



Fact Sheet: The Human and Financial Losses of Fishing Under Occupation

Introduction

Palestinian fishermen in the Gaza Strip experience systematic difficulties practicing their livelihood due to restrictions on their right to work and persistent exposure to ill-treatment. Gaza's fishermen endure constant harassment, arrest and detention, shooting and confiscation of fishing boats and equipment by the Israeli navy. These attacks are completely unwarranted, violate the fishermen's rights, and compound the dire conditions of the fishing community in the Gaza Strip, 80 percent of whom live below the poverty line.

Despite the Oslo Accords affording Palestinian fishermen 20 nautical miles of fishing grounds, the Israeli authorities use live fire to enforce a fluctuating 'permitted fishing zone' and sometimes prohibit fishing entirely. By mid-2019, the Israeli authorities had imposed a full maritime closure three times since the start of the year and changed the demarcation of the fishing zone 15 times.¹ These practices hinder the work of fishermen in Palestinian territorial waters and restrict their enjoyment of Palestine's natural resources. Preventing the fishing community from working safely and freely stifles what would otherwise be a viable sector in the Palestinian economy. The fishing community, once prosperous, is now one of the poorest communities in Gaza.

The Israeli policy towards fishermen reflects a continuous pattern of collective punishment. The size of the fishing zone is determined by Israeli authorities and is often reduced or closed entirely at the whim of the occupying power, in violation of international humanitarian law and the rights of fishermen.

The fact sheet discusses the violation of fishermen's rights in terms of human and material losses incurred by the community and their effect on the sector, and recent improvements in Israel's return policy of its illegally confiscated fishing boats—enabled through Al Mezan's legal action.

¹ See Gisha's infographic on the 15 changes: <https://giphy.com/gifs/dvyVI21iWohdMdsXBg>

Overview

There are currently 3,606 fishermen in the Gaza Strip, distributed among the territory's five districts as follows:

- North Gaza district: 261;
- Gaza City district: 1,602
- Middle Gaza district: 615
- Khan Younis district: 688; and
- Rafah district: 441 fishermen.

An additional 2,000 people work in fishing-related professions, such as venders, boat maintenance, and equipment traders.² There are 1,219 fishing boats³ and 42 auxiliary boats (used for lighting) in the Gaza Strip.

On 28 June 2019, the Israeli authorities expanded the zone in which Gaza's fishermen can work from ten to 15 nautical miles in the area between the Gaza City port and Rafah, and limited the fishing zone to six nautical miles between the Gaza City port and Beit Lahiya. Notably, 2019 marks the first year that fishermen have been allowed to access up to 15 nautical miles, with most years seeing permitted zones of three, six or nine nautical miles.

Access to Palestinian territorial waters remains highly unsafe for Gaza's fishermen. According to the thorough documentation carried out by Al Mezan, since 2015, the Israeli naval forces have carried out 1,043 attacks on fishermen—1,032 of them involving the use of live fire. Five fishermen have been killed and another 105 fishermen injured, including four children, in the same period.

Israel's navy routinely seizes boats from Gaza's fishermen and holds them for periods of several months to years, in violation of international law. This punitive, violent and illegal measure further weakens the fishing industry and hurts Gaza's economy. The Israeli forces have confiscated 113 boats, plus equipment, since 2015. Boats were also damaged or destroyed in 55 incidents in the same period.

Since 2015, 374 fishermen have been arbitrarily arrested, including 37 children. During arrest, the Israeli navy forces the fishermen to remove their clothes and swim to the naval vessels, regardless of the weather conditions. They are usually taken to Ashdod port in Israel, where they are reportedly subjected to physical and verbal abuse during interrogation.

The above described practices hinder fishermen's work—either preventing the fishing community in part or in whole from fishing in Palestinian territorial waters. Meanwhile, Israeli fishermen just a few nautical miles away are free to pick up the missed catch. The prevailing trend in the past several years also shows that the restrictions on fishermen increase during each fishing season. The outcome: a devastated and impoverished fishing community that, once prosperous, now lacks basic aspects of human security.

² Adel Atallah, Director General of the Fisheries Department in the Ministry of Agriculture. Interviewed by Al Mezan's staff member Bassem Abu Jay on 22 August 2019.

³ Both motorized and unmotorized fishing boats, which vary in size and material.

Holding Back Development of the Sector

The Israeli authorities restrict and prohibit the entry of materials and equipment that it deems to be “dual-use,”⁴ including spare parts for boat engines and fiberglass. This policy makes it almost impossible for fishermen to repair and upgrade boats, including those damaged by the navy during confiscation of the boats and while they are being held. Engines with the capacity of 40 horsepower and naval electronic devices such as GPS systems are also banned.⁵ Recently, the Israeli authorities began allowing the entry of steel cables used for pulling boats and nets, however, the most critical materials remain prohibited.

Following direct legal action in recent years by Al Mezan and partner organizations,⁶ the Israeli authorities have begun releasing, in large numbers, some of the confiscated fishing boats and equipment: 40 rowboats and 44 engine-powered boats (without their engines) were returned between November 2018 and July 2019.⁷ Nine engines were returned separately within the same period and only five of the owners have been identified so far.

As a result of poor storage and exposure to direct sunlight and rain while being held in Israel, most of the boats require repairs. Twenty boats were estimated to require US \$200 worth of repairs per boat, while another 20 boats were estimated to require between \$1,200 and \$1,500 worth of repairs per boat. Four boats cannot be repaired.⁸

The Israeli authorities do not compensate fishermen for damages that occur during their seizure or while the boat is being held in Israel. As a pre-condition to the release of their boats, the owners must sign a declaration in which they forfeit their rights to compensation and release the Israeli military from responsibility for the damages.

According to Gaza’s Fishermen’s Syndicate, the Israeli forces are still holding 24 boats, two trawlers and 40 engines. Meanwhile, the Israeli authorities continue to seize Palestinian fishing boats and equipment without legal authority or guarantee of return.

Impact on Economic Conditions

The frequent attacks on fishermen, shrinking of fishing zones, and restrictions on importing equipment have adversely impacted the amount of fishing taking place and therefore the amount of catch. The fishing industry generated an estimated US \$12,437,101 in revenue for the 2017-2018 agricultural season, making the contribution of the sector to overall agricultural production an estimated only 2.7%. According to available data, the fishing sector continues to diminish in size.⁹

⁴ Gisha, “Following Gisha’s legal battle and advocacy: COGAT has published the “list of dual-use items”, 2 April 2017.

Link: <https://gisha.org/updates/6066>

⁵ Interview with Nezar Ayyash, Chair of Gaza’s Fishermen Syndicate, 22 August 2019.

⁶ Pursued with partner organizations Adalah – The Legal Center for Arab Minority Rights in Israel and Gisha – The Legal Center for Freedom of Movement

⁷ Interview with the Fisheries Services Department at the Ministry of Agriculture in Gaza on 22 August 2019.

⁸ Jihad Slaha, Head of the Fishery Services Department at the Ministry of Agriculture in Gaza. Interviewed by Bassem Abu Jrai on 22 August 2019.

⁹ According to the Ministry of Agriculture, the fishing industry produced US \$15,121,506 in revenue in 2015-2016 and contributed 4% to Gaza’s overall agricultural production.

Fishermen in Gaza incur high costs due to rising fuel prices and the highly unpredictable working environment, as they frequently spend on fuel and manpower without catch. The daily use of a trawler costs between US \$1,000 and US \$1,400 and smaller boats cost between US \$200 and US \$420. High fuel prices therefore decrease profits and lower incomes. The average monthly income of a fisherman is currently around US\$120.¹⁰ This makes fishermen one of the poorest communities in Gaza and makes them increasingly dependent on food aid, a situation that attests to the process of de-development of their sector.

Conclusion and Recommendation

Gaza's fishermen have become one of the poorest segments of society due to the ongoing restrictions, attacks and harassment.¹¹ Their treatment by Israeli authorities and naval forces affects fishermen's basic human rights, including right to work, right to physical integrity, and in the gravest case—right to life. Their socioeconomic situation weighs heavily on their dignity.

The violation of fishermen's rights is systematic and gross, and has a huge generational impact given that 3,600 fishermen are unable to keep their families out of poverty. The Palestinian economy overall has incurred large financial losses from a sector that was once viable and once contributed meaningfully to Gaza's gross domestic product.

The international community must intervene to urge the Israeli authorities to promptly and fully remove the crippling restrictions on Gaza's fishing community and to uphold the individual rights of fishermen. Given the systematic threats to life and safety that fishermen endure, the international community must also take effective steps to ensure the protection of fishermen, and a safe workplace that can facilitate economic growth.

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¹⁰ Jihad Slaha, Ibid 8

¹¹ The cost of living in Gaza means that a family of five with an income of under 700 USD per month would live in poverty, and with an income of under 550 USD per month would live in abject poverty. In terms of monthly consumption patterns in 2017, poverty was assessed at 13.9% in the West Bank and 53% percent in the Gaza Strip. Abject poverty stood at 33.8% in the Gaza Strip.