



المركز الفلسطيني لحقوق الإنسان

PALESTINIAN CENTRE FOR HUMAN RIGHTS

United Nations Special Procedures Division
Office of the High Commissioner for Human Rights
United Nations Office at Geneva
CH-1221 Geneva 10
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Urgent Appeal to the United Nations Special Procedures on the Deterioration of the Situation in the Gaza Strip Amidst the Outbreak of COVID-19 and Tightening of the Blockade.

For the attention of:

- The Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967, Mr. Michael Lynk; and
- The Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Ms. Tlaleng Mofokeng.

On 24 August 2020, the Ministry of Health in the Gaza Strip declared that it had discovered the first cases of COVID-19 outside of quarantine facilities, after four cases were detected among members of the same family in Al-Maghazi refugee camp.¹ Local authorities immediately announced the imposition of a 48-hour curfew across the Strip, suspending work in public and private sectors, and banning all gatherings, in order to contain the virus and prevent further infections. The curfew was extended for an additional three days after an increase in the number of cases. As of 28 August 2020, there have been 111 confirmed of COVID-19 and two deaths in the Gaza Strip since the pandemic's outbreak outside of quarantine facilities.²

Following the outbreak of COVID-19 in the Occupied Palestinian Territory in March 2020, authorities in the Gaza Strip have compelled anyone entering the Gaza Strip, via Israel or Egypt, to quarantine in an official isolation facility for a period of 21 days. According to the Ministry of Health, the total number of COVID-19 cases detected in quarantine facilities since 15 March 2020 is 110 cases, 72 of whom recovered, 37 remain active cases receiving medical treatment at the European Hospital in Gaza, and one patient has passed away. There are currently 2, 2269 individuals quarantined across 16 official isolation facilities in the Gaza Strip.³ Up until 24 August

¹ PCHR, "Gaza Enters New Phase as Coronavirus Cases Found Outside Quarantine Centers," 25 August 2020, available at: <https://www.pchrgaza.org/en/?p=14964>.

² Palestinian Ministry of Health- Gaza, Twitter, available at: <https://twitter.com/mohenglish3/status/1299394107153043458?s=21>.

³ Palestinian Ministry of Health- Gaza, Twitter, available at: <https://twitter.com/mohenglish3/status/1298993854293487619?s=21>.



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2020, no cases of COVID-19 were reported outside of quarantine facilities in the Gaza Strip despite regular sample testing for random individuals.

The Palestinian Centre for Human Rights (PCHR) expresses its grave concern at the health situation in the Gaza Strip amid the outbreak of COVID-19 and warns of the collapse of the already-fragile local healthcare system if the number of COVID-10 cases significantly increases. The Gaza Strip is one of the world's most densely populated areas as it is home to two million Palestinians spread across 365 square kilometres, many of them in crowded refugee camps where social distancing is hardly feasible. Israel's prolonged occupation and 13-year-old blockade as well as years of wars have severely impacted the socio-economic and health conditions of Gazans, resulting in high levels of poverty, unemployment, food insecurity, aid dependency, and poor standards of hygiene and sanitation. Restrictions on freedom of movement of individuals and goods, and the targeting and destruction of civilian infrastructure during offensives, has devastated Gaza's health system, with the unavailability of essential medicines, supplies, and equipment as well as insufficient number of specialized health professionals, making the system unable to meet the basic medical needs of two million Palestinians.

A major outbreak of the pandemic would swiftly overwhelm Gaza's health care system. According to the Ministry of Health, there is a critical shortage of the testing kits, essential lab supplies and equipment to support screening of COVID-19 as well shortages of personal protective equipment kits for frontline staff who deal with infected or suspected cases.⁴ Health facilities designated to receive COVID-19 patients in Gaza lack essential medical equipment, supplies, drugs for case management and disposables for treatment of respiratory distress. The Central Drug Store stated that 48% of all essential drugs were at less than a month's stock. In addition, there are only 97 adult ICU beds with ventilators in Gaza with two thirds already in use.

Recently, the Israeli authorities compounded the health crisis in Gaza by imposing a series of restrictive measures including a ban on the entry of most goods via Kerem Shalom commercial crossing, including fuel for Gaza's sole power plant.⁵ As a result of Israel's decision to block access to fuel, the power plant in Gaza was shut down leading to a reduction in the overall electricity supply. Residents are currently receiving power for no longer than four hours followed by outages of up to 16 hours. The unstable power supply and lengthening power cuts not only disrupt daily life for households but negatively impacts the performance of health facilities. According to the Ministry of Health in Gaza, the power cuts have serious repercussions on the lives of premature babies in incubators, intensive care patients and those needing dialysis, emergency surgery, or C-sections.⁶

⁴ See WHO, "Coronavirus Disease 2019 (COVID-19) Situation Report 41," 27 August 2020, available at: <http://www.emro.who.int/pse/palestine-infocus/situation-reports.html>.

⁵ PCHR, "IOF Tightens Gaza Strip Closure, Fuel Entry Suspended and Fishing Area Reduced," 13 August 2020, available at: <https://www.pchrgaza.org/en/?p=14886>

⁶ PCHR, "PCHR Warns of Health Sector Collapse and Suspension of Health Services in the Gaza Strip," 25 August 2020, available at: <https://www.pchrgaza.org/en/?p=14968>.



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Israel, as the Occupying Power, has an obligation to guarantee the right to health of the residents of the Gaza Strip during epidemics such as COVID-19. Article 56 of the Fourth Geneva Convention (GC IV), requires Israel, the occupying power, to adopt prophylactic and preventive measures necessary to combat the spread of contagious diseases and epidemics. These measures include, the distribution of medicines, the organization of medical examinations and disinfection, the dispatch of medical teams, and establishment of new hospitals and medical centres to assist persons suffering infectious diseases⁷. Article 55 GC IV requires the Occupying Power to provide the necessary medical supplies “if the resources of the occupied territory are inadequate.” Furthermore, Article 59 GC IV prescribes an Occupying Power to allow relief consignments, including medical supplies, to the civilian population in need, which as a general rule must be accorded rapid and unimpeded passage.

Israel is also bound by Article 12(1) of the International Covenant on Economic, Social, and Cultural Rights (ICESCR) to ensure the right to the highest attainable standards of health. Moreover, Article 12(2)(C) imposes on it an obligation to take measures to ensure “the prevention, treatment and control of epidemic, endemic, occupational and other diseases, the treatment of these diseases and supervision over them.” Accordingly, it requires both, the creation of a system of urgent medical care and the provision of disaster relief and human assistance.⁸

In 2019, the UN Committee on Economic, Social, and Cultural Rights, following its fourth periodic review of Israel, expressed its concern about the limited availability of health-care services and the deteriorating quality of services in the Gaza Strip due to restriction on dual-use items imposed by the Israeli, including essential medical equipment and supplies.⁹ It called on Israel to facilitate entry of essential medical equipment and supplies and the movement of medical professionals from and to Gaza, and to allow residents of Gaza to access all medically recommended health-care services outside the Strip in a timely manner.¹⁰ However, despite the Committee’s concerns and recommendations, Israel continues to disregard its obligations under the ICESCR towards Gaza residents.

In light of all the above, PCHR warns of the catastrophic consequences that might result from the spread of COVID-19 in Gaza considering the weak capabilities of its health care system, which has been dilapidated due to Israel’s 13-year-old inhumane blockade. Accordingly, PCHR requests the immediate intervention of the UN Special Procedures to uphold the rights of Palestinians in the Gaza Strip during the pandemic, and in particular, to:

⁷ Jean Pictet (edn), *The Geneva Convention of 12 August 1949: Geneva convention relative to the protection of civilian persons in time of war*, Volume 4, ICRC, 1958, at 313.

⁸ Committee on Economic, Social and Cultural Rights, General Comment No. 14: *The Right to the Highest Attainable Standard of Health (Article 12)*, 11 August 2000, UN Doc. E/C.12/2000/4, paragraph 16.

⁹ Human Rights Council, *Report of the independent international commission of inquiry on the protests in the Occupied Palestinian Territory*, 25 February 2019, UN Doc. A/HRC/40/74, para. 58.

¹⁰ Human Rights Council, *Report of the independent international commission of inquiry on the protests in the Occupied Palestinian Territory*, 25 February 2019, UN Doc. A/HRC/40/74, para. 59(a) & para.59(b).



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1. Call on Israel, the occupying power, to ensure the supply of the necessary medications and medical equipment necessary for the treatment of COVID-19 patients to hospitals in the Gaza Strip in accordance with its obligations under international law.
2. Demand Israel to remove recent restrictions imposed on the Gaza Strip, and allow the entry of fuel required to operate the Gaza Power Plant to improve the functioning of Gaza's health care system.
3. Further demand Israel to rescind all existing restrictions on the transfer of medical equipment and spare parts for this equipment from and Strip, and not to classify them as dual-use items.
4. Pressure Israel to allow the passage of medical teams to and from the Gaza Strip, and ensure passage without delay for Gaza residents in need of medical care for COVID-19 outside the Gaza Strip, whether in Israeli hospitals, West Bank hospitals, or abroad.
5. Call upon the international community to provide aid to hospitals in the Gaza Strip immediately to combat the spread of COVID-19.