing in northern Gaza Strip	Released after a day
54.	Mohammed Nori el-Soltan	22 June 2009	Detained while fishing in northern Gaza Strip	Released after a day
55.	Zeyad Abdul Kareem Meqdad	6 August 2009	Detained while fishing in Rafah	Released at 5:00 pm of the same day

56.	Abdullah Abdel Kareem Meqdad	6 August 2009	Detained while fishing in Rafah	Released at 5:00 pm of the same day
57.	Mohammed Mahmoud Hassouna	18 August 2009	Detained while fishing in Rafah	Released at 7:00 of the same day
58.	Shihab Mohammed Mahmoud Hassouna	18 August 2009	Detained while fishing in Rafah	Released at 7:00 pm of the same day

### Tables

- Table (1): shows the number of fishermen distributed on the Gaza Strip governorates, 2009
- Table (2): shows the number of boats and launches in the Gaza Strip, 2009
- Table (3): shows the size of fish production in the Gaza Strip through out different years
- Table (4): number of fishermen killed or injured from 1/6/2008 to 30/6/2009
- Table (5): fishing boats shelled from 1/6/2008 to 31/8/2009
- Table (6): fishing equipment confiscated from 1/6/2008 to 31/8/2009
- Table (7): fishing sector losses in the Gaza Strip governorates during the last Israeli offensive on the Gaza Strip
- Table (8): fishing sector losses in the seaport of northern Gaza
- Table (9): fishing sector losses in Gaza seaport
- Table (10): fishing seaport losses in Deir el-Balah seaport
- Table (11): fishing sector losses in Khan Yunis seaport
- Table (12): fishing sector losses in Rafah seaport

### Diagrams

- Diagram (1): shows the number of fishermen and percentages in the Gaza Strip governorates
- Diagram (2): shows the number of boats and launches and the percentages in the Gaza Strip Governorates
- Diagram (3): shows the size of fish production in the Gaza Strip through out different years