

AL MEZAN CENTER FOR HUMAN RIGHTS

**A SPECIAL REPORT ON THE OUTRAGES OF HUMAN DIGNITY AT ISRAELI
CHECKPOINTS IN THE GAZA STRIP**



COVERS THE PERIOD BETWEEN 1 JANUARY AND 25 JUNE 2002

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AL MEZAN CENTER FOR HUMAN RIGHTS

Al Mezan Center for Human Rights is a Palestinian Non-governmental non-partisan organization with its HQ based in the refugee camp of Jabalia. . Al Mezan's mandate might be précised as follows:

“to promote, protect and prevent violations of human rights in general and ESC rights in particular, to provide efficient aid to those victims of such violations, and to enhance, substantially, the quality of life for the marginalized sectors of the Gaza Strip community.

Aims: As these conditions worsen, the need for constructive sustained action to prevent the collapse of Palestinian society altogether becomes even more urgent. The Mission of the Mezan Center for Human Rights, based in the Jabaliya refugee camp in the northern Gaza Strip, is to work to provide a secure and long-lasting foundation for the provision of human rights on all levels. While al-Mezan must confront the daily violations of political rights especially given the current international situation, its long term aim is to encourage and develop economic, social, and cultural rights (ESC). It acts not only as a monitoring and documentation center for rights abuses, but perhaps even more importantly, as a vehicle through which legal aid and advocacy, fieldwork, education and consciousness-raising on such fundamental issues as basic human rights, democracy, and international humanitarian law takes place on a daily basis.

Focus Groups & Organization: Al-Mezan targets all levels of society including the most marginalized groups (women, children, the elderly, the disabled, the unemployed) through a series of thoughtfully focused public lectures and seminars, training sessions, and open debate and consensus-building forums. It provides free legal aid and advice for all members of the community, individually and collectively, and has full-time fieldworkers living in each of the major regions within the Gaza Strip who are therefore able to establish important personal contacts and networks while providing essential documentation of daily rights violations which is then made available at the Center's main office. In addition to these key activities, Al-Mezan works with numerous NGOs and international rights organizations in order to encourage the broadest possible cooperation both within and outside of the OPTs.

It is indeed no exaggeration to say that the future of Palestinian civil society depends on the efforts and success of organizations such as Al-Mezan especially in such critical times as these.

4. **Structural Outline & Contact Information:** Al-Mezan has four key units and a library that is currently being expanded. Each unit consists of a unit coordinator and qualified, professional staff members. Unit descriptions and goals are described below.

a. Monitoring and Documentation (fieldwork) Unit

This unit aims to monitor and document human rights violations in the OPTs, whatever the party of violation is. The unit's focus shifted towards civil and political rights owing to the massive Israeli violations of these rights since the beginning of the al- Aqsa Intifada. However, its principle aim is to focus on economic, social, and cultural rights.

The role of this unit is crucial for the other units, which base their programs on the information it provides. The Fieldwork Unit monitors human rights violations according to scientific standards so that they can be

used in the Center's reports and studies. The Fieldwork Unit keeps close, day-to-day communication with the local community and NGOs.

b. Legal Aid Unit

One of the most effective ways Al-Mezan promotes human rights in the OPTS is by providing legal aid and advice for individuals or groups whose rights have been violated. Legal aid and advice are free for anyone requiring these services. Under normal circumstances, the unit concentrates on aiding victims of ESC rights violations, especially among the most marginalized groups in the Palestinian community.

Additionally, the Legal Aid Unit aims to help establish a legal system that respects human rights standards and upholds democratic principles consistent with the rule of law and the separation of powers. To achieve this purpose, the unit keeps in continuous contact with the Palestinian Legislative Council and follows up all draft laws in order to assure they comply with human rights standards.

The unit aims at raising legal consciousness, especially among lawyers who are expected to carry out an active role in the protection of human rights. To this end, the unit conducts an annual six-month training course for lawyers.

c. Training and Mass Communication Unit

Training is one of the most effective and necessary ways Al-Mezan can promote human rights and democracy in the OPTs. This unit aims to raise human rights awareness among all Palestinians, particularly marginalized groups such as refugees, women, children, and the disabled. By making people more aware of their fundamental rights, Al-Mezan can promote grassroots democratic values and the demand that these rights be upheld.

The unit conducts free training courses, lectures, seminars and workshops on ESC rights. Palestinian scholars and activists, together with the Center's professional staff, are invited to take part in these activities. The unit also supervises 'Pass the Word' program, in which university students raise their fellows awareness after the unit equips them with the necessary knowledge and tools.

The 'Face the Public' program, designed and supervised by the unit, further addresses ESC rights issues. Through this program, 'Face the Public' facilitators offer Palestinian citizens the chance to meet directly with officials to discuss their problems and needs. By creating a basis for popular accountability, Al-Mezan hopes gradually to improve Palestinian living conditions.

The Training and Mass Communication Unit is also concerned with public relations and works with local, national, and international organizations and media in this regard.

d. Technical Assistance and Advocacy Unit

The Technical Assistance and Advocacy Unit's mission is twofold. First, the unit aims to conduct scientific research on ESC rights in the OPTs and to prepare reports accordingly. Secondly, the unit will follow up the results of its studies through various channels. It hopes to make its findings available to individuals and organizations both nationally and internationally.

The 'Budget Analysis Project' supervised by the unit is a unique tool meant to assure better rights-related services in the OPTs. This project aims to analyze the Palestinian Authority's budget from a human rights

perspective and to assess budget allocation in accordance with community needs and priorities. Through advocacy and in cooperation with scholars, NGOs, and activists, the unit seeks to change the PA's policies regarding education, health care, housing, etc.

e. Documents Library

The Center is developing a human rights library that will be used as an information center for Al-Mezan staff, researchers, students, and the public. The library contains numerous national, regional and international law texts, and primary and secondary sources relating to international law, human rights, democracy, development, and socio-economic issues, including studies related to women. These sources will be available in both Arabic and English.

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Introduction

The outbreak of the Al Aqsa *Intifada* / uprising on September 28, 2000 constitutes a turning point in the escalation of Israeli violations of Palestinians' human rights. Violations have sharply increased, both in quantity and quality, and become of a systematic and almost daily nature. Most of these violations are Grave Breaches of the international humanitarian law, which is applicable to the Occupied Palestinian Territories (OPT)¹.

The Israeli occupation forces have imposed a comprehensive, tight siege on the OPT since 9 October 2000, ten days after the beginning of the *Intifada*. The blockade isolates the OPT from the outside world, the West Bank from the Gaza Strip, and even Palestinian towns and villages from each other. In certain cases, smaller Palestinian areas inside towns were separated from the main portions.

On 20 November 2000, the Israeli forces blocked the main street in the Gaza Strip, Salah ad-Din Street at a point called Al Hiki²r, just south of the town Deir al-Balah in the middle of the Strip. A permanent Israeli checkpoint exists at this point, called Al-Hikir or Al Matahin Checkpoint. Consequently, the Strip was divided into two parts. Salah ad-Din street, at a point between Rafah and Khan Yunis, the southern districts of Gaza, was also closed on 15 December 2002. Moreover, it was completely blocked in regard to Palestinian vehicular movement on 29 March 2002. The closure of the three areas with permanent checkpoints is still continuous at present. Palestinians usually use the beach road to reach Gaza City and Northern Gaza. However, the Israeli forces frequently close this road, effectively dividing the Gaza Strip into three separate parts.

This report focuses on the Al- Hikir Checkpoint, the major Israeli roadblock in Gaza. Civilians are usually permitted to go through the checkpoint for an average of an hour. Although the army allows movement for two hours in the morning and sometimes two hours in the evening,, vehicles are restricted whenever a settler's car appears. It should be mentioned that thousands of Palestinians use this street, mainly civil service employees, university students, traders, and passengers leaving or returning to Gaza. Sick people en route to the hospital in Gaza City must also pass through this checkpoint.

There were times when the Israeli forces closed all the checkpoints in Gaza, including Al-Hikir checkpoint for days. This occurred between 29 March and 2 April 2002.

This report covers the period between 1 January and 25 June 2002. It contains the Al Mezan Center documentation of closure within the Gaza Strip and the consequences of such collective punishment of civilians. The report also highlights the effects of closure on the human rights situation in the Gaza Strip, as the consequences go far beyond the restriction of Palestinians' right to free movement.

The report also places the Israeli policy of siege and blockade in its proper context as a collective punishment of civilians. It is difficult for anyone who has no experience of being at a checkpoint to imagine

¹ Consult the Legal Background section in this report for more details on the legal status of the OPT in the international law and international humanitarian law.

² Also called al-Matahin (the mills), and Abu Holy Checkpoint. For more information, please consult the maps in the end of this report.

how it feels to be there. For many people, especially internationals, the checkpoint imagery could be interpreted as two polite policemen waving for cars, asking for papers, or looking in the trunk for a few moments. Nationals of free countries do not experience this as an assault on their dignity.

For Palestinians the scene is completely different. A checkpoint for Palestinians means a place where they are stopped for some time; it could be minutes, hours, or sometimes days. It is also a place where the military humiliate them, reinforcing feelings of hatred. In reality, the checkpoint embodies an awful apartheid policy as facts on the ground prove.

Al Mezan has avoided comments and legal analysis of the violations of human rights at checkpoints in this report. The Center believes that facts alone express the ugliness of Israeli policy in this regard. Consequently, in most of the anecdotes existing in the report people speak for themselves about their experiences. Many affidavits were given to the Center by victims, all of which shed light on the reality at checkpoints.

Because most of these people recounting their experiences must use the checkpoint on a daily basis, most requested that the Center not mention their names in the report. Nonetheless, Al Mezan has documented all names and evidence pertinent to information presented in this report. Therefore, the Center is ready to cooperate with international human rights organizations, which could participate in efforts to stop Israeli violations of Palestinians' human rights at checkpoints.

Preface: Legal Background

In the aftermath of the June 1967 war, Israeli forces occupied the West Bank, the Gaza Strip, and Jerusalem. Hence followed the complete occupation of the whole land of Palestine and the imposition of military law throughout the occupied territories. The international community has determined Israeli forces to be a *Belligerent Occupying Power*, and the Palestinian territories to be Occupied Territories. As such, the articles of the 1949 Fourth Geneva Convention relative to the protection of civilians during times of war are *de jure* applicable to the Palestinian Occupied Territories. Israel, the belligerent Occupying Power, is obliged to comply with the articles of the abovementioned convention. Nevertheless, Israel has been systematically violating the rules of international law as well as the provisions of the 1949 Fourth Geneva Convention since 1967.

It is worth mentioning that international humanitarian law, of which the Fourth Geneva Convention forms a basic component, aims at providing protection for the victims of war, especially civilians residing in Occupied Territories. As a result, the Occupying Power does not have a free hand to use force, policies, or other procedures in its administration of the Occupied Territories. It also stresses that the Occupying Power should always take into maximum consideration the interests of civilians, including the protection of their property. Furthermore, it should not change the status of the existing law in the Occupied Territories.

The Occupying Power must refrain from attacking non-military targets, including individuals, buildings, and property (both private and personal). The Occupying Power is not only absolutely prohibited from targeting them, but also obliged to provide means of complete protection for them. The use of certain weaponry during military operations, especially in the Occupied Territories, is strictly limited and/or absolutely prohibited. The use of force by the Occupying Power should respect two highly essential and basic principles:

1. **Military Necessity:** International law permits warring armies to neglect some of the obligations imposed by law, yet not absolutely. It is restricted to a group of conditions. Experts who have explained the texts of the Fourth Geneva Convention agree that military necessity means all the imperative procedures needed to achieve a military purpose necessary for military operations. The word 'necessary' means that the objectives of war can not be achieved without these procedures. It also means that sometimes the neglect of some restrictions is permitted, unless the intent is to carry out procedures aimed solely at punishment or deterrence.
2. **Proportionality and Discrimination:** Proportionality restricts Military Necessity. It refers to the fact that Military Necessity must not ignore that military operations and the strategies used should be appropriate to the military targets. According to this principle, all actions that may cause losses to souls and/or property that have nothing to do with the operations or the expected results are prohibited.

Warring parties must also during the course of military operations discriminate between civil and military targets, as well as in the use of force in regard to methods and weaponry with the aim of minimizing damage and suffering to the least amount possible.

Article 23 of the Fourth Geneva Convention Relevant to the Protection of Civilians during Times of War states:

“Each High Contracting Party shall allow free passage of all consignments of medical and hospital stores and objects necessary for religious worship intended only for civilians of another High Contracting Party, even if the later is its adversary. It shall likewise permit the free passage of all consignments of foodstuffs, clothing and tonics intended for children under fifteen, expectant mothers and maternity cases.”

Article 33 of the same Convention states:

“No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited. Pillage is prohibited. Reprisals against protected persons and their property are prohibited.”

Article 53 of the Convention prohibits the destruction of properties. It states:

“Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities is prohibited, except where such destruction is rendered absolutely necessary by military operations.”

Articles 146 and 147 are considered to be amongst the most important articles of the Convention as they define a group of grave breaches of the Convention, determine them to be crimes of war, and stress the obligation to search for and punish those responsible for committing such grave breaches.

Article 147 stipulates:

“Grave breaches to which the preceding Article (Article 146) relates shall be those involving any of the following acts, if committed against persons or property protected by the present Convention: willful killing, torture or inhuman treatment, including biological experiments, willfully causing great suffering or serious injury to body or health, unlawful deportation or transfer or unlawful confinement of a protected person, compelling a protected person to serve in the forces of a hostile Power, or willfully depriving a protected person of the rights to fair and regular trial prescribed in the present Convention, taking of hostages and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly.”

Article 146 states:

“The High Contracting Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present Convention defined in the following Article. Each High Contracting Party shall be under the obligation to search for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and shall bring such

persons, regardless of their nationality, before its own courts. It may also, if it prefers, and in accordance with the provisions of its own legislation, hand such persons over for trial to another High Contracting Party concerned, provided such High Contracting Party has made out a prima facie case.”

Monitoring the acts of the Israeli occupation army from 29/09/2000 until the present reveals that it has consistently violated the rules of international humanitarian law, particularly the Fourth Geneva Convention and those rules governing the Occupying Power’s behavior towards civilian residents and their property.

1. The Gaza Strip³

The Gaza strip is a narrow, rectangular area on the Mediterranean. It is located in the south of Palestine and occupies an area of 365 sq. km. It is approximately 45 kilometers in length, and between 7.5 kilometers across in the north, and 12 kilometers across in the south. Gaza is known as one of the most populated areas in the world as the population of the Strip reached 1,261,909 people in 2002⁴. Palestinians live in five districts / Governorates⁵ in Gaza. The following section shows details about these Governorates starting from the north:

- 1.1 North Gaza Governorate:** Located in the north of Gaza, the Mediterranean borders it in the west, the Armistice Demarcation Line lies in the north and east, and the Gaza Governorate in the south. The Northern Gaza Governorate occupies an area of 62 sq. km., which constitutes 17% of the total area of the Gaza Strip. According to the statistics of the Palestinian Central Bureau of Counting,, the population of this District reaches 236,292 people as of 2002. Palestinians are distributed among three municipalities in the District: Beit Hanun in the north, Beit Lahia in the Middle, and Jabalia in the south.
- 1.2 Gaza Governorate:** Gaza is located in the south of the Northern District. The Mediterranean also borders it in the West, the Armistice Demarcation Line lies in the east, and the Deir Al-Balah District in the south. Gaza is the second biggest city in the Gaza Strip in area, with an area of 72 sq. km., constituting 20.3% of the Strip's total area, and is the most populated city with a population of 446,416 as of 2002. The Governorate is composed of one town with one central Municipality, and three rural areas: Abu Middin, Al Mughraqa and Juhr Ad-Dik; all are located in the south of Gaza.
- 1.3 Deir Al Balah Governorate:** This District is located in the middle of the Gaza Strip. In the north, the Gaza District borders Deir Al Balah, while the Mediterranean borders it in the West, the Armistice Demarcation Line lies in the east, and Khan Yunis District in the south. The area of Deir Al-Balah is 56 sq. km.; about 15.4% of the Strip's total area. The population of Deir Al-Balah reaches 182,882 people as of the year 2002. the district encompasses five populated centers: the town of Deir Al-Balah, the Deir Al-Balah refugee camp, An-Nusierat refugee camp, Al-Bureij refugee camp and Al-Maghazi refugee camp.
- 1.4 Khan Yunis Governorate:** one of the two Districts in the south of Gaza. The Mediterranean borders Khan Yunis in the West, the Armistice Demarcation Line lies in the east and Deir Al-Balah District in the north. The area of Khan Yunis is 113 sq. km.; which constitutes 31% of the total area of the Gaza Strip. As of 2002, the population of Khan Yunis reaches 254,558 distributed among five areas: the town of Khan Yunis, the refugee camp of Khan Yunis, Bani Suheila, Al-Qarara, and a rural area.

³ Consult Appendix I for more details about the geography of the Gaza Strip.

⁴ According to the estimates of the Palestinian Central Bureau of Counting, 2000.

⁵The Palestinian Ministry of Local Government uses the latter (Governorates).

1.5 Rafah Governorate: Rafah is located on the Egyptian border with the Gaza Strip, which borders it in the south. The Mediterranean borders Rafah in the West, the Armistice Demarcation Line lies in the east, and Khan Yunis District in the north. There is one municipality in Rafah, in which 150,735 people live. The area of Rafah is 60 sq. km.; 16.3% of the total area of the Gaza Strip.

2. Main Streets in the Gaza Strip:

The geography of the Gaza Strip makes the main streets restricted to one direction; south-north. Salah ad-Din Street and National Street No. 4 are the only two major streets in the Strip. Branch roads exist at the entrances of towns and villages, and of course the crossing points between Gaza and Egypt and Israel. The Beach road serves as a main road, especially in the middle and north of the Strip as Israel prohibits vehicular movement in the settlement areas⁶.

2.1 The Salah ad-Din and National No. 4 Streets: Constituting the only main Streets in the Gaza Strip, they serve all the Governorates. National Street No. 4 extends from the Beit Hanun / Erez Crossing in the north until the Al Awda / Rafah Crossing, on the Egyptian border in the south passing through all the towns⁷. The two streets join at many points, in Beit Lahia, south of Gaza City and north of Khan Yunis. Salah ad-Din ends at the Salah ad-Din Gate on the Egyptian border near the Rafah refugee camp, while National Street No. 4 ends at the Rafah Crossing, east of the town of Rafah.⁸

2.2 The Beach Road: The beach road extends from the Gaza North District until the Rafah District along the seacoast. It does not cross any town, but has branch roads leading to all of them.

The Israeli forces have a permanent checkpoint on this road south of Deir Al Balah. Palestinians have been prohibited from using the road south of this point for years. Instead, they enter the town of Deir Al Balah and use Salah ad-Din Street, where the Al Hikir checkpoint exists.

3. Prohibition and Restriction of Movement: Vehicular movement, and in most cases even walking, has been restricted on several roads in the Gaza Strip since the beginning of the current *Intifada* / uprising. The Israeli forces bulldozed major parts of such roads and created checkpoints on many of them. It is well known now that most of the streets and roads in the OPT are blocked by checkpoints and that these checkpoints are constantly used to humiliate civilians. This report reviews Israeli procedures concerning the blockade of streets in the Gaza Strip. The Israeli forces have closed both Salah ad-Din and National (4) streets at several points.

3.1 Blockade of the street between Rafah and Khan Yunis On 15 December 2000, the Israeli forces closed the main street between the Rafah and Khan Yunis Districts, part of Salah ad-Din Street⁹, completely. The road is approximately eight kilometers in length. It is worth noting that Israeli settlers have

⁶ Consult Appendix 5 in this report for more details.

⁷ The Palestinian Ministry of Planning & International Cooperation,

⁸ The National Street No. 4 is called the Eastern Street by local population, especially in Rafah and Khan Yunis, while the Salah ad-Din is called the Western Street.

⁹ The part of Salah ad-Din Street in Rafah is called Umar Ibn Al Khatab Street according to the Rafah Municipality.

to cross this street to move between Israel and the settlement of Morag¹⁰, as well as between Morag and the settlement of Bini Atsmona¹¹.

On the pretext of securing settlers' movement, the Israeli forces undertook many procedures. They closed the street for days on numerous occasions, seized agricultural land, which is owned by the Dhair family near the settlement of Morag, and changed the curved part of the road that settlers used to cross the street. The Morag-Sofa road is now straight following the modification of the curve.

It is worth mention that the first extra-legal assassination the Israeli forces executed in the Gaza Strip took place at this crossing point. Two Fateh activists were murdered after Israeli tanks stopped their car and shot them. Two other civilians were killed in a taxi in the same incident, which took place on 22 November 2000.

Because of the closure of this road, lots of Palestinian agricultural land was isolated. Farmers whose land is located north of this point have to travel to Khan Yunis and go back to Rafah. In the past, they only traveled two kilometers. In addition, the population of Rafah suffers from the closure of this road, as mentioned later in the report.

3.2 Blockade of the street between Khan Yunis and Deir Al Balah

The Israeli forces blocked Salah ad-Din Street at the point between the entrance of Deir Al-Balah and Al Matahin road, on many occasions for a few days; this part is used for settler movement and is about 2.5 kilometers in length. On 20 November 2000, they closed the road completely, which remains closed at this moment. The street goes through the settlement of Kfar Darom, about 150 meters from the entrance of Deir Al Balah. A bridge that connects the two parts of the settlement is restricted to the use of settlers and Israeli soldiers.

For months, Palestinians had to use a branch road, called Um Al-Ajin, east of Deir Al Balah. Doing so, they had to cross Street (86)¹² before they go back to the Deir AL Balah coast. However, since 11 January 2000, the Israeli forces have only allowed vehicular movement through the Al Hikir branch road which goes through Deir Al Balah and ends at Salah ad-Din Street near the Kisufim military site. Palestinians also have to go through the Al Hikir checkpoint at this point.

3.3 Blockade of the street between Gaza and Deir Al Balah: Salah ad-Din Street meets National (4) Street at a point called the Military Police Crossing, or Ash-Shuhada Crossing, south of Gaza City. The part of National (4) Street between the Green Line and this crossing is called Al Karamah Street. Israel calls it Karni-Nitzarim¹³ Street.

4. Impacts of Closure on Palestinians Human Rights

The siege Israel imposes on Palestinian towns and villages isolates them. The Israeli forces block most of the main streets in the Gaza Strip, and in the West Bank, on the pretext of security claims. Palestinian daily

¹⁰ The only settlement in Rafah located out of the Gush Qatif settlement Bloc.

¹¹ Part of the Gush Qatif Settlement Bloc, this settlement is located at the end of Sofa-Morag bypass road.

¹² Called also Hill 86 referring to an Egyptian Army Platoon which was stationed in the area before the 1967 war. Israel calls the same street Kisufim Street, a settlement name, and built a military site at its entrance.

¹³ Karni is the Israeli name for the trade crossing between Gaza and Israel, while Nitzarim is the name of a settlement located west of the Salah ad-Din Street at the same point.

life has been enormously affected by closure; a high percentage of the population has been directly affected, while the whole population has suffered indirectly. This report reviews especially the direct impact of closure on the Palestinian population of the OPT, which overtly deprives them of basic, internationally recognized rights. Such impacts on the human rights situation are detailed in the following section.

4.1 Impacts on the right to work and enjoying rest and leisure: One of the worst direct results of the Israeli closure is that it raised the unemployment rates to an unprecedented level in the Gaza Strip. Thousands of Palestinians were denied access to work places and lost their jobs. The continued closure also affected enterprise production, and thus, more workers lost jobs.¹⁴

S. H., a factory owner from Gaza City, stated in his affidavit to Al Mezan that he was forced to give 25 five of the workers open-ended vacations, and fire them later. All of the subjects live in the south of the Gaza Strip. They could not get to work for a long time due to the closure. The factory lost too much and could not bear keeping workers who do not come to work. In fact, all of the enterprises in Gaza faced the same problem and took similar procedures.

About 30% of Palestinians who travel from the southern districts to Gaza are workers and civil service employees. They take the risk and suffer at the checkpoints in order not to lose their means of living.

Palestinians usually spend hours at the checkpoint before they are allowed to go through. Consequently, the time of rest and leisure they should enjoy is consumed in taxis. When asked about the time they spend at the checkpoint, people who go through daily said it was about half the time they spend at work on average.

Waiting at the checkpoint is difficult in itself but it becomes unbearable at times in the summer because the temperature reaches high levels, and also due to the large quantity of dust in the area; Israeli bulldozers work regularly there, making the agricultural land dry and sandy.

4.2 Impact on the health services: According to the Al Mezan fieldwork unit and the Ministry of Health, the health sector was severely damaged by the Israeli blockade in the OPT. Hospital professional staff who do not live in the same area of the hospital could not work for long periods of time. The damages to the health sector can be summarized as follows:

4.2.1 Restriction of medical staff movement: As a result of blockade and restriction of vehicular movement at the Al Hikir checkpoint, hundreds of doctors and other medical staff working in hospitals and clinics were prevented from reaching their work. On many occasions, hospitals and clinics could not function properly. As a result. The UNRWA and other non-governmental medical institutions were also affected by closure.

Al Mezan observed that health care services were considerably decreased especially in the south and middle districts of the Gaza Strip. Professional physicians like dentists, pediatricians, oculists, and cardiologists had troubles arriving to health facilities. Consequently, patients who need special care like those who suffer diabetes and hypertension, including gynecology cases could not receive services.

The period between 3 March and 3 May 2002 is considered to be the worse concerning closure. The Israeli forces closed Salah ad-Din Street at the Al Hikir and Nitzarim checkpoints, and blocked the beach road as

¹⁴ The Palestinian industrial sector loss is relatively enormous. Most of the enterprises reduced employment, especially from the southern Districts who could not get to work regularly.

well. Movement between any district in the Gaza strip was almost impossible during this period. Moreover, the Israeli forces launched wide incursions in the West Bank at this time.

It was also reported that medical laboratory and radiology work was badly affected due to a lack of particular substances. Al Mezan estimates the number of Palestinians who were affected by the absence of such services to be 3,000¹⁵.

A doctor living in North Gaza District delivered the following statement to Al Mezan:

I live in Gaza North District and work in Gaza European Hospital, north of Rafah and about 30 kilometers from my town. I suffer too much from being stuck at the checkpoints frequently. The way takes much time, some times five hours, and occasionally the Israeli soldiers tell us the checkpoint is closed after a long period of waiting. My work requires strict and regular work hours, but I cannot attend it regularly. My position is very sensitive at the hospital, so I had to sleep there four nights every week.

In fact, many of my colleagues, who number around sixty doctors, suffer similar difficulties and others have to work more hours to compensate our absence. What makes the situation complicated is that many of my colleagues are specialists and the hospital cannot find substitutes for them when the checkpoint is closed.

The hospital's administration has changed the work schedule of the physicians (doctors) who work there. Based on the new schedule, each doctor works at the hospital for 2- 3 full successive days and he is off duty for 6 successive days. The physicians reach the hospital in very bad physical and psychological conditions as a result of the acts they face at the Israeli military checkpoints. Consequently, the performance of these doctors is affected in a negative manner. As a result, the hospital's level of performance has become inadequate. Sometimes care is not even available as he (the doctor) has not been able to pass through the Israeli military checkpoints.

To overcome these problems, hospitals have also modified the work schedules of its nurses, who play a highly vital role in patient care, as well as its administrative and supportive staff members."

The previous testimony highlights the negative impacts of the closure of Al Hikir on the performance of the hospitals and other health care facilities.

It especially highlights the great suffering of the physicians and other health care professionals while en route to the hospital. A number of hours are wasted in dusty and hot weather waiting at the checkpoints. This, in turn, has been reflected in their quality of performance. Their clients (patients) have been receiving inadequate health care.

b. Prevention and delay of the transfer of patients and wounded people to hospitals

The Israeli occupation forces have delayed and prevented the transfer of patients and wounded people to hospitals.

Israeli forces positioned at al-Matahin and Al-Hikir checkpoints have been systematically preventing the passage of ambulances that have been transferring patients and wounded people from the southern areas of the Gaza Strip to hospitals in Gaza City.

As mentioned previously, the Al-Hikir and al-Matahin checkpoints are located on Salah ad- Din road, the main road that extends along the Gaza Strip, connecting its southern, middle and northern parts together. These two checkpoints are located between Deir al- Balah in the north (Al-Hikir checkpoint) and Khan Younis in the south (al-Matahin checkpoint). A few hundred meters separate the two checkpoints from each other and the area located between them is under strict Israeli military control. At the entrance of both

¹⁵ The estimated number depends on the fieldwork sources. The UNRWA did not provide precise information about these cases.

checkpoints, there is a well-protected Israeli military tower on top of which Israeli soldiers are positioned to control the passage of vehicles along the road.

Usually, the patients or wounded people who reside in the southern parts of the Gaza Strip receive health care in hospitals located in the same region such as Nasir hospital (in Khan Younis) and Gaza European hospital (in Rafah).

Unfortunately, there is a shortage of both equipment and human resources in these hospitals, especially in certain medical and surgical specialties. For example, there are no neurosurgical¹⁶, or cardiovascular surgery departments in these hospitals.

People suffering from problems in the cardiovascular or nervous system are usually in need of prompt and immediate medical attention. In fact, such people, as well as those suffering from multiple traumas, are often in need of critical and immediate surgical intervention in order to correct their problems.

When people who reside in the southern parts of the Gaza Strip are in need of such intervention, they are referred to Shifa hospital, the main and largest hospital in the Gaza Strip; which is located in Gaza City. The need for referral of such cases has sharply increased since the start of the current *Intifadah* on September 29, 2000. This increase is mainly due to the disproportionate use of power against Palestinians by the Israeli soldiers, as these forces have tended to use high velocity ammunition including 500 and 800 mm caliber machineguns, anti-tank missiles, mortar shells, and missiles fired by assault helicopters and F-16 fighters against, in most cases, innocent unarmed civilians.

This has resulted in injuring a large number of Palestinians severely. Quite a large number of the wounded have sustained critical injuries to the head, spinal cord, or major blood vessels; conditions which necessitate immediate surgical intervention by highly skilled and specialized health personnel in well-equipped health care facilities.

Thus, when people who reside in the southern areas of the Gaza Strip sustain such critical injuries, they must be immediately transferred to Shifa¹⁷ hospital. The longer it takes for them to reach Shifa hospital, the less likely any correction of the injury can be made, and the possibility of death or permanent disability is far greater.

Time plays a major role in the treatment of people suffering from such injuries. For example, a person who sustains an injury to a major artery of his leg is usually susceptible to death resulting from excessive loss of blood within a very short time.

The usual procedure that is followed in dealing with such cases from the southern parts of the Gaza Strip is as follows: This procedure has been agreed upon by both the Palestinian and Israeli formal authorities:

The Palestinian health care facility to which the wounded person or ill person has been brought for treatment contacts the higher authority, which holds responsibility for the transfer of patients among

¹⁶"Neurosurgical" refers to surgeries (operations) performed on patients suffering from injuries to the nervous system such as the brain or spinal cord, while vascular surgery refers to surgeries (operations) aimed at the correction of injuries to the vascular system that includes the heart and blood vessels (arteries and veins).

¹⁷Shifa hospital is the largest and most sophisticated hospital in the Gaza Strip. The Palestinian Ministry of Health runs it. Its' occupancy is about 400 beds. It has almost all the medical and surgical specialties including medical, surgical, intensive, neurosurgical, vascular, and maternity departments.

hospitals. This is the Department of Emergency and Medical Aid at the Palestinian Ministry of Health. Immediately, the Department of Emergency and Medical Aid at the Palestinian Ministry of Health contacts the Israeli authorities through a channel called the Health Liaison Office. The Palestinian security authorities also get involved in the process. They coordinate and arrange with the Israeli military authorities for fast transfer of the wounded people or ill patients through the Israeli military checkpoints so that they may be transferred to Shifa hospital in Gaza City as soon as possible. This is usually done through joint Israeli Palestinian Security liaison offices (committees). At the same time, the relevant Palestinian authorities contact a representative of the International Red Cross Society, who in turn, further facilitates the procedure. This process is done on a 24-hour basis, and is usually accomplished within minutes. The time needed for an ambulance to reach Shifa hospital from the furthest point in the southern parts of the Gaza Strip is about 30 minutes, provided that it is allowed to pass through the Israeli military checkpoints within minutes.

However, in many cases, despite previous coordination and arrangement through the above mentioned channels, the Israeli forces positioned at "al-Matahin" and Al-Hikir checkpoints have prevented the passage of ambulances carrying seriously wounded or critically ill people.

Following, is a testimony that has been provided by an eyewitness. It provides further relevant information and proves that the Israeli soldiers delay the passage of ambulances intentionally and purposefully.

“ I am an ambulance driver. I usually drive the Intensive Care Ambulance¹, which carries seriously injured or critically ill persons, transferring them to Shifa hospital where they receive appropriate and more advanced health care that is not available at the hospitals in the southern parts of the Gaza Strip.

We ambulance drivers, are only allowed to pass through the Israeli military checkpoints after the appropriate coordination arrangement procedures with the Israeli authorities have been completed. When we reach the checkpoints, we are usually not allowed to pass across them. The Israeli soldiers positioned at these checkpoints prevent us from doing so. In such cases, we call our superiors at the Health Liaison Office (Committee), who carries on the coordination process through contacting the relevant authorities.

In most cases, the soldiers carefully search the ambulances in which seriously wounded or critically ill people, in dire need of each second, are lying helpless, awaiting to be transferred to Shifa hospital.

In many cases since the beginning of the current Intifadah, the soldiers have repeatedly forced me to wait at the checkpoint for periods of time lasting several hours while seriously injured people have been greatly suffering from their wounds inside the ambulance. The soldiers have been doing this on purpose. They have known that those; who lie inside the ambulances, have been seriously injured or critically ill people.

Even when the soldiers allow us to pass through the checkpoint on our way to Gaza, they usually delay our arrival to our duty stations in Rafah.

In a number of cases, the soldiers have allowed me to transfer the injured person or critically ill person to Shifa hospital, but then they delayed my return back to Rafah (On the way back from Shifa hospital in Gaza City to which the injured person has been transferred). Despite the fact that the ambulance I drove was needed in Rafah to evacuate injured or ill people, the soldiers, in a number of cases, kept me waiting at the checkpoint for their permission to continue my trip back to Rafah for several hours. In such cases, I had spent the whole night waiting at the checkpoint until the soldiers allowed me to pass through it.

As a result of these intentional acts carried on by the Israeli soldiers at the checkpoints, many injured or ill people died or sustained severe health-related complications as they had not arrived to Shifa hospital quickly enough to avoid death or complications.

For example, Rami Zu'rub, a seriously wounded young man died at the entrance of Shifa hospital 10 days ago after having to wait inside an ambulance for more than one hour at the Israeli checkpoint.

10 days ago, I was transferring Rami al-Jamal, a 17 year-old young man who had been wounded as a result of gun shot by Israeli soldiers, to Shifa hospital. The soldiers at the checkpoint delayed my ambulance with

the injured person, in addition to another ambulance also transferring an injured person. Al-Jamal was suffering from nerve injury and was on the way to Shifa hospital to receive appropriate treatment.

Sometimes, we face the same problem at ash- Shuhada' checkpoint; which, as previously noted, is an Israeli military checkpoint located on Salah ad- Din road a few kilometers south of Gaza City. It controls the passage of vehicles between Gaza and the middle areas of the Gaza Strip. We also face the same problem on the Beach road at a point opposite the Nitzareem Israeli settlement¹.

Once, I transferred Abu Aridha,, an injured person who was seriously wounded in the head. I had to wait, as a result of the acts of the Israeli soldiers, for 5 hours at ash- Shuhada' checkpoint. In the end, the Israeli soldiers allowed me to transfer the patient across the checkpoint on a trolley (not inside the ambulance). As his condition was very serious. I transferred him to the other side of the checkpoint where another ambulance was waiting to take him to Shifa hospital.”

Al-Mezan field workers have collected the testimony from (S.G.), a 37 year-old male ambulance driver who resides in Rafah¹⁸. He works with the Palestinian Ministry of Health-Department of Emergency and Medical Aid¹⁹:

Y. H. E²⁰., a 26 year-old Health First Aid Worker who resides in Tal as-Sultan

neighborhood in Rafah and works with the Palestinian Red Crescent Society, has provided us with a testimony that further proves that the Israeli soldiers delay the passage of ambulances carrying critically ill people intentionally and systematically, in order to aggravate their already serious conditions. Mr. Y. H. E.’s testimony is stated as follows:

“ I drive to Gaza City 3 times a week. I have been suffering a lot on my way to and from Gaza, as I have had to wait to pass across the Israeli military checkpoints for long periods of time (hours).

In numerous cases, the Israeli soldiers positioned at the checkpoints have prevented us from crossing the checkpoint, telling us that the road is closed in the face of “Palestinian” vehicles. In many cases, this has made it impossible for me to reach my work-station.

On Wednesday, May 29, 2002, I, along our ambulance driver M.Q. and the representative of the Red Cross Society in the southern areas of the Gaza Strip, were on our way back from Gaza City. We were transferring equipment and supplies for the Department of Emergency and Medical Aid at the Red Crescent Society’s Health Center in Khan Younis. We arrived at Abu Holy checkpoint at 2:30 p.m., where hundreds of vehicles were in queue, waiting to pass across the checkpoint back to the southern areas of the Gaza Strip. I instructed the driver to bypass the vehicles and approach the checkpoint. We stopped about 100 meters away from the Israeli military observation tower at the entrance of the checkpoint.

At that point in time, we saw a young man yelling for help. I hurried out of the ambulance heading for the “call for help”. To my surprise, I found a seriously ill old woman¹ lying down on the ground next to the young man, who, as I discovered later, was her son. He told me that they (he and his ill mother) had been waiting to pass across the checkpoint since 11:00 a.m. Immediately, I told the Representative of the Red Cross Society about the emergency, and she started to coordinate the safe passage of the old lady to the nearest hospital in Khan Younis via our ambulance.

Meanwhile, the driver, the old lady’s son, and I transferred the lady on a stretcher onto the ambulance. Her condition was critical, and deteriorating rapidly.

Not until 5:00 p.m., was the checkpoint opened and the vehicles allowed to pass. We drove the ambulance and stopped it about 20 meters away from the checkpoint.

After 30 minutes, a white jeep arrived at the checkpoint¹.

5 minutes later, a voice coming through a loudspeaker on top of a white jeep ordered us, as well as the other vehicles, to cross the checkpoint. So, our ambulance driver started to drive the ambulance towards the checkpoint.

¹⁸“Rafah” is a city that is located in the furthest southern point of the Gaza Strip, on the border with Egypt. It is located about 40 kilometers away from Gaza City.

¹⁹This testimony has been provided on 03/06/2002

²⁰ The witness’s name and details are not revealed upon his request. Al Mezan keeps the ID details.

Meanwhile, I was taking care of the ill woman, and the representative of the Red Cross Society was attempting again and again, by calling the relevant authorities, to facilitate our passage across the border for the sake of the old woman's life.

Once we reached "al- Matahin"¹ checkpoint, we encountered a number of Israeli military jeeps as well as the white jeep stopped next to the checkpoint's exit.

There, the Israeli soldiers ordered us to stop the ambulance and leave it; we all complied.

Then, the soldiers checked our identity cards and searched the ambulance.

One of the soldiers repeatedly asked me a number of different questions while I was caring for the old woman. He asked me about the contents of a number of boxes in the ambulance, forcing me to open them and show him their contents; thus, interrupting the care of the old woman.

15 minutes later, the soldiers allowed us to pass through the checkpoint's exit, but it was too late!

The old woman was now gasping!

The driver drove as fast as possible heading for Nassir hospital in Khan Younis, but in vain; the old woman died just 200 meters past the exit of the checkpoint.

Ultimately, we transferred her lifeless body to Nassir hospital; We had arrived there at 6:30 p.m.!

4.2.2 Delay of the transfer of medicines and disruption of the activities involving the maintenance of medical equipment and instruments

The main drug and medicine stores that are run by either the Palestinian Ministry of Health or the United Nations Work and Relief Agency (UNWRA) are located in Gaza City. From there, they are distributed to all hospitals and health care centers in the different areas of the Gaza Strip on a regular basis.

The closure of the main roads in the Gaza Strip has resulted in delaying the transfer of these supplies from Gaza City to the southern and middle areas of the Gaza Strip. As a result, there has been a severe shortage of medicinal supplies in the hospitals and health centers located in these areas, and this has been reflected directly on the clients.

For example, a patient who has been examined by a physician in a health center receives a prescription that includes a variety of medicine necessary for the treatment of the disease or ailment. However, when the visit is made to the drug store in the health center to receive the medicines, only 1 or 2 of the prescribed medications are available. The others are not available as they have not been successfully transferred from the main stores in Gaza City as a result of the closure of the main roads.

This condition has forced many patients, who are in urgent need of the unavailable medications, to buy them from private drug stores. For this purpose, they have had to pay a lot of money, sacrificing other basic life needs (Those of themselves and their families) during extremely bad economic conditions.

The period extending from 3 March till 3 May, 2002, witnessed the most severe drug and medicine shortage.

On the other hand, the necessary maintenance activities of the medical equipment and instruments in the hospitals and health clinics located in the southern areas of the Gaza Strip have been severely disrupted due to the closure.

Based on testimony provided by (Kh. Y.), a medical engineer, the specific consequences of repeated closures of the main roads in the Gaza Strip are as follows:

1. Inability to deliver the specific request forms for necessary maintenance activities to the Headquarters in Gaza City.

2. Inability of the medical engineers and technicians, who reside in Gaza City, to reach the hospitals or health centers located in the southern areas of the Gaza Strip to carry out their maintenance activities (works).
3. Inability to import spare parts for the equipment and instruments used in health care facilities in the Gaza Strip due to Israeli restrictions on Palestinian importation activities.
4. Lack of representation offices or agents that represent certain companies specialized in the distribution and maintenance of such equipment in the southern areas of the Gaza Strip.

Additionally, the Israeli forces positioned at the checkpoints have been searching ambulances and vehicles that have been transferring medical supplies such as bags of intravenous fluids. These soldiers have delayed the transfer of such cargoes in a number of cases, claiming that they are intended for purposes other than humanitarian medical aid.

4.2.3 Delay of the travel of patients abroad

The Israeli use of excessive, disproportionate, and lethal force against Palestinian civilians during the period extending from 9 Sept., 2000, till the current time, has killed at least 648 Palestinians and wounded about 10000 others.

This high number of casualties has constituted a heavy burden for the Palestinian health care system; despite this, with humble human and material resources, it has managed to appropriately deal with this unprecedented and unexpected situation, and respond to its requirements. It has continued to deliver its health care services in a satisfactory manner.

Unfortunately, the capacity of the Palestinian health care system, mainly the Palestinian Ministry of Health (M. O. H.), is limited and its resources are scarce. This has led to the inability of the *M. O. H.* to provide the needed health care services for certain health conditions (disorders) in a proper and effective manner. This is true for patients who are in need of highly complicated surgeries that require the availability of sophisticated equipment and instruments.

As a result, the Palestinian *M. O. H.* has referred a high number of patients and injured people to hospitals and specialized health centers in a variety of countries so that they will have the opportunity to receive the needed health care. The costs of such treatments have been covered by the Palestinian National Authority, represented by the Palestinian M. O. H., the host country itself, or the ill patients themselves.

The referred cases (patients) need to be transferred promptly, and they usually need special health care during their journey to the host country in order to prevent further deterioration of their conditions.

Unfortunately, these facts have not been taken into consideration by the Israeli authorities. On the contrary, the Israeli forces controlling their military checkpoints on the main roads of the Gaza Strip have been deliberately delaying the passage of such patients en route to Egypt through the Rafah border land passage²¹.

²¹Rafah border land passage is a land passageway that is located on the borders separating the Gaza Strip in the east from Egypt in the west.

The following testimony is about a patient who was not able to make her way through the Israeli military checkpoints to Egypt.

H. M. E., a 38 year old ambulance driver who resides in Gaza City and works for the Palestinian Ministry of Health, provided us with the following testimony:

“ Since 1987, I have been working with the Palestinian M. O. H. as an ambulance driver. On 30 May, 2002, I was assigned the task of transferring a patient suffering from heart disease to the Rafah land border passage. The Palestinian M. O. H. referred her to a hospital in Egypt. I picked up the patient from Shifa hospital and headed for Rafah. At about 7:00 a.m., I arrived at Abu Holy checkpoint. There, I found the road closed. A large number of vehicles were queuing in front of the checkpoint, waiting for it to be opened. Many vehicles were in front of the ambulance I drove, so I was kept far from the checkpoint as I could not proceed further towards it. about 150- 200 meters. Meanwhile, a truck driver notified me about the injury of a person nearby. I approached that person, and provided first aid care for him. His leg was fractured and he was in a need of hospital care. Unfortunately, my ambulance was caught in the mess of the many vehicles queuing in front of the checkpoint, so I could not transfer him to a hospital in my ambulance. Instead, I called another ambulance from the Emergency and First Aid health center that is run by the Palestinian Red Crescent Society. Fortunately, it arrived to the place within minutes and transferred the injured person to Shuhada’ al- Aqsa hospital in Deir al- Balah. I then stayed in the que, with the patient inside the ambulance, for several hours (till 2:00 p.m.) waiting for the checkpoint to be opened. Unfortunately, this did not take place, so I decided to take the patient back to Shifa hospital. I managed with difficulty to get out of the mess, driving through planted areas along unpaved paths as the main road was completely blocked with hundreds of vehicles.".

4.3. Impacts on the right to education

The closure of the Salah ad- Din and Street No. 4 main roads that connect the different areas of the Gaza Strip has produced a severely negative impact on the Palestinian educational sector, both the basic and higher sectors.

The following paragraphs provide detailed information about the effects of the closure and siege on the educational process in the Gaza Strip.

4.3.1. Basic Education

Gaza City is considered as the administrative center for the Palestinian National Authority in the Gaza Strip. Head quarters of both the Palestinian ministries and UNRWA are located in it.

Following, are detailed data about the impact of Israeli closures on the basic educational sector.

A. UNRWA education sector

UNRWA has been running the basic education sector for the Palestinian refugees in the Gaza Strip for several decades. This includes the basic education for Palestinian children from the 1st through 9th grades (elementary and preparatory basic study stages).

Teachers from all over the Gaza Strip have been carrying out the teaching and educational tasks in the schools run by UNRWA in all areas of the Strip. UNRWA used to fill the gaps in the number of school teachers in certain areas of the Strip by assigning teachers who reside in other areas to fill the vacant positions. This has applied to schools in Gaza City, which suffers from a lack of school teachers. Therefore, many teachers who reside in the middle and southern areas of the Gaza Strip have been working in schools located in Gaza City.

The closure of the main roads in the Gaza Strip at the Israeli military checkpoints has either prevented or delayed the arrival of such teachers to their places of work (schools in Gaza City). As a result, there has been a loss of 163,535²² school (study) days during the period extending from 1 Jan., 2002 till 15 June, 2002.

The same thing applies for the management, supervision, guidance, and monitoring activities. Many educational supervisors, who guide and monitor the educational process and supervise the performance of the teachers at the schools run by UNRWA, as well as many UNRWA officials themselves, and other administrative staff members, reside in the middle or southern areas of the Gaza Strip. Consequently, they face the same problems faced by school teachers; this has led to the disruption of the supervision, guidance, and administrative/ managerial aspects of the UNRWA's educational sector.

UNRWA has attempted to overcome the above- mentioned problems through securing places for its high-rank officials, especially administrative staff members, who reside in the southern or middle areas of the Gaza Strip, in Gaza City; a number of rooms in a hotel located at the beach of Gaza City have been rented to accomplish the task.

B. Governmental basic educational sector²³

185 school teachers who reside in the Khan Younis area, and 95 others who reside in the Rafah area, work at schools located either in Gaza City or the northern areas of the Gaza Strip.

The closure of the main roads of the Gaza Strip has prevented, or delayed the arrival of these teachers to their workplaces (schools).

In a number of cases, the teachers have arrived to the schools after the end of the school (study) day.

This situation has resulted in a severe shortage of school teachers in the schools located in Gaza City and the northern areas of the Gaza Strip.

Due to this situation, many class sessions (periods) have not been conducted, which has disrupted the implementation of the teaching plan in an adequate and timely manner.

There are 672 school teachers who reside in the middle areas²⁴ of the Gaza Strip that also work in schools located in Gaza City. They all face the same problems and difficulties faced by their colleagues from Khan Younis and Rafah.

The basic educational sector has been disrupted in respect not only to the above mentioned forms, but also in many other forms; this includes the conducting of the final examinations leading to the General Secondary Education Certificate²⁵.

²²This figure has been calculated based on the total number of days of actual of teacher absenteeism and the total number of classroom periods lost during that period.

²³The Palestinian Ministry of Education has provided the data included under this heading.

²⁴The Gaza Strip is divided into 5 administrative areas. Each one of them is called a Governorate. These are the North, Gaza, the Middle, Khan Younis, and Rafah governorates.

²⁵This examination is held at the end of the 12th basic school grade, and its result has a vital role in determining the academic specialty in which the student will be able to enroll.

In a number of cases, the Examination Control Committee, which is located in Gaza City, has not been able to deliver the examination question forms and answer sheets to the examination centers in the southern areas of the Gaza Strip. This situation has led the Palestinian Ministry of Education to form alternative additional Examination Committees in these areas. As a result, there has been some degree of bias in the different areas of the Gaza Strip in terms of different standards of supervision and control of the examination settings. This has, of course, led to the violation of the basic “Equal opportunity” principle that must always be taken into consideration during such examinations.

Even more disturbing, the schools which are located in proximity to Israeli settlements or military checkpoints (bases) in the Gaza Strip have been prone to aggressive Israeli attacks, in addition to repeated closures, so the final exams have not been conducted in them. Instead, the Palestinian Ministry of Education has used alternative schools, which are run by the United Nations Relief and Work Agency (UNRWA), as alternative places for conducting the final examinations.

There has also been a disruption in the daily schedule (timing) of the examinations. The first sessions have been started at 10:00 a.m. instead of 09:00 a.m. (a delay of one hour) in order to allow time for the students to reach the schools on time for the examinations.

4.3.2. Higher Education

The closure and siege imposed on the Occupied Palestinian Territories has resulted in direct and indirect negative impacts on the higher education sector in the Occupied Territories.

The closure of the main roads in the Gaza Strip has prevented hundreds of university-level students from arriving at the universities and other institutions for higher education in which they have been enrolled. This has resulted in a decrease in their level of academic performance. This has been especially true for the students whose places of residence are located in the southern areas of the Gaza Strip and the institutions of higher education in which they have been enrolled in Gaza City. The size of this group of students is relatively large. About 35% of the total number of students enrolled in al-Azhar university are residents of either the middle or the southern areas (governorates) of the Gaza Strip²⁶. The distribution of the students enrolled in the Islamic University of Gaza (IUG) with respect to place of residence is basically the same as that of al-Azhar University. 4339 students, who are residents of the southern and middle areas of the Gaza Strip, have been matriculated at the IUG during the academic year 2001/ 2002. Of these students, 1656 are residents of the Middle governorate, 1684 are residents of the Khan Younis governorate, and 909 are residents of the Rafah governorate. 2293 are female students, while the remaining 2046 are male students²⁷. The above-mentioned data, which is relevant to the impact of the closure on the academic study at Palestinian universities and other institutions of higher education in the Gaza Strip, is strongly supported by a number of testimonies that have been provided by university level students.

²⁶The exact percentage is 34.28%. Al-Azhar university is the second largest university in the Gaza Strip.

²⁷The figures listed in this paragraph have been extracted from a letter from the Office of the Head of the IUG; which holds a reference number of 2/396.

The first testimony has been provided by R.H.Y., a 19 year-old male student who resides in Rafah city and is a student at the Department of Sociology and Psychology at the Islamic University of Gaza (IUG). R.H.Y. says: "I am a student at the IUG. I travel to Gaza to attend classes at the IUG on a daily basis. I, as well as a large number of my colleagues, have been suffering a lot as a result of the closure of the main roads in the Gaza Strip by the Israeli forces.

"On Wednesday, 29/05/2002, I was traveling to Rafah (back from Gaza City). I reached Abu Holy Israeli military checkpoint at 12:30 p.m., only to find that it had been closed by the Israeli military authorities, which control it. I stayed there, hoping for the road to reopen, till 11:00 p.m., but this was in vain. The Israeli soldiers kept the road closed, and I, as well as many other Palestinian civilians, had to spend the night at the checkpoint.

On the following day, the soldiers who control the checkpoint kept the road closed till 12:00 p.m. They only opened it about 24 hours after my arrival there. Then, the soldiers positioned at the checkpoint, started to act in a provocative manner. The ones who control the traffic lights²⁸ that are fixed at the entrance of the checkpoint kept switching the lights between the 'green' and 'red' colors in a very fast manner. They switched the 'green' color on for a few seconds then they followed that almost immediately by switching the 'red' color on and the 'green' color off.

Usually, people who are waiting at the checkpoints leave the vehicles in which they travel and stay outside of them waiting for the opening of checkpoint so that they can pass through it and reach their destinations.

Each time the soldiers switched the 'green' light on, the people hurried up and got inside the vehicles to get ready to travel, but only to find the 'green' light switched off and the 'red' one switched on again. The soldiers repeated this act for a number of times.

The weather was very hot, and people who were there were very thirsty, but no water was available for them to drink.

Meanwhile, a white jeep, which controls the checkpoint (its closure and opening), arrived and then left the place several times.

At last, Abu Holy checkpoint was opened, and the vehicles passed through it. But, al- Matahin checkpoint, the checkpoint that is located a few hundred meters south of Abu- Holy, was now closed, trapping us between the 2 checkpoints. At this point, we could travel neither to Rafah nor to Gaza. Meanwhile, the Israeli soldiers fired a number of bullets into the air.

A large number of the people who were inside the vehicles were either old or very young people. A woman with a one day-old newborn baby was in the same taxi in which I was traveling. The baby was ill.

The number of people trapped between the two checkpoints was about 500 including a large number of university level students.

²⁸These are traffic lights that are fixed at the entrances of Abu- Holy and al- Matahin checkpoints and are intended to control the passage of vehicles along the section of Salah ad- Din road that extends between them. These traffic lights have only 2 lights, the red and green lights. The red light indicates that the checkpoint road is closed while the green one indicates that it is open. Israeli soldiers positioned at two military observation- towers; which are located at the entrances of each of the checkpoints control these lights.

A large number of people were sitting on top of goods in large trucks, and the majority of taxis and other vehicles were occupied by a number of people that exceeded the amount that these vehicles can (or are allowed to) hold. The taxi in which I was sitting carried 13 passengers, while it was only supposed to carry 7.

After a long period of time, at 7:30 p.m. (on Thursday, 30/05/2002), we were allowed to pass through al-Matahin checkpoint.

We were allowed to pass 32 hours following our initial arrival there...!

During the period in which we were trapped between the two checkpoints, 20 Israeli soldiers thoroughly searched the young-men. They forced all of them to undress (expose) the upper halves of their bodies, and to turn around; then, the soldiers checked their Identity cards and even arrested a number of them. I saw the soldiers arrest 5 young-men. I saw a large number of Israeli soldiers, 4 of whom sat on the front part of the taxi in which I was sitting, 2 tanks were positioned next to the road, along with 5 military jeeps. The soldiers pointed their weapons at us constantly.

About 150 of the people who were trapped between the 2 checkpoints got out of the vehicles in which they were sitting, and formed a long queue, hoping that the Israeli soldiers would allow them to pass through the checkpoint on foot; the soldiers refused, and forced them to sit down on the ground with their arms up and their hands behind their heads. The soldiers kept them in that position for 4 hours (between 2:00 p.m. and 6:00 p.m.) while the weather was very hot. The soldiers did not allow anyone to leave his place, even to void or pass stool.

I saw everything, as I was close to the checkpoint (al-Matahin). Only 2 vehicles were in front of the taxi in which I was sitting. I saw the soldiers searching the young-men, and checking their identity cards. When they found a person who was carrying a sac, they took it and threw its contents on the ground. They then searched through them before allowing the young-man to collect them and put them back in the sac.

When our taxi reached al-Matahin checkpoint, the 20 soldiers who were standing there stopped it and forced us to leave it. Then, they forced us to undress (expose) the upper halves of our bodies and to turn around ourselves. Then, they checked our identity cards and searched our bags. They emptied my bag, throwing its contents on the ground before allowing me to collect them and put them back in the bag. One of the soldiers called me and questioned me. He asked me a number of questions.

Finally, I was allowed to pass through the checkpoint.”

M.E.M. is another university level student who was trapped between Abu Holy and al- Matahin checkpoints. M.E.M. is 20 years old and lives in Rafah. He is a student of English Literature at al-Azhar University, which is located in Gaza City. M.E.M. has provided us with the following testimony:

“Due to the recurrent closure of Salah ad-Din main road, I was forced to live in a house that is located in the Tal al-Hawa neighborhood south of Gaza City. My uncle owns this house.

I am used to traveling from Rafah to Gaza at the start of each week and to travel back (from Gaza to Rafah) at the end of each week (usually on Wednesdays) to spend the weekend with my family.

On Sunday, May 26, 2002, I traveled in a taxi heading for Gaza City. I arrived at al- Matahin checkpoint at 7:30 a.m., but I was not able to pass through it until 4:00 p.m.

I stayed in Gaza City till Wednesday, 29/05/2002, when I traveled back to Rafah. On that particular day, I reached Abu Holy checkpoint at 1:00 p.m. The road (checkpoint) was closed. The taxi in which I was traveling was a 'Peugeot'- model car in which 10 passengers, myself included, were crammed inside²⁹. A large number of vehicles were queuing in front of the checkpoint, waiting for it to be opened. We spent the whole day waiting, but in vain. We decided to stay in our place instead of traveling back to Gaza, hoping for a speedy reopening of the checkpoint, which would enable us to pass it quickly as our car was very close to the entrance.

There, we spent the day and night in conditions that were very harsh. There was no water to drink and the weather was very hot.

On Thursday, May 30, 2002 at about 12:30 p.m., the soldiers allowed us to pass through the checkpoint.

Suddenly, after a few minutes, they closed it again. Only about 60 vehicles managed to pass through the checkpoint. Now, we were trapped between the 2 checkpoints (Abu- Holy checkpoint behind us and al- Matahin checkpoint in front of us). We, as well as all those trapped with us, stayed inside the car while the weather was very hot till 4:30 p.m. At that point in time, we were allowed to leave the cars. 12 Israeli soldiers, who were patrolling on foot divided into two groups, walked past us. They then arrested all the people who were wearing blue shirts. They took them all, leading them towards a place near al-Matahin checkpoint.

There, sits a well-sealed square perimeter surrounded by large cement blocks with two entrances. This place is called 'al- Hallabah'.

Soon, a contingent of Israeli military vehicles arrived there; this included 6 military jeeps that surrounded the cars, and 6 other jeeps that surrounded 'al- Hallaba'; 3 tanks also rolled in and stopped next to Abu Holy checkpoint. We asked the soldiers to bring water as we were very thirsty and the weather was very hot. The children were crying because they were thirsty and frightened. The soldiers brought two containers of water for us to drink.

At about 5:00 p.m., the soldiers came back to check the cars and passengers. They checked the identity cards of all the passengers, and arrested a number of them. They ordered us to stand up next to a cement wall that separates the two sides of Salah ad- Din main road, to raise our arms and face the wall. They allowed the women to pass through the 'al- Matahin checkpoint', while keeping the men. I then saw the Israeli soldiers leading a number of the IUG students to "al- Hallabah", the place in which they detain (arrest) suspects. We were all exhausted due to the long period of time waiting to pass the checkpoint in the hot weather. We sat down on the ground.

²⁹Young-men usually leave the cars in which they were travelling from Gaza at a point near Abu Holy checkpoint. Then, they get in other cars; which are closer to the checkpoint in order to be able to pass through the checkpoint early. Thus, a large number of passengers might be found in these cars. For the same reason, and in many other cases, many of the young-men jump up into large trucks; which are used for the transportation of goods.

Afterwards, the soldiers came back, selected a number of people among us, and lead them to "al- Hallabah". Then, the soldiers ordered the drivers to get the passengers inside the cars and to drive the vehicles towards the exit of the checkpoint in a double queue (2 by 2 cars). As soon as each car reached the exit, it and its passengers were carefully searched by the Israeli soldiers. The passengers were ordered to walk towards them one by one, exposing the upper halves of their bodies and raising their arms above their heads, while they were carefully checked and searched.

I saw the soldiers arresting Hamid Farahat, a 27- year old civil employee, who resides in Rafah and works as an administrative staff member at Shifa hospital in Gaza. I saw them leading him towards "al- Hallabah". When it was my turn, a soldier took my identity card, checked it, and questioned me. He asked me about my name, the number of my mobile phone, the reason why I was in Gaza, my field of study and the university in which I was enrolled. The soldier repeated the questions several times. Then, he gave me my identity card and ordered me to leave the place and pass through the checkpoint. Then, I left, walking between 3 military jeeps, which were stopped at the exit of the checkpoint.

We left the place at about 1:00 a.m. (Friday, May 31, 2002)³⁰.

The following testimony provides additional proof relevant to the Israeli acts and violations against the Palestinians at or near military checkpoints in the Gaza Strip. This testimony has been provided by Q. E., a 26- year old student enrolled in the Faculty of Law at Al-Azhar University in Gaza City. Q. E. is a resident of Rafah who spent 2 days at the Abu-Holy military checkpoint in an attempt to reach his house and spend time with his family in Rafah. His testimony is as follows:“ On Wednesday, May 29, 2002, at about 6:00 a.m., I was traveling from Rafah to Gaza. When I reached al-Matahin checkpoint, it was closed. I waited there till it was opened again at 11:00 a.m.

At 1:30 p.m., I reached Gaza City, went to the university, and got the examination schedule. Then, I headed back for Rafah. arriving at Abu Holy checkpoint at 2:30 p.m.

There, I found about 500 vehicles queuing in front of our taxi. They were all waiting for the checkpoint to be opened in order to be able to pass through it and continue on their ways to Rafah and/ or Khan Younis.

In our taxi there were 8 passengers. 3 of us were female university students with a man, his daughter, and 2 male university level students. We all stayed inside the taxi. The weather was hot. We remained there until it became dark and ultimately spent the night in the car. I had no choice (whether or not to spend the night in the taxi) as I did not have relatives in the Middle, Gaza, or North governorates of the Gaza Strip. At the same time, I did not have enough money to pay for a taxi to take me back to Gaza. We all hoped that the road (checkpoint) would be opened in the morning of the following day.

I saw the young girl complaining of abdominal pain, but she, as well as her father, were not able to travel back to Gaza. At last she fell asleep in her seat.

The three female university students also slept in their seats, while we, the male students spent the night outside the taxi.

³⁰ One of al- Mezan's field workers has passed through this same particular experience. He waited at the entrance of the checkpoint till 11:00 p.m. Then he returned back to Gaza City. At 8:00 a.m. on the following day, he travelled back heading for Rafah, but was kept at the checkpoint. He even spent the night between the two checkpoints.

The situation was very harsh. We needed to use a toilet, but were not able to do so as there were no toilet facilities available there.

There was a large number of elderly people and university students present. I have been told that an old woman died that night.

On the next day, we were kept waiting at the entrance of the checkpoint until 12:00 p.m. At that time, the checkpoint was opened and tens of vehicles passed through it. Suddenly after a few minutes, the checkpoint was closed again. People who were waiting for long hours were severely exhausted. I saw 3 people lose consciousness as a result of the extreme conditions. I also saw a 40 year-old woman fall down to the ground in front of us. A number of people who were in a position next to her carried her, and put her in a car which was leaving the checkpoint in the opposite direction, just seconds before its closure. The woman was then transferred to Shuhada' al- Aqsa hospital, which is located in Deir al- Balah.

We stayed there, trapped between the two checkpoints, with no food to eat or water to drink, till 11:00 a.m. At that time, a group of health care professional providers in two ambulances arrived, and walked through the large number of trapped people checking their health conditions and providing them with water.

We, the male university students, and 2 of 3 female university students, stayed inside the car, while the others left to go back to Gaza City. At about 1:30 p.m., 4 trucks, which were transferring cows and calves, were allowed to pass the checkpoint. Immediately after that, the road was closed again.

At about 4:20 a.m., the road was opened again. When we passed through, and were between the two checkpoints, I saw a blue Mercedes taxi stopped by the road with its doors open.

I arrived home at about 5:00 a.m. (Friday, May 31, 2002).

Later on, I was notified that Hamdy Farahat, one of my neighbors, had been arrested during the period which I had spent at the checkpoint while on his way back to Rafah from Gaza City”.

Israeli aggression against Palestinian civilians in the Gaza Strip, especially the closures of the main roads, has impacted the higher education sector in a number of aspects other than causing suffering for the students; these include:

4.3.3. Employee absenteeism: This includes academic, administrative, and supportive personnel. The result has been a severe disruption of the education process. In a number of cases, the course materials intended for students were not actually finished as a result of long periods of teacher absenteeism.

The absenteeism of administrative personnel has also delayed the fulfillment of specific academic procedures for a large number of students. This has constituted a big problem for the universities in Gaza City, as quite a large number of the students enrolled in them are residents of the middle or southern areas of the Gaza Strip.

For example, 161 teachers and 190 administrative staff members who work at the Islamic University of Gaza (IUG) are residents of the middle and/ or southern areas of the Gaza Strip. The following table shows their distribution:

Governorate	Rafah	Khan Younis	Middle	Total
No. of teachers	23	89	49	161
No. of administrative personnel	28	70	92	190

In addition, the closure of the main roads and the imposition of internal sieges on Palestinian cities, villages, and refugee camps, have resulted in heavy losses to the universities; these include huge budget deficits from the inability of the vast majority of the students to pay their study fees, a prominent phenomenon reflecting the severity of economic damage.

The IUG has estimated its losses during the second half of the 2001-02 study-years to be 312000.00 Jordanian Dinars (JD)³¹.

4.3.4. Vocational Training and Technical Education (VTTE)

The vocational training and technical education sector has also been severely affected by closures and sieges.

There are a number of VTTE centers in the Gaza Strip. These centers are run and supervised by a number of institutions that include the Palestinian Ministry for Social Welfare, the Palestinian Ministry for the Affairs of the Prisoners and Former Prisoners, and the United Nations Relief and Works Agency (UNRWA).

The VTTE; which are run by the Palestinian Ministry for Social Welfare, serve as vocational training centers for adolescents who are not enrolled in regular schools; while the centers run by the Palestinian Ministry for the Affairs of the Prisoners and Former Prisoners, provide vocational training for former Palestinian prisoners who have spent quite a considerable part of their lives detained in Israeli prisons.

These centers have managed to continue their activities with a relatively high degree of efficiency despite the repeated absenteeism of a number of qualified trainers who work there.

The VTTE center run by the United Nations Relief and Works Agency (UNRWA) has sustained the most severe damage, as a large number of its trainers and students are residents of the southern and middle areas of the Gaza Strip. As a consequence, the center's administration panel decided to suspend the training activities of the center for 2 successive months, although training activities have resumed starting from 07/05/2002.

The following testimony, which has been provided by R. M., a 16 year-old male trainee enrolled in the VTTE center run by the United Nations Relief and Works Agency (UNRWA), provides data about the suffering of this child and 8 of his colleagues, as well as a number of their trainers at al-Matahin and Abu Holy checkpoints while on their way to the center of Gaza City. During this particular incident, R. M. and his colleagues were arrested by Israeli soldiers at the checkpoint. R. M.'s testimony states as follows:

“I am a trainee at the Department of maintenance of electricity circuits of vehicles at the VTTE center that is run by the United Nations Relief and Works Agency (UNRWA).

³¹ 1 JD= about 1.4 US\$. This data has been derived from a letter provided by the Office of the Head of the IUG.

On Tuesday, 16/07/2002 at about 6:15 a.m., I left my house in Rafah via the UNRWA bus, which is assigned for the transportation of the center's students and trainers residing in the southern areas of the Gaza Strip to and from Gaza City. The bus reached al-Matahin military checkpoint at 6:45 a.m..

At the checkpoint, there was a large number of taxis, buses, and trucks queuing in front and waiting for it to be opened so they could pass and continue on their ways towards Gaza. Two other UNRWA buses were directly in front of our bus. All 3 UNRWA buses were transporting students and trainers from the Rafah and Khan Younis areas to Gaza City.

At about 8:30 a.m., we were allowed to pass through the checkpoint. When we reached the bridge³², an Israeli military jeep crossed the road and stopped in front of us. Then, an additional number of Israeli military jeeps and tanks arrived in to the scene. They surrounded the bus, while a number of soldiers checked the identity cards of all the passengers seated in the vehicles stopped behind us, and thoroughly searched the vehicles.

After half an hour, the soldiers approached our bus, and one of them entered. Then, the soldiers ordered all of us to leave the bus. We were about 60 persons in the bus. This figure includes 10 female students and 2 trainers. The soldiers used a special scanning device to search the bodies of the female students, passing it along their bodies. The soldiers then arrested 27 of us. They gathered us near the military observation tower, which is located next to al-Matahin checkpoint. We were thoroughly investigated and questioned before 12 of us were released. The remaining 15 detainees included 8 of the centers' students. We were forced into a military truck and taken to Kisofoem military base. They put us in a room with an area of 6 square meters. They left us in the room while the door was kept open. Two soldiers were guarding us. A few minutes later, a number of the Israeli Frontier Guards soldiers entered and proceeded to yell at us.

Shortly after, a military officer who participated in our interrogation, came and called us, one by one.

When it was my turn, the soldiers took me to another room with a desk. There, a military officer asked a number of questions including my name, field of study, family, and friends.

At about 4:30 p.m., the truck returned, and we were ordered back into it. Finally, they brought us back to Abu Holy checkpoint where they released all of us except for one, Ala' Barood; whom they arrested."

5. Arresting of Palestinians

Abu Holy and al-Matahin checkpoints have served as traps for arresting Palestinians by the Israeli occupation forces. Since September 29, 2000, a large number have been arrested at these checkpoints. These forces control the entrances of Abu Holy and al-Matahin checkpoints in such a manner that it is impossible for anybody who gets trapped between them to leave the area without being allowed to do so by the Israeli soldiers.

The Israeli soldiers who have been positioned at the above-mentioned checkpoints have implemented the closure of roads (checkpoints) as a form of collective punishment against Palestinian civilians in the Gaza Strip. The distance between the 2 checkpoints is 650 meters. Hundreds of Palestinians have been trapped

³² This bridge was built between 30/05/2001 and 30/05/2002, and it serves as a passageway for the travel of the Israeli settlers and soldiers. It is intended to avoid getting into direct contact with the Palestinian vehicles and/ or civilians.

between these checkpoints without food, water, or toilet facilities for long periods of time (hours or even days) on numerous occasions.

This particular section of Salah ad-Din main road (that extends between the 2 above- mentioned checkpoints) has constituted the main place at which the Israeli forces have arrested a large number of Palestinians. A number of other Israeli military checkpoints such as ash-Shuhada' (Nitzareen) checkpoint; which is located on Salah ad-Din main road a few kilometers south of Gaza City, have been used for the same purpose. Ash- Shuhada' (Nitzareen), Abu Holy, and al-Matahin checkpoint have constituted permanent Israeli military checkpoints. In addition to them, the Israeli army has implemented another technique to close the roads in the Gaza Strip. This technique has been what is called "Tayyarah"³³ checkpoints. These are transient checkpoints that may be created suddenly by an Israeli military patrol on any section of road in the Gaza Strip at any time for a period of time that is determined by the Israeli army. The arrests of Palestinians carried out by the Israeli forces at Abu-Holy and al- Matahin military checkpoints have been carried out on a random basis. This finding is strongly supported by the fact that the majority of the Palestinians who were arrested at these checkpoints, were released after only a few days. This means that they were "clear" from the point of view of the Israeli army and were arrested on a random basis, not because they were actually "wanted" persons.

The following testimony has been provided by I. S. M., a young man who witnessed the arrests of a number of Palestinian young men by the Israeli army at the checkpoint. His testimony is as follows:

"A soldier ordered me to raise my arms up and to approach him. Then he ordered me to undress (expose) the upper half of my body and to turn around. About 200 of us young men were detained by the Israeli forces. The soldiers ordered all of us to put our hands behind our backs and sit down on the ground. Later on, an additional number of young men were arrested and then brought to the same a place in which we were detained; this increased our total number to about 300. Afterwards, the soldiers divided us into two groups, and separated the two groups by two Israeli military jeeps. After a while, the jeeps left, and we hurried up to get in taxis in order to leave the checkpoint. At first, only one vehicle was allowed to pass. After a while, the checkpoint was opened by the Israeli forces. I left the checkpoint on Friday, 31/05/2002, at 3:45 a.m. On that day, I saw between 25 and 30 Palestinian young men being arrested by the Israeli army."

The next table provides a list of the names of the Palestinians who were arrested at al- Matahin and/ or Abu Holy Israeli military checkpoints during May and June, 2002.

This list includes only the names of those who were arrested at these checkpoints and later were sent to Israeli prisons. Hundreds of other Palestinians were arrested at these checkpoints and later were released within a few days. The names of these are not included in this list.

³³ "Tayyarah" is an Arabic word that means flying, a word that exactly reflects the nature of these checkpoints as they might be created anywhere at anytime and then they might "fly" to another site or might be removed.

A table that lists the names of Palestinians arrested and, later on imprisoned, at al- Matahin and/ or Al Hikir Israeli military checkpoints³⁴

No.	Name	Date arrested	Site at which the person was arrested, and circumstances prevailing during the time of arrest.
1	Ramy Ibrahim Hijazi Abu al-Qumsaan	02/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
2	Mohammed Abu Fareed	05/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
3	Yousif Abu Mi'ailliq	07/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
4	Mohammed Jum'a Abu Mizyid	07/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
5	Yousif Attiya Abu Mi'aliq	07/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
6	Waleed Mohammed Abu Tawaheenah	07/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
7	Ala' Sameer Mahmoud Ibraheem	07/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
8	Mohammed Musran	07/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
9	Na'eem Jihad Na'eem Musran	07/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
10	Ra'id Subhy al- Bardaweel	11/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
11	Ameen Abd al- Kareem Sukkar	12/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
12	Ramy Eid Suleiman Abu Riyash	13/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
13	Atif Hamdan Mousa Abu Mousa	14/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
14	Mohammed Humeid Karsou'	15/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
15	Ramy Mohammed Timraz	16/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
16	Suhaib Jadallah Hasan Salim	22/05/2002	A photographer who works for Reuter's News Agency. He was arrested while trying to pass through Abu Holy/al-Matahin checkpoints while on the way to travel abroad through Rafah land border passageway.

³⁴ It is worth mentioning that al- Mezan Center for Human Rights has been defending a number of those listed in this table.

17	Mohammed Jalal Ziadah	22/05/2002	A driver who works for Reuter's News Agency. He was arrested while trying to pass through Abu Holy/al-Matahin checkpoints while on the way to travel abroad through Rafah land border passageway . During the same incidence, the car that belongs to Reuters was taken by the Israeli forces.
18	Nahidh Lutfy as- Saqqaa	22/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
19	Ramy ash- Shamy	28/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
20	Salah Ahmad an- Naqqah	30/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
21	Sami Mohammed Mustafa ar- Ranteesy	30/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
22	Mas'oud Ashour al- Agha	30/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
23	Khalid Ahmad Abu Madhy	30/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
24	Ibraheem Hamdan Barhoom	30/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
25	Ala' Adil al- Abadlah	30/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
26	Sa'id Fathy Subh	30/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
27	Mohammed Isma'eel Salah Muhsin	30/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
28	Midhat Ahmad Zu'rub	30/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
29	Mazin Ali al- Assar	30/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
30	Nafiz Mustafa Shahwan	30/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
31	Suleiman Hussein al- Muzayin	30/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
32	Hamdy Hasan Mustafa Farahat	30/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
33	Mohammed as- Sir	30/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
34	Abd ar- Rahman Shammyah	30/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
35	Mohammed Abu Daqqah	30/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
36	Almotawakkilillah Abu Rokah	30/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.

37	Shafeeq Mohammed Nassr Abu Mo'ammam	30/05/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
38	Hamdan Abu Mousa	01/06/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
39	Mohammed as- Soufy	02/06/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
40	Ihab Rasmy Mohammed Abu Taha	12/06/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
41	Ra'fat al- Abadlah	17/06/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
42	Yousif Salah	17/06/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
43	Anwar Ali Omar al- Assar	22/06/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
44	Ahmad Jaddou'	25/06/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
45	Abdallah Jum'ah Hasan an- Nimms	25/06/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
46	Salim Abd al- Al	25/06/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.
47	Majdy Mohammed Dawood Abd al- Al	25/06/2002	Arrested while trying to pass through Abu Holy/al-Matahin checkpoints.

6. Humiliation of the Palestinian civilians and outrages upon human dignity

The Israeli occupation forces have intensified their aggressive practices against Palestinian civilians to accomplish their aims; this includes constant humiliation and an assault on their human dignity.

The closure of the main roads, and the sieges imposed on Palestinian cities, villages, and refugee camps in the Gaza Strip by the Israeli military forces, have constituted a deliberately implemented means to humiliate and intimidate Palestinian civilians. The soldiers positioned at the military checkpoints have used threatening behavior in a systematic and routine manner on a daily basis.

To achieve their goals, the Israeli soldiers have used a variety of humiliating tactics on Palestinian civilians. One of these forms is the use of loudspeakers at the checkpoints to insult passing people, President Arafat, and other national Palestinian leaders, as well as to utter animal-like sounds, such as a barking dog.

T. B., a taxi driver has provided al-Mezan center for human rights testimony in which he stated: "The Israeli soldiers positioned at the checkpoints have been deliberately provoking us.

During periods of closure of the checkpoint (road), we usually sit on the ground in hot weather. On one of these occasions, the soldier who was positioned up in the observation tower located at the entrance of al-Matahin checkpoint, began to utter sounds through a loudspeaker. He imitated the sounds of a number of animals, while laughing in a ridiculous manner, and then proceeded to voice numerous insulting comments about President Arafat.

All of these acts add psychological suffering to the horrible physical suffering we endure during the lengthy periods spent waiting to pass these checkpoints."

M. N. E., a Palestinian civilian has provided al-Mezan center for human rights with the following testimony that supports findings that Israeli soldiers deliberately humiliate Palestinian civilians at checkpoints. His testimony is as follows:

"On Thursday, 30/05/2002, I was on my way from Gaza City to Rafah. I was wearing black trousers and a blue shirt. When I reached the checkpoint, the Israeli soldiers who were positioned there, detained me, as well as 13 other Palestinian young men. We all had one common feature, and that was that all of us were wearing blue shirts. The soldiers detained us for 3 hours, from 3:00 p.m. till 6:00 p.m..

During this time, we were forced to face the concrete wall of "al-Hallabah"¹ with our arms raised up above our heads. We were terrified, because the soldiers pointed their rifles at us five times. Then, they checked our identity cards, and conducted thorough searches of our bodies in a humiliating manner. They also stepped on various parts of our bodies with their solid heavy boots, often causing severe pain."

In addition to the two above mentioned testimonies, previously mentioned testimonies from other sections of this report, include data that is relevant to the focus point of this section. They all prove that Israeli soldiers positioned at the checkpoints in the Gaza Strip have deliberately and systematically humiliated and intimidated Palestinian civilians.

7. The effect of the closure on the economic situation of the Gaza Strip

The closures of the main roads of the Gaza Strip by Israeli military forces have produced heavy losses to the Palestinian economic sector, including all of its sub-sectors.

The impact has been particularly severe in the Gaza Strip, where the local "Palestinian" economy has suffered unprecedented damage. In fact, a number of economic sub-sectors in the Gaza Strip have been totally destroyed. This has led to the aggravation of the economic status in all the occupied Palestinian territories,

dramatically increasing the percentage of the general population living in conditions below the poverty line. This percentage has reached unprecedented levels since the start of the Israeli occupation of the Palestinian territories in 1967.

7.1. (Transportation and travel) sector

The transportation and travel sector in the Gaza Strip has been facing a crisis since the outbreak of al-Aqsa *Intifada* on 29/09/2000. This has enhanced the severe negative impacts on the economic status of a large proportion of the Palestinian population living in the Gaza Strip, especially those who depend on this sector for earning their livings.

The following data provides detailed information relevant to this sector, which is helpful in clarifying the extent and size of the problem.³⁵

7.1.1. Temporarily- licensed cars

The number of temporarily licensed cars in the Gaza Strip is 301; this includes 115 cars that are licensed in the Gaza and North Gaza Governorate Transportation Authority Branches and 186 cars that are licensed in the Middle, Rafah, and Khan Younis Governorate Transportation Authority Branches.

7.1.2. Licensed taxis

The number of the licensed taxis in the Gaza Strip is 4197; this includes 2338 that are licensed in the Gaza and North Gaza Governorate Transportation Authorities and 1697 cars that are licensed in the Middle, Rafah, and Khan Younis Governorate Transportation Authorities. 162 of these cars are modern models.

7.1.3. Trade transportation (trucks) and public travel (buses) vehicles

The total number of these vehicles is 8445; this includes 289 large trucks and 8256 small or medium sized trucks and travel buses.

7.1.4. Buses

The number of buses in the Gaza Strip is 157. It has been estimated that each bus has the capability to generate a daily revenue of 250 (NIS) on average (and actually did so prior to the outbreak of the al-Aqsa *Intifada*). After the outbreak of the al-Aqsa *Intifada* and the subsequent aggressive measures implemented by the Israeli occupation forces, the daily revenue of the buses in the Gaza Strip has dramatically decreased. It is now approximately 5% of the revenue that was generated prior to the outbreak of the al-Aqsa *Intifada*.

It is worth mentioning, that during the first few months following the outbreak of al-Aqsa *Intifada*, the sub-sector "buses" had not yet sustained heavy losses, as the travel and transportation workload within the Gaza Strip remained satisfactorily active. Only at a latter stage, when the Israeli army started implementing the policy of road closures, did the sub-sector "buses" begin sustaining heavy losses.

³⁵ This data has been derived from:

a. A public meeting that was held by al- Mezan center for human rights in February, 2001 during which a discussion took place about the (transportation and travel) sector in the Gaza Strip.
b. A report about the losses of the (transportation and travel) sector that was issued by the Palestinian Ministry of Transportation on 10/11/2000.

It is also important to note that each vehicle intended for public transportation has to be covered by licensing and insurance fees as well as fees for annual check ups; this adds up to a minimum of 6300 NIS. This means that during the periods of closure, rather than making even a small profit, owners of these vehicles suffer heavy losses once the mandatory fees are figured in.

Additionally, the closures themselves lead to the overcrowding of traffic and wear on vehicles. However, when this is accompanied by the bad road conditions of the Gaza Strip, and a consequent increased rate of traffic accidents, the losses to owners increase.

The following testimony has been provided by M. E. , a 54 year-old male taxi driver who resides in Beit Lahia in the North Gaza governorate, and works (drives his taxi to transport passengers) along the Khan Younis – Gaza route. His testimony puts into perspective the difficult conditions facing taxi drivers in the Gaza Strip. M.E.'s testimony is stated as follows.

“On Thursday, 06/06/2002, at about 5:00 a.m., I left my house, which is located in Bait Lahia, and drove my Mercedes taxi. I picked up a number of passengers, and headed for Khan Younis. When I reached the Abu Holy Israeli military checkpoint, I found it closed. This happened at 1:00 p.m., and I had no idea about the time at which the road might be opened again; this is usually subject to specific considerations of the Israeli soldiers and officers who control the checkpoint.

The long periods of time I spend waiting for the reopening of the checkpoints constitute the most difficult times for me, and are usually the source of the greatest suffering we, the taxi drivers, and the passengers who travel with us, face. There, we usually wait for periods that range from 2 to 10 hours, and this can happen during the daytime or the night. The fact that there are no toilet facilities, makes things even worse.

When the Israeli soldiers open the checkpoint, we, the drivers, drive as if we were in a race, hoping to pass through before soldiers decide to close it again. This usually evokes huge clouds of dust, and may lead, as it often does, to traffic accidents.

Usually, when I reach Khan Younis, I drop off my passengers from Gaza, and pick up new ones who want to travel to Gaza. Then, I return to Gaza, using the same route, often times only to find al-Matahin checkpoint closed. There, I face the same difficulties previously endured at Abu Holy on the way from Gaza to Khan Younis.

Prior to the closure of the main roads in the Gaza strip by Israeli forces, I used to travel along this route (Gaza-Khan Younis) more than 5 times per day (to and from). This was once enough to yield daily revenue that ranged between 200 and 300 NIS.

Currently, the daily revenue is only 50-80 NIS, excluding the sum for daily operation of the taxi (fees for insurance, licensure, repair and maintenance), which amount to 30 NIS per day.

7.2. Trade sector

The internal siege and closure of the roads in the Gaza Strip have aggravated the economic crisis that the Palestinian trade sector has been facing in the Gaza Strip. Prior to the internal siege and closure of the roads in the Gaza Strip, there was a normal exchange of products within the territories of West Bank and the Gaza Strip themselves. During that period the exchange of trade was still active, which decreased the negative impacts of the separation of the two areas from each other. However, since the implementation of the Israeli policy of internal sieges and closure of roads in the Gaza Strip, the exchange of products between the various areas of the strip has almost been stopped.

It is important to note that the goods and products imported from foreign countries by tradesmen from the Gaza Strip and intended for internal use, are only allowed to enter via the Karny trade passageway. This passageway is located on the Israeli-Palestinian border, east of Gaza City. From there, these goods are distributed to all areas of the Gaza Strip.

The closure of the main roads in the Gaza strip has specifically resulted in the delay of the transfer the imported goods from Gaza City to the southern areas of the Gaza Strip, namely the Rafah and Khan Younis governorates. This has resulted from the recurrent closures of the Abu Holy Israeli military checkpoint.

To elaborate on this aspect, we are including the following example:

The meats consumed in the Gaza Strip are basically imported from foreign countries in the form of live cattle. These cows and calves enter the Gaza Strip through the Karny passageway. From there, they are distributed to all areas of the Gaza Strip, including the Rafah and Khan Younis governorates. Large numbers of cows and calves are transported from Gaza City to the southern areas of the Gaza strip at least 3 times every week. During the weeks that precede certain festivals such as al-Fitr and al- Adhha, they are transported on a daily basis, as the demand for meats tends to increase during these periods of time. The cows and calves are transported in large trucks.

When the Abu Holy checkpoint is closed, these trucks are forced to wait for long periods of time till the checkpoint is opened again. During these periods, no water or food is available for the cows and calves. Even should the driver decide to go back to Gaza City, he will not be able to because of the crowding of the road behind him, and the relatively large size of these trucks in relation to others.

Abu Ali, a truck driver, has provided the al-Mezan Center for Human Rights with the following testimony: "On Wednesday, May 29, 2002, I reached the checkpoint at about 01:00 p.m., where there was a large number of vehicles crowded in front of the entrance. The weather was very hot, and I spent the whole day waiting for the checkpoint to be reopened. Three other trucks owned by the Afanah Company for General Trades, the company for which I work, were also waiting along with five other trucks.

By Thursday, 30/05/2002, the company's administration had to contact Israeli tradesmen in hopes that they could influence the soldiers to open the checkpoint and allow the passage of the trucks with their cargoes. Unfortunately, even they could not solve the problem, and we were not permitted passage. On the same day, at 12:30 p.m., the checkpoint was opened and only 60 vehicles were allowed to pass through; the 9 trucks carrying the cattle were not among those 60 vehicles. We were kept waiting until Friday at 1:00 a.m., though by that time, the conditions of the cows and calves had seriously deteriorated; They were all sick, hungry, thirsty, and exhausted. If we had stayed at the checkpoint for just a little bit longer, they all could have died".

The trades men dealing with cattle, have therefore attempted a new strategy intended to overcome these problems. They have been sending the cattle either during the night or early in the morning in order to be in close proximity to the entrance of the checkpoint, which makes it more probable that they will be able to pass through in a timely manner.

M. Z. Sh. is a 23 year-old male who resides in an-Nassr neighborhood in Gaza City. He works as a marketing agent and a salesman for a company that manufactures cosmetic and pharmaceutical products. His duties include marketing and distributing the company's products throughout the different areas of the Gaza Strip, including its southern areas. M. Z. Sh. provided al-Mezan Center for Human Rights with the following testimony: "I have been suffering a lot from the effects of the closures of the main roads in the Gaza Strip on my job. This is especially true for the Abu Holy and al-Matahin checkpoints.

In a number of cases, I have had to wait lengthy periods of time at Abu Holy checkpoint in hot weather, damaging a large quantity of my cosmetic and pharmaceutical products, which are sensitive to excessive heat; these items include perfumes and cosmetic preparations. In addition, on numerous occasions, Israeli soldiers searched through my car and either destroyed or damaged my products. I have even spent one full night at the checkpoint; this took place on 27/05/2002. Consequently, my sales have decreased by 60%. This extremely low sales rate also reflects the general hard economic situation of all residents of the Gaza Strip.

Prior to the closure of the main roads, I used to travel to the southern areas of the Gaza Strip three times a week. Nowadays, I can only travel there once a week due to the closures. I have repeatedly been prevented the opportunity to distribute my goods to a large number of retail shops."

Yet, even this strategy has not relieved the suffering of these people as the Israeli military forces have tended to close the checkpoint for long hours, which risks the lives of the cattle, who suffer greatly without adequate food or drink for such lengthy periods of closure under the scorching sun.

The internal sieges and closure of the roads in the Gaza Strip have produced a severe negative impact on all fields of the Palestinian trade sector in the Gaza Strip, including frozen meats, agricultural products, sea food and fish, as well as many other products.

8. Other social and economic effects

The practices and crimes committed by the Israeli occupation forces against Palestinian civilians in the West Bank and Gaza have produced nothing short of catastrophic results, on the standards of living among Palestinians in these territories, especially in the Gaza Strip.

The internal sieges and closures of the main roads in the Gaza Strip, which have been systematically implemented by the Israeli occupation forces since the outbreak of the al-Aqsa *Intifada* on 29/09/2002, have constituted a blatant form of collective punishment. These acts are grave violations of the basic principles of international standards of human rights. As a result, the internal trade sector in the Gaza Strip has virtually been destroyed,

The following is a description of a number of the social and economic effects:

8.1 Increasing the transportation tariffs:

The Israeli aggressive practices against Palestinian civilians in the occupied territories have resulted in a sharp decrease in the standard of living in the Gaza Strip, lowering it to unprecedented levels. This situation has been accompanied by an increase in the transportation tariffs in the Gaza Strip. This has been especially true of the transportation tariffs of taxis, which have been repeatedly increased.

This situation has constituted an additional economic burden for residents whose conditions require frequent travel, such as university students and civil employees, those who live in the southern areas of the Gaza Strip and study or work in Gaza City in particular. These people used to travel back and forth to their universities or work places mainly in buses as they cost less than taxis. However, The closures and sieges have resulted in an almost total cessation of bus travel, forcing these people to travel in taxis.

The following table is a comparison between travel tariffs prevalent prior to the period of sieges and closures among the different areas of the Gaza Strip, and those that have been prevalent since. during the period covered by this report³⁶:

³⁶The figures listed in this table represent the actual tariffs in Israeli New Shequels (NIS). One US\$= 4.7 NIS.

To ↓ From	Rafah governorate		Khan Younis governorate		Middle governorate		Gaza governorate	
	pre tariffs	post tariffs	pre tariffs	post tariffs	pre tariffs	post tariffs	pre tariffs	post tariffs
Rafah governorate	-	-	1.5	3.0	3.0	5.0	4.0	7.0
Khan Younis governorate	1.5	3.0	-	-	2.0	3.0	3.0	5.0
Middle governorate	3.5	5.0	3.0	4.0	-	-	2.5	3.5
Gaza governorate	4.0	7.0	3.0	5.0	2.5	3.5	-	-

Since the implementation of road closures and sieges in the Gaza Strip, civil employees have been paying about 30% of the total amount of their monthly salaries as travel costs to and from their places of work.

8.2. Dispersion of the families and disruption of the “family unit”

The closure and sieges have also resulted in the dispersion of a large number of families in the Gaza strip, forcing one or more members of the family, usually a parent, to remain away from home and family for long periods of time.

Quite a large number of Palestinian civilians who reside in the southern areas of the Gaza Strip work in places that are located either in the northern areas or in Gaza City.

Since the implementation of the closures and sieges, these people have been forced to change their life styles and routine. They have been spending the usual work days of the week in Gaza City in rented rooms or houses, and returning home to spend the weekends with their families, only to return to Gaza on the first work day of the week.

This situation has constituted a grave Breach of the first item of “Article 23” of the International Convention of Human Rights relevant to “Political and Civil Rights”. This item stresses that the family is the normative basic unit in communities, and that it “the family’ has the right to be protected by the international community. In a number of cases, many of the people, who reside in the southern areas of the Gaza Strip and work or study in Gaza City, have had to spend even their “family weekends” at checkpoints. As a result, these people have been denied the right to spend even the weekends with their families; this has resulted in severe psychological problems for the members of these families.

The following testimony provides more details about this phenomenon. It clearly elaborates on the conditions of those who reside in Rafah or Khan Younis and work in Gaza City. These people have been living in Gaza City in uncomfortable conditions, even having had to secure the places in which they stay in Gaza City on their own, without any help from their employers.

F. D. provided al Mezan with the following testimony: “I work with the United Nations Work and Relief Agency (UNRWA). The repeated closure of Abu Holy and al-Matahin Israeli military checkpoints by the Israeli forces, and the purposeful acts of humiliation have urged UNRWA to look for alternative housing places for a number of its employees, especially its key personnel. To satisfy this need, UNRWA has rented a number of hotel rooms at Adam hotel, which is located on the beach of Gaza City.

I am one of the personnel who have been offered a place in this hotel.

Our routine is as follows:

On Sunday morning, we leave our houses in Rafah and Khan Younis in the morning in an UNRWA bus and travel to Gaza City. We then spend the work week in Gaza City. On Thursday afternoon, the last day of work, we travel back to Rafah.

On Sunday, 26/05/2002, at about 7:00 a.m., we reached al- Matahin checkpoint, which was closed at that time. There, hundreds of vehicles, including trade trucks, cars, buses, taxis, and privately owned vehicles, were stopped in front of the checkpoint. The weather was very hot on that day, and we kept waiting until the Israeli soldiers let us pass at 11:30 a.m.

On Thursday, 30/05/2002, we reached Abu Holy checkpoint at 10:30 a.m. There, as before, hundreds of vehicles were stopped, waiting for the opening of the checkpoint.

I got out of the bus and walked along the road, looking for a car that is relatively close to the checkpoint. I saw a truck that was transporting furniture close to the checkpoint, so I decided to get in, joining a large number of young men-we totaled about 150. At 12:30 p.m., the Israeli soldiers opened the checkpoint, and allowed us to pass. A few minutes later, they closed it again. Being still far away from the other checkpoint ‘al- Matahin’, we were trapped between the two. There, we were kept for 3 hours. As the truck was very crowded with a large number of passengers, we left it and stayed on the ground. Meanwhile, 12 Israeli soldiers; who were patrolling the section of road between the two checkpoints, approached us, and selected all the people who were wearing blue shirts. They took them all to the place located near al-Matahin checkpoint, which is called “al-Hallabah”³⁷.

Many of the others were very thirsty, so they asked the Israeli soldiers to provide drinking water for them. After a while, the soldiers brought a container filled with drinking water. Then, the soldiers ordered us to stand along the eastern side of the road, so we did. Soon, a large number of military jeeps and three tanks arrived in the area and surrounded us. In addition, tens of Israeli soldiers were observing us from the military towers located at the entrances of Abu Holy and al-Hikr checkpoints. Another group of soldiers was positioned on the bridge that extends across the road. The soldiers were pointing their weapons at us. The soldiers forced us to remain in that position while raising our arms up and facing the cement wall that is constructed along that side of the road. After a few minutes, the women, who were among the people trapped, were allowed to leave. Then, they picked another number of young men and lead them to “al-Hallabah”.

The drivers were ordered to drive their vehicles towards al-Matahin checkpoint. Upon arrival, each vehicle and its passengers were ordered to leave it and approach the soldiers who were positioned at the checkpoint. They were told to expose the upper halves of their bodies. This was followed by a check of the identity cards and a careful body search of all the passengers, who were subsequently questioned before being allowed to leave the place. Finally, we were permitted to leave; I arrived home at 8:30 p.m.

8.3. Depriving Palestinians from the right to free internal travel

The internal siege and road closure policy has deprived civilians of the right to free travel, even within the Gaza Strip. This has been especially true for the people who have had to travel between the North Gaza and Gaza areas, and the Middle, Rafah, and Khan Younis areas. A large number of those who reside in the southern areas of the Gaza Strip need to travel to Gaza City on a number of occasions, especially when they need to complete certain bureaucratic procedures; examples of this include having new passports issued or getting old ones renewed, applying for travel visas, and getting referrals for medical treatment outside the Gaza Strip.

The following testimony has been provided by Sh. Y., a 46- year old male nurse, who resides and works in the southern area of the Gaza Strip. Sh. Y. had to travel to Gaza City to get a travel visa and make arrangements for his son, who was supposed to travel to Germany to continue his higher education. Mr. Sh. Y.'s testimony states as follows:

³⁷ A description of this place has been previously mentioned.

"On Wednesday, 29/05/2002, I headed for Gaza City. Everybody I met advised me to travel to Gaza City early so that I would be able to pass through the checkpoints before they were closed. I left home early, at 6:00 a.m., arriving at al- Matahin checkpoint by 7:00 a.m..

Waiting at the checkpoint, were hundreds of vehicles, including buses, taxis, and trucks.

The taxi driver advised me to leave his taxi and to get into a vehicle that is closer to the checkpoint so I might have a better chance to pass through early enough to finish my task. I left the taxi and got into a truck that was close to the checkpoint. At 11:00 a.m., the soldiers opened the checkpoint, allowing us to pass.

When I reached the German Representation Office (German Cultural Center) in Gaza City, a German employee asked me about the reason for my late arrival. I told her that I live in Rafah, and I explained to her the difficulties residents of Rafah face when traveling to Gaza City. The German employee then finished the needed travel arrangements for my son, and I left for Rafah at 12:30 p.m.

When I reached Abu Holy checkpoint, it was closed. While we waited, a white military jeep approached the checkpoint several times. Each time it got close to the checkpoint, the drivers and passengers hurried up and got inside their cars, getting ready to pass; the appearance of the white jeep usually indicates that the checkpoint will soon be opened, but on this occasion it wasn't. So, we kept waiting till 9:30 p.m.. At that time, I realized that there was no chance for me to pass through the checkpoint soon, so I traveled back to Gaza City and spent the night with a relative of mine at his house.

On the next day, Thursday, 30/05/2002, I left Gaza City at 6:30 a.m.. I reached Abu- Holy checkpoint at 7:15 a.m., only to find it closed again. Now, the situation was even worse than that of the previous day; the number of the vehicles queuing in front of the checkpoint was greater. The road was opened at 12:00 noon. I left the first taxi I had been traveling in, and got into another one that was closer to the checkpoint. This taxi was allowed to pass. But soon after that, the checkpoint was closed again, and we were trapped between the checkpoints.

Everybody there was frightened as a number of Israeli military vehicles, including tanks, surrounded us, and the soldiers forced hundreds of people who were traveling in large trucks to leave them and sit down on the ground in very hot weather. A number of people were ordered to raise their arms up in the air.

I felt bored, exhausted, and tired. I also had a severe headache and abdominal pain.

After a while, I was allowed to pass through the checkpoint, but not before the soldiers checked my identity card, and made a thorough search of my body. I reached my house in Rafah on Thursday, 30/05/2002, at 8:00 p.m."

8.4. Depriving the Palestinians from the right to free travel outside the Gaza Strip "abroad"

The internal sieges and closures have further aggravated the already catastrophic effects of the external sieges and closures of the border passageways regarding the right of free travel abroad for the residents of the Gaza Strip.

During Summer times, more than 1000 Palestinian civilians leave the Gaza Strip, and an additional number (about 1000) reach in the Gaza Strip through the Rafah land border passageway on a daily basis. The Rafah land border passageway is located on the Palestinian – Egyptian border.

After the outbreak of al-Aqsa *Intifada*, the Israeli military authorities decreased the number of the Palestinian civil employees working at the Rafah land border passageway in a dramatic manner. They also decreased the number of work hours of the passageway (the period of the day during which the passageway is opened to travelers). Instead of working on a 24 hour basis, as previously was the case, the passageway has been opened only from 9:00 a.m. till 2:00 p.m. since the outbreak of al- Aqsa *Intifada*.

Under the new circumstances of internal siege and closure, Palestinian civilians wishing to travel abroad, have had to first succeed to reach the Rafah land border passageway early enough to pass through it before 2:00 p.m. Even when one gets to the passageway early, there is no guarantee of being able to pass through on the same day.

In such cases, a person is forced to spend the night in the southern areas of the Gaza Strip, where there is only one hotel available. That hotel is al-Amal hotel, which is relatively expensive and a large proportion of Palestinian residents of the Gaza Strip simply can not afford it.

The following is a testimony that was provided by M. Z.:

"I own a two-storey house in Rafah City near the Rafah Municipality building.. I noticed that a large number of people can not pass through the Rafah land border passageway, and that they can not travel back to Gaza. I realized that such people need a place in which to spend the night and rest before they try to pass through the passageway the following morning. In the light of this situation, I decided to take the opportunity to secure a source of income, while at the same time, relieve the suffering of these people. So, I furnished the house's rooms, and started renting them to people for relatively low rent prices.

Some people come to my house in the afternoon after failing to pass through the passageway in order to rest, spend the night, and prepare themselves for travel the next day. Other people come to my house in the evening of the day preceding their planned travel date in order to avoid the suffering of waiting for a whole day to pass in vein. They all usually leave the house early in the morning.

During May and June 2002, the number of the people who had stayed in my hotel-like house was the highest among all other months of the year; this was mainly due to an almost complete closure of the passageway during that period. Moreover, quite a large number of people stayed in my house for relatively long periods of time (5 days) compared with an average length of stay of 1- 2 days during the rest of the year".

Recommendations

Al-Mezan Center for Human Rights has drawn the following recommendations; which are addressed to the relevant governmental and non-governmental Palestinian organizations. All relevant institutions should carry out measures aimed at relieving the suffering of the Palestinian residents.

Al-Mezan specifically recommends the following:

1. Expanding the degree of authority of the branch offices of the Palestinian Ministry of the Interior. These offices, which are located in the different areas of the Gaza Strip, should be allowed to issue and renew passports and identity cards.
2. The Palestinian employees, who reside in the southern areas of the Gaza Strip should have their workplaces close to their residence. Those who work in the Gaza or North Gaza governorates should be transferred to work places that are located in the southern areas of the Gaza Strip.
3. The Department of Health Insurance and Treatment Abroad of the Palestinian Ministry of Health (M.O.H.) should expand the degree of authority of its branch offices that are located in the different governorates of the Gaza Strip. The M.O.H. is also advised to establish a Unit of Chemotherapy for the treatment of patients suffering from cancer, in the southern areas of the Gaza Strip. This will relieve the suffering of such critically ill patients who usually have to travel to Gaza City in order to receive their chemotherapy drug doses.
4. The Palestinian Ministry of Education (M.O.E.) and the UNRWA Education Department should modify the work places of the teachers. The teachers who reside in the southern areas of the Gaza Strip, while at the same time teaching at schools located in the North Gaza or Gaza governorates, should be transferred to schools that are located near their places of residence.
5. The Palestinian Ministry of Finance and the Palestinian Ministry of Transportation and Travel, should lower the fees required for licensure of vehicles. They should also lower the taxes that the drivers and owners of the vehicles are required to pay. This will, in turn, decrease the transportation and travel tariffs, and partially alleviate the economic suffering of the Palestinian citizens in the Gaza Strip.
6. The Palestinian Department of Border Passages should work out plans and search out possible mechanisms to alleviate the suffering of the Palestinian civilians residing in the north and middle areas of the Gaza Strip, while en route abroad through the Rafah land border passageway. This will enable them to travel quickly and safely.

Conclusion

The Israeli policy, the basis of which the state of Israel was founded upon, is one that has been characterized by apartheid and racism. Since its establishment in 1948, Israel has been implementing a policy of "collective punishment"; since 1967, when Israel occupied the West Bank and Gaza Strip, the Israeli occupation forces have strictly limited the freedom of travel of Palestinian civilians in the occupied territories (the West Bank and Gaza Strip). These forces have demonstrated tremendous creativity in the implementation of new ways to humiliate the Palestinian civilians in the West Bank and Gaza Strip. In doing so, they have always cited security necessities to justify their acts against Palestinian civilians, thus distorting the truth to cover the real situation, manipulating international public opinion, and deceiving the international community.

Within this context, Israel has always justified the closures of main roads and the prevention of free travel of Palestinian civilians in the occupied territories by security needs of the Israeli settlers; however, this notion of security has been proven false. The safe passage of the Israeli settlers was secured after the construction of a bridge connecting the Jewish settlement complex called Gush Qatif with another one called Kisofoem. This fact proves that the closure of the Abu Holy/Al-Matahin section of Salah ha Din section of the road is not intended for security needs and safe passage of the settlers, but for collectively punishing the Palestinian civilian population. Moreover, this act is strictly prohibited by International Humanitarian Law. It actually constitutes a grave breach of International Humanitarian Law.

Al-Mezan Center for Human Rights perceives the Israeli acts against the Palestinian population in the Gaza Strip during their travel among the various Palestinian cities, villages, and refugee camps, as an outrageous policy of apartheid and racial discrimination. Such a policy, which has been nourished by a great deal of hatred, clearly contradicts the publicly announced Israeli policy, which claims that Israel is working hard to achieve and reinforce peace in the Middle East region.

Al-Mezan Center for Human Rights also perceives current Israeli policies and acts to constitute one part of a long chain of Israeli war crimes that have been committed against the Palestinian population in the occupied territories since their occupation by Israel. These acts constitute grave violations of International Humanitarian law, especially the 4th Geneva Convention, as well as the 2 Conventions relevant to cultural, social, and economic rights, and civil and political rights.

In light of continuing Israeli violations and current Israeli war crimes, the international community is strongly requested to fulfill its commitments towards the Palestinian residents of the occupied territories.

The international community is particularly requested to provide international protection for the Palestinian residents of the occupied territories, and to bring Israeli war criminals before a court to account for their crimes and receive appropriate punishment.

The continued silence of the international community in regard to the Israeli crimes against the Palestinian community in the occupied territories implies that it (the international community) is either in full agreement with Israel, supporting it, or is indifferent. This continued silence and indifference provides an incentive for the Israeli government and encourages it to continue to commit its crimes against Palestinians. If the position of the international community remains the same, it will thus be considered to play a part in the conspiracy that has been made against the Palestinian people.

END

Appendix 1

A Map that shows the main streets and the location of the Al Hikir and Nitzareem checkpoints in the Gaza Strip



Appendix 2

A table that shows the days and hours of opening and closing the Al Hikir checkpoints between January 1st and June 25th 2002.

Month/2002	Opened		Completely	No. of opening		Notes
	Partial	Complete	Closed	hours		
January	5 days	0 days	26 days	29 hours		
February	17 days	3 days	8 days	88 hours		On February 12, people were allowed to walk across the checkpoint.
March	24 days	0	7 days	168 hours		
April	30 day	0 days	0 days	133 hours		
May	31 days	0 days	0 days	171 hours		IOF arrested Palestinians in 13 occasions in this month
June (until 25th)		25 days	0 days	0 days	262 hours ³⁸	IOF arrested Palestinians in 6 occasions in this month

³⁸ A significant increase of opening hours in comparison with the previous four months. This increase came after the Israeli Government decided to allow a few thousands of Palestinian workers to enter Israel, and, therefore, to allow their passage through checkpoints. This also explains opening the checkpoint at very early morning hours.

AL MEZAN CENTER FOR HUMAN RIGHTS

AL-MEZAN Center for Human Rights is a non-governmental Palestinian organization, established in 1999. It is located in Jabalia refugee camp, the biggest refugee camp in the Gaza Strip. AL-MEZAN is concerned with the human rights situation in Palestine. It seeks to establish respect for the internationally accepted standards of human rights and the basic freedoms. It also seeks to establish respect for the rule of the law.

The center concentrates on economic, social, and cultural rights.

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