“The Misery of the World’s Largest Prison Camp”

The Siege of Gaza

In the summer of 2007, following Hamas’ consolidation of power in the Gaza Strip, the Israeli government declared the territory to be a “hostile entity” and intensified the already crippling blockade. The borders of Gaza were sealed shut and all but the most basic of humanitarian products prevented from entering. Over 1000 days later, this collective punishment of a people continues despite the recent “easing” of the blockade. The economy of the territory has imploded, the education system has been severely damaged and attempts at reconstruction in the aftermath of the 2008-2009 Israeli assault nullified. Gaza has become the world’s largest open air prison camp.

Disengagement and continued occupation

Under international law an occupation is defined as a territory under the control of a hostile army (International Committee of the Red Cross, 2004). As an occupying power, Israel under the Geneva Convention has a responsibility for the welfare of Palestinians in the Occupied Territory. Consequently, Israel’s claims that its use of a blockade is legal are unjustifiable under international law.

Israel has a longstanding policy of using “closures” in Gaza (and the West Bank) as a means of control.

- Closures and curfews were imposed on Palestinian areas selectively and usually for a limited period of time prior to the First Intifada, generally as a tactic against acts of political resistance (B’Tselem, 1998, p.6).

- In this period, Israel aimed to undermine Palestinians national aspirations in the West Bank and Gaza by creating conditions of economic dependency (Hass, 2002, p.7). This was achieved by granting Palestinians a “general exit permit”, which allowed relative freedom of movement for most Palestinians within the borders of historic Palestine (Hass, 2002, p.7).

- During the First Intifada creeping restrictions of the general exit permit system appeared. In 1989 all Palestinian workers from Gaza, and later from the West Bank, were required to have a “magnetic card” to obtain a work permit. The authorities refused to issue these to former prisoners, people that had been held under administrative detention and even those that had been arrested but released without charge (B’Tselem, 1998, p.5).

- A sweeping curfew policy was imposed on Palestinian communities during the Intifada. In some areas the number of days a curfew was imposed reached one-third of the year. A permanent night curfew was imposed on Gaza from May 1988 until May 1994 (B’Tselem,
1998, p.6).

- The permanent closure began in 1991 with the issuing of a military order which cancelled the "general exit permits" (Hass, 2002, p.6-7). This policy has been intensified and refined since then.

- In March 1993, Israel imposed an overall closure on the West Bank and Gaza “until further notice”. This was enforced with the construction of numerous checkpoints across the West Bank and Gaza (BTselem, 1998, p.5).

- Since 1996 the Palestinian Centre for Human Rights has published a regular update on the current closures enforced against Palestinians (PCHR, 1996).

- The current siege of Gaza surpasses previous closures in intensity due to the extremely long period of time it has been enforced.

- Israel regularly claims that it ended the occupation of Gaza when it ‘disengaged’ in 2005 with the withdrawal of 8,000 settlers. However, Israel remains as firmly in command of Gaza's sovereignty as at any point since 1967, controlling its borders, air space and coastal waters, whilst retaining for itself the right to enter (John Dugard, Special Rapporteur to the UN Human Rights Council, 2004).

- Gaza is surrounded on three sides by a wall and a no-persons land - euphemistically dubbed a ‘seam zone’ by Israeli forces - is enforced up to 1km into the territory by Israeli snipers. Palestinians straying into this area are likely to be shot at by border guards, while fishermen hoping to cast their nets away from the heavily polluted coastline are regularly fired on by the Israeli navy (see list of PCHR reports on the Fishing under Fire Blogspot). In a territory that is only 10km from east to west at its widest and has one of the highest population growth rates in the world, these restrictions on movement compound the misery of the population.

- Israel waged a 22-day long winter assault on Gaza in 2008-2009, heightening the intensity of a preventable humanitarian crisis (see separate factsheet).

### Prohibited Items
Prior to the 2010 “easing” Israel arbitrarily banned many items including staple foods and commercial goods. What was allowed and what was banned was frequently changed by the Israeli military’s “Coordinator of Government Activities in the Territories” (COGAT). All of these items have at one point been banned by the Israeli authorities:

- Building materials
- Electrical appliances such as refrigerators or washing machines
- Pasta
- Tea and coffee
- Sausages
- Semolina and most baking products
- Milk products in large packages
- Industrial commodities for manufacturing food products
- Chocolate
- Sesame seeds and nuts
- Toilet paper and nappies
- Sanitary towels
- Detergents and soaps
- Conditioner
- Margarine
- Salt
- Legumes (Pulses)
- Artificial sweetener
- Spare machine or car parts
- Fabrics, threads and needles
- Light bulbs, matches and candles,
- Books
- Musical instruments,
- Crayons
- Clothing and shoes
- Mattresses, sheets and blankets
- Cutlery, crockery, cups and glasses
- Animals
- Wood for home furnishings
- Wood for doors and windows

Source: (Hass, 2009)

### Restriction of Access and Economic Collapse

- From 2000 Israel intensified its closure policy against Gaza with increased restrictions on the entry of goods and personnel and from June 2007 it raised a total blockade on the
Gaza Strip. The military closed the territory’s borders, preventing inhabitants from leaving and visitors from entering. Trade to and from Gaza was also halted, with Israel preventing all exports and reducing imports to a trickle of insufficient quantities of the most basic humanitarian supplies. Since then the blockade has been continuously applied for over 1000 days.

- The siege has led to almost complete economic collapse in Gaza. An estimated 90 percent of economic establishments closed down between the beginning of the siege and the winter assault (PCHR, 2009, p. 15). Israel’s attack on Gaza in 2008-2009 sank the Gazan economy to a new low. Out of all of the economic establishments that remained in Gaza, only 104 escaped damage or destruction (PCHR, 2009, p. 15). The unemployment rate currently stands at 42 percent and poverty levels are at an estimated 80 percent (PCHR, 2009, p. 15).

- In response to Israel’s assault on Gaza (27 December – 18 January) the UN Security Council passed Resolution 1860, calling for “the unimpeded provision and distribution throughout Gaza of humanitarian assistance, including of food, fuel and medical treatment”. The resolution remains unfulfilled (UN Security Council, 2009).

Restrictions on Food

- Despite the ceasefire of 2008, the blockade continues to severely limit the amount of food allowed into Gaza. In November 2008 Karen AbuZayd, the then Commissioner General of UNRWA, reported that malnutrition was surfacing amongst the population of Gaza (Reuters, 2008b).

- Over 80 percent of Gaza’s population rely on United Nations’ aid to survive, with food basics such as pasta, chickpeas and coffee amongst the items that have been prevented from entering the territory.

- Israel also places limitations on the import of cooking gas. On average Israel permits only enough cooking gas into Gaza to provide for around 44 percent of the population’s need (OCHA, 2010a).

- Since the 2010 “easing” of the siege food imports from Israel have increased. However, the level of imports is still substantially lower than before the siege (OCHA, 2010c).

Health of the Population

There has been decline in the general standard of health care in Gaza because of the siege.

- Tens of thousands of children have iron and vitamin deficiencies. The level of anaemia rose from 37.9 percent in 2002 to 47.9 percent in 2007, affecting nearly half of children aged under five (World Health Organisation (WHO), 2009a, p. 5). The rate of children born with a low birth weight almost doubled in the 4 years from 2002 (4

There is a chronic anaemia problem. There are signs that's increasing. What we are beginning to notice is what we call stunting of children ... which means they are not eating well enough to be bigger than their parents,”

Karen AbuZayd, Commissioner General of UNRWA (Reuters, 2008)
percent) to 2006 (7.6 percent), 1 year before the intensification of the blockade (WHO, 2009a, p. 6).

- **Hospitals are undersupplied, lacking key drugs and equipment.** Vital medical equipment is often delayed, causing clinical staff to lack the apparatus they need. Some apparatus, such as x-ray machines and batteries, are not allowed into Gaza (PCHR, 2009, p. 27). Medical devices in Gaza are often broken, missing spare parts, or out of date (WHO, 2010, p. 3). While there is an “essential drugs list” of 480 items that are supposedly permitted to enter Gaza there are often shortfalls in the delivery of these medicines, causing them to be out of stock. From March to November 2009, between 14 and 30 percent of medicines on the list were unavailable in Gaza (WHO, 2010, p. 2).

- **Doctors and nurses are unable to upgrade their skills** as they are denied access to training outside of the territory. Since 2000 very few doctors, nurses and other health staff have been able to leave Gaza to update their clinical skills or learn about new technology (WHO, 2010, p. 3). According to the World Health Organisation, this has “severely undermined their ability to provide quality health care” (WHO, 2010, p. 3).

- **The restrictions on building materials** have had a detrimental impact on the expansion of hospitals and the repairing of facilities following the winter attack. For example, **since 2006 Shifa hospital has been unable to finish its new surgical wing** (PCHR, 2009, p. 27).

- **There is a water shortage in Gaza.** 90-95 percent of the water produced by the only aquifer in Gaza is unfit for drinking (Amnesty, 2009, p. 10). Before the winter attack, the water supply only provided 80.5 litres per capita per day – half the international standard (WHO, 2009b, p. 28). This was worsened by the attack, when 10 of the water wells in Gaza were severely damaged, (WHO, 2009b, p. 28) and has resulted in the overextraction of ground water, increasing the salinity of the water and the level of nitrates (WHO, 2010, p. 3). **This is major threat to the health of the population, especially children, as the levels of salt and nitrates are higher than the safe limits established by the WHO (WHO, 2010, p. 3).** As of February 2009, 10 percent of the population have no access to water through the water network (WHO, 2009a, p. 15).

- Hospitals in Gaza do not have the specialised medical equipment or expertise to deal with various medical conditions such as some types of cancer and complex heart conditions (WHO, 2010, p. 1). **This forces patients to seek treatment outside of Gaza through a complex application process administered by the Israeli authorities.** In December 2009, 1103 applications were submitted but 21 percent of these applications were denied or delayed by the Israelis (WHO, 2010, p. 1). This Israeli policy means that it is time consuming and stressful to seek medical treatment and consequently directly threatens the lives of sick people. **27 patients died whilst waiting for their application to be approved in 2009 (WHO, 2010, p. 1).**

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**Death of Fidaa Talal Hijjy**

Fidaa Talal Hijjy, 19, was diagnosed with Hodgkin’s disease in 2007. After undergoing treatment at Shifa Hospital it became apparent that she required a bone marrow transplant, a treatment unavailable in Gaza. Her doctors referred her to the Tel HaShomer Hospital, where she received an appointment scheduled for 23 September 2009 for the transplant. The District Liaison Office submitted an application for her to cross at the Erez crossing on the day of the appointment. However, the Israeli authorities did not respond causing her to lose her appointment with the hospital. Her doctors booked a new appointment for her set for the 20 October, but Israel did not respond to her application a second time.

With her health deteriorating further she received her doctors arranged another appointment with the Schneider Hospital and submitted an emergency application for the 9 November. No response was receive. Fidaa died on the 11 November. The Israeli authorities approved her request on the 12 November, 3 days after the appointment that would have saved her life.

Source: (WHO, 2010, pp. 1-2)
Collapse of Infrastructure and Reconstruction Efforts

- Despite the “easing” of the blockade construction materials, such as cement, concrete mix, gravel and steel are almost completely blocked from entering Gaza (MFA, 2010c). They are only permitted to enter for PA authorised projects that are supervised by the international community. During the attack, over 60,000 families had their houses destroyed or damaged. Reconstruction of the homes of the worst affected households has made little progress since the war (OCHA, 2010a). 9,275 housing units need to be reconstructed, which includes 2,900 that were destroyed or heavily damaged prior to the start of the winter assault (OCHA, 2010a).

- Desperation for repairs has fostered innovative solutions, including the creation of breeze blocks out of the rubble left by the Israeli attack. Prior to the siege, production of building materials was conducted by several large enterprises that maintained safety standards, however, this is not the case for the new blocks and there is an increased risk of future building collapse (OCHA, 2010a).

- The sewage system in Gaza is badly maintained owing to the refusal of Israel to allow in the necessary items for maintenance (PCHR, 2009, p. 35). Two of the four waste water facilities in Gaza are operating over capacity and are pumping untreated water directly into the sea. This is severely polluting and poses serious health risks (PCHR, 2009, p. 34). The sewage reservoir in Beit Lahiya is potentially in imminent danger of collapse; if it does it will release 4 million m$^3$ of waste water, harming 15,000 people and vast areas of arable land (PCHR, 2009, p. 35).

Electricity and Fuel Supplies

- The Israeli government dramatically reduced the supply of electricity and fuel into Gaza in September 2007. On average only 49.48 percent of Gaza’s fuel needs are imported (PCHR, 2009, p. 13).

- Despite the “easing” of the blockade, the electricity supply remains erratic. Israel and Egypt continue to only provide a limited amount of electricity and only a limited amount of fuel is allowed in which prevents a stable supply from the Gaza power plant (OCHA, 2010b).

- The lack of petrol supplies is threatening to disrupt humanitarian programmes being implemented by UNRWA. For example, in January 2008 an UNRWA spokesperson stated that “because of a shortage of nylon for plastic bags and fuel for vehicles and generators, on Wednesday or Thursday we are going to have to suspend our food distribution programme to 860,000 people in Gaza” (Tran, 2008).

- The electricity system is dangerous and badly in need of maintenance. In February 2010, 3 children were killed and 5 injured by a faulty electricity generator (OCHA, 2010a). This occurred in the context of Gaza’s growing reliance on backup generators that are imported through the tunnels due to the siege and are of poor quality (OCHA, 2010a).

- Generator fuel is highly restricted due to a punitive Israeli quota policy (OCHA, 2010a). Electricity blackouts are a common occurrence across the territory, with Gaza’s power station unable to operate owing to depleted fuel levels. OCHA reported that for half of February 2010, the majority of the population experienced rolling power cuts of up to 12 hours a day (OCHA, 2010a). In April shortages of fuel forced the Gaza Power Plant to totally stop production (PCHR, 2010).
Education (see separate factsheet)

The collapse of infrastructure and the severe damage inflicted on Gaza’s educational facilities during the 2008-2009 assault has severely impaired the right to education within Gaza, while extreme poverty and the high levels of malnutrition caused by the ongoing siege continue to have a detrimental impact on the ability of students to study.

- **The education system in Gaza is severely limited by a lack of resources.** Of the six universities in Gaza there are no doctoral programmes and only a limited number of undergraduate and graduate courses on offer. The lack of resources has contributed to chronic overcrowding in the education system. Three Palestinians in four cannot pursue higher education in Gaza due to overcapacity. Schools are so overcrowded that many operate a system of shifts. In September 2007, UNRWA revealed that a third of their students were without textbooks due to the siege (United Nations, 2007).

- **Israel prohibits Palestinians from Gaza studying in the West Bank** despite the territories legally constituting one unit and the occupier’s obligation under international law to allow freedom of movement. Palestinians from Gaza are liable to be forcibly taken to Gaza if they are found by the Israelis forces, even if they have been residing in Gaza for several years (Gisha, 2009c). For example, in 2009 Berlanty Azzam, a student at Bethlehem University, was blindfolded, handcuffed and forcibly deported to Gaza after being stopped at a checkpoint near Ramallah (Gisha, 2009c). She was not removed due to any security concern but because she was residing and studying ‘illegally’ in the West Bank (Gisha, 2009c).

- **Hundreds of students are prevented from exiting Gaza in order to study abroad.** In the academic year 2009-2010, Gisha (2008 p. 2) reported that 838 Palestinian students were waiting to leave Gaza for their respective universities after term had already begun (Gisha, 2009a). In addition, many students had already begun their studies outside Gaza and were not allowed to return. As far back as 2000, Israeli authorities imposed a sweeping prohibition on the exit of Palestinians from Gaza wanting to study abroad, with a small number of exceptions (Gisha, 2009b). Today, numerous hurdles prevent Palestinians from leaving Gaza. Students are only considered after they have applied through the Palestinian Civil Affairs Committee (based in Ramallah) or through a “recognised” representative of the international community (Gisha, 2009b p. 6). Since June 2008, Israel has required students leaving for overseas universities to be accompanied by a diplomat from the country they are bound for, creating an unfair burden on diplomatic envoys and making it impossible for many students to leave, particularly if the country they wish to travel to does not have a diplomatic presence in Israel (Gisha, 2009a).
Tunnels to Egypt

- With Israel’s blockade destroying the economy and rendering 80 percent of Gaza’s population dependent on food aid, smuggling goods through tunnels has become one of the few growth industries in the Gaza Strip. A vast network of 1,000 tunnels runs under the Egyptian border (UNISPAL, 2010), through which vital food, fuel and even livestock are smuggled in.

- OCHA has described the tunnels as a “lifeline for the Gaza population”. However they do not constitute a sustainable alternative to a full lifting of the blockade and the resumption of movement through the official crossings with Israel (OCHA, 2010a). Due to the economic crisis and the corresponding weakening of purchasing power, many tunnel imported goods are out of the general population’s reach (OCHA, 2010a).

- In addition, the ongoing situation has forced thousands of people to risk their lives to sustain their livelihoods by working in the tunnels. Attacks by the Israeli military and accidents in the tunnels regularly claim the lives of Palestinians. There have been 141 fatalities since 2006, with most deaths occurring in 2008-09 (Al-Mezan Center for Human Rights, 2010).

- Egypt refused to open the Egyptian border during Israel’s winter assault on Gaza and prevents access to the Strip. Recently Egypt began constructing an 18 metres deep subterranean barrier to prevent Palestinians from using the tunnels. The UN Emergency Relief Coordinator, John Holmes, stated that the “situation without the tunnels would be completely unsustainable” (UNISPAL, 2010).

- With the increase of consumer goods entering via the Israeli crossings there has been a corresponding decline in the quantity of goods transported via the tunnels. However, the tunnels remain due to the continuing restrictions on many vital items including construction materials and fuel (OCHA, 2010c).

Terms to End the Blockade

Israel maintains that the blockade will not be fully lifted until rocket fire from the territory ends, Hamas releases an Israeli soldier they are holding prisoner and the smuggling tunnels are closed.

Rocket Fire: There was an Egyptian negotiated truce in place between Israel and the Hamas government of Gaza from 19 June 2008. The reported terms of the ceasefire were a cessation of rocket fire as well as a commitment from Israel to ease the siege and stop military incursions (United Nations Fact Finding Mission on the Gaza Conflict, 2009, pp. 71-72). Whilst there was sporadic rocket fire from a few groups (not including Hamas) in the four and a half months after the start of the truce, rocket fire decreased by 98 percent (calculated from Israeli government statistics – Israeli Authorities, 2009, p. 6). The ceasefire was broken by the Israeli military on the 4 November when they attacked a tunnel and killed 6 Hamas activists (United Nations Fact Finding Mission on the Gaza Conflict, 2009, p. 78).

Despite the truce there was little reduction in the severity of the blockade. Haaretz reported in November 2008: “Gaza faces “a humanitarian ‘catastrophe’ if Israel continues to prevent aid reaching the territory”, and observed that Israel had restricted goods into Gaza “despite the truce”, including “deliveries of European Union funded fuel” (Reuters, 2008b).

Captured soldier: Palestinian groups captured an Israeli soldier in an attack on an army post in
2006. The soldier is the only Israeli currently being held by Palestinian forces. Approximately 6,759 Palestinian prisoners are currently detained in Israel (BTselem, 2010). There are 343 Palestinian children in Israeli prisons (DCI/PS, 2010a) and 264 Palestinians held without trial in “administrative detention” (DCI/PS, 2010b).

**Tunnels:** Whilst the tunnels can never replace the regular importation of goods through the crossings, they remain a vital lifeline for a population that is suffering without many necessities. The only crossing that is open for commercial goods is at full capacity and meets less than half of current demand (OCHA, 2010c). Most of the goods imported via the tunnels since the “easing” of the blockade are construction materials. In demanding that the tunnels close before the blockade is lifted, the Israeli government is in effect asking the Palestinians to tighten Israel’s noose around their own necks.

**Resistance to the Siege**

Palestinians and internationals have used a variety of means to resist and challenge the siege of Gaza:

- On 22 January 2008 women demonstrators forced open the door of Rafah Border Crossing and went into Egypt. Overnight on 23 January 2008 Palestinian activists blew up part of the separating wall between Gaza and Egypt in Rafah. Hundreds of thousands of Palestinians crossed into Gaza to buy replenish supplies including cigarettes, food, cleaning products, fuel and building supplies before returning to their homes in Gaza (Erlanger, et al., 2008).

- The Free Gaza Movement is a coalition of human rights organisations that landed the first international boats in the port of Gaza since the 1967 June War. The 2 vessels, paid for by private donations, sailed from Cyprus and docked at Gaza port on 23 August 2008 (BBC, 2008). A second boat carrying 26 people and medical supplies docked in Gaza in late October of the same year (JTA, 2008). However, Israeli forces used force to stop Free Gaza boats docking during and following the 2008-2009 Israeli attack on Gaza. “Dignity”, the Free Gaza boat that had broken the blockade on the previous occasions, was shot at and rammed by the Israeli navy in international waters, forcing it to turn round and sail to Lebanon (Reuters, 2008a). A second boat was turned away by Israeli warships in January 2009 and on 3 February a Togo registered boat carrying 60 tons of aid sent by the Palestinian National Committee Against the Siege and the Free Gaza Movement was shot at and boarded by Israeli soldiers. The al-Jazeera journalist Salam Khoder who was onboard reported that the Israeli soldiers fired shots before boarding the ship and beat the passengers (Issacharoff, et al., 2009). A June 2009 attempt was halted when the Israelis commandeered the ship, towed it to Isdud and arrested and deported the crew (BBC, 2009a).

- In response to the 2008-2009 Israeli assault on Gaza, George Galloway, a member of the British parliament, and other activists formed “Viva Palestina”. The first convoy left on 14 February 2009 with 110 vehicles carrying aid worth over £1 million and it travelled 5000 miles, passing through Britain, France, Spain, Morocco, Algeria, Tunisia, Libya and Egypt (BBC, 2009b). Most of the convoy passed into Gaza on 9 March, although Egypt imposed restrictons
on the non-medical aid allowed into the Strip (BBC, 2009c). The second Convoy came from the USA in the summer and included Vietnam War veteran Ron Kovic. The third convoy, “Lifeline 3”, travelled to Gaza over the anniversary of the Israeli attack. Unlike the first convoy, it travelled through the Bosphorus and the Turkish government gave it support. Egypt initially refused to allow the convoy into Gaza and at least 8 Palestinians and 1 Egyptian soldier were killed in border clashes. The convoy was eventually permitted to enter on the 6 January (BBC, 2010) but Galloway was declared a “persona non grata” by the Egyptian authorities, who announced that they were not going to let any other convoys cross into Gaza from Egypt (Haaretz, 2010).

- **The Gaza Freedom March**: is a campaign of both Palestinian and international groups that aimed to march from Izbet Abed Rabbo to the Erez Crossing on the first anniversary of the 2008-2009 attack on Gaza to protest the continuance of the siege (Almeghari, 2009). The Egyptian Government refused to open the borders for all but 100 of the international marchers. The international Gaza Freedom Marchers refused the offer, with one organiser calling it a “token gesture” (Gaza Freedom March, 2009).

**The “Freedom Flotilla”**

- **In 2010** the Free Gaza Movement and the Turkish NGO The Foundation for Human Rights and Freedoms and Humanitarian Relief (IHH) joined to break the blockade with the “Freedom Flotilla”, a maritime convoy of 6 ships, people from over 50 countries and 10,000 tons of humanitarian aid (IHH, n.d.).

- Like the previous Free Gaza ships, at no point was the Flotilla due to enter Israeli territorial water. It was raided by Israeli forces in international water prior to reaching Gaza; at least 9 humanitarian activists were killed in the raid and many more were wounded (Weaver, et al., 2010). Farooq Burney, director of al-Fakhoora, saw one of the people die: “He just passed out in front of us and we couldn’t see where he was hit so we opened up his lifejacket and we could clearly see that he was hit in the chest,” Burney said. “He was losing a lot of blood. It was on … the right, just close to his chest and there was blood coming out from there. He passed away.” (Cameron-Moore, et al., 2010).

- The 9 men, were killed on the Mavi Marmara, a passenger ship owned by IHH (Telegraph, 2010). The autopsies show that a total of 30 bullets were fired into the 9 men, some of the men were shot repeatedly in the head and at close range. The closest bullet was shot at a distance of around 20 cm (Booth, et al., 2010). According to al-Jazeera journalist Jamal Elshayyal live ammunition was fired from the air before there were any Israelis on deck and one of the people killed was clearly shot from above. He also reported that several of the people who died did so because they were denied medical assistance by the Israeli forces for several hours. Some passengers did use iron bars and hosed water to fend off the Israeli commandos (al-Jazeera, 2010).

- People on the other ships have alleged that excessive force was used against them as well, despite Israeli statements that force was only used on the Mavi Marmara. Huwaida Arraf, chair of the Free Gaza movement was on Challenger 1 and states that some activists were beaten so badly that they were hospitalised. An Israeli commando stood on her head and ground it into the deck until she screamed. Later when she was taken by Israelis to al-Majdal (Ashkelon) she was elbowed in the jaw and dragged by her hair into a police car (Frykberg, 2010).
• Israel seized all of the ships in the convoy and towed them and the passengers to Isdud. The passengers were then held incommunicado for several days before most of them were deported. **All electronic equipment, some of which held footage of the raid, was confiscated by the Israelis.** However, some footage from the Mavi Marmara was smuggled out by filmmaker Iara Lee and is available on the "Democracy Now!" website.

• With the exception of Haneen Zoabi, who as Member of the Knesset has parliamentary immunity, the Palestinians with Israeli citizenship have been placed under house arrest and banned for 45 days from leaving the country (JTA, 2010).

• Some participants have alleged that Israel sabotaged some of the ships prior to the attack citing as evidence the breakdown in the steering systems on two of the boats and the breakdown of the bilge pump on one ship, which caused it to let on water. Israeli officials have made comments that allude to "grey operations" of this nature (Black, et al., 2010). Possibly due to sabotage of this nature the Challenger 2 was forced to abort its journey and the MV Rachel Corrie was delayed and had to undergo mechanical repairs in Malta before attempting to break the blockade a week later. It was also raided and diverted to Isdud by Israeli forces (Randall, et al., 2010).

### The 2010 Alleged Easing in the Blockade

The attack on the peace activists on the Flotilla led to international outrage and numerous protests across the world urging governments to take action against the siege. The UN Security Council issued a statement that called for a “prompt, impartial, credible and transparent investigation conforming to international standards” into the raid and stressed “the need for sustained and regular flow of goods and people to Gaza as well as unimpeded provision and distribution of humanitarian assistance throughout Gaza” (UN Security Council, 2010). Netanyahu, the Israeli Prime Minister, announced on in June 2010, after consultations with Tony Blair, that Israel was going to “ease” the land blockade (Sherwood, 2010). His office released a statement on 20 June that clarified the nature of the changes in the blockade and published a list of prohibited goods on 4 July (MFA, 2010a)(MFA, 2010c). A summary of the main points of the statement and the list of permitted items follows with a critique of both documents:

> "We must talk about lifting the siege and blockade, which is regarded as a violation of international law. You cannot have half a violation of international law."
> 
> Christopher Gunness, UNRWA spokesperson (Jansen, 2010)

The most critical issue is the illegality of the blockade of Gaza under international law, which renders any “easing” insufficient. The partial lifting of the blockade is acting as a smokescreen and enabling
Israel to continue to violate international law. This concern is being highlighted by the United Nations Relief and Works Agency for Palestinian Refugees (UNRWA) and the Palestinian Centre for Human Rights (PCHR). As PCHR state, the decision to permit more commercial and humanitarian goods “does not in any way alter the basic situation”. Palestinians in Gaza are still being “denied numerous fundamental human rights, including the right to life, the right to the highest attainable standard of health, the right to freedom of movement of persons and goods, the right to adequate shelter. At the most basic level, the closure continues to violate the right of the people of Gaza to live in human dignity.” (PCHR, 2010)

- Israel has changed from placing restrictions on various items, enforced in an opaque and often arbitrary way, to a published list of prohibited goods. According to Israel this list is “limited to weapons and war materiel, including problematic dual-use items”. However, it goes beyond the Wassenaar Arrangement, the international agreement on dual use items, and prohibits a number of other goods as “dual-use”. Mahmoud Daher, Head of the World Health Organisation office in Gaza, has stated that vital medical equipment, such as “X-ray equipment, CT-scanners, and paramedical supplies like generators, computers and elevators” have been prohibited in the past as “dual-use” items (IRIN, 2010). Evidence of these sorts of restrictions surfaced quickly after Israel’s “easing” of the blockade when seven oxygen machines, donated by the Norwegian Development Authority for use in PA hospitals, were seized by Israeli officials on 25 June as they allegedly come “under the category of possible use for non-medical purposes” (Ma’an News, 2010).

- Although commercial finished goods are now allowed into Gaza, many raw materials and a good deal of machinery are classified as dual use, effectively ensuring Gazan economic dependency on Israel, which effectively continues to occupy the Strip. These goods include lathes, certain fertilisers, navigation aides, vessels, and vehicles (excluding private cars). The list is also ambiguous, which means there is considerable room for Israeli forces to restrict goods in an arbitrary manner as before the alleged “easing”. One such area of ambiguity is the restriction on items “used as raw materials for improving protection for terror activists”.

- The most important “dual-use” items are construction materials, which are vitally needed by Palestinians in Gaza due to effects of the siege, Israeli bombings and a growing population. Israel’s list includes the majority of construction materials including cement, steel, lumber thicker than 2 cm, plastic or composite beams thicker than 4 mm, and all varieties of gravel. These goods are only permitted to enter for “PA-authorized Projects Implemented by the International Community”, which means that construction materials will continue to be heavily restricted and will not be available to civilians. This increases the dependency of Palestinians in Gaza on UNRWA and it means that the repair of houses damaged during the 2008-2009 attack and other Israeli incursions is likely to continue to be difficult. Mohammad Skaik, trade officer of the Gazan branch of Paltrade, reports that any easing that only includes secondary consumer goods but not construction materials “will have no effect” (Hass, 2010).

- Israel argues that construction materials are “dual-use” focuses on the grounds that they could be used by the government of Gaza and militant groups to build “bunkers” (MFA, 2010b). As the
memorial to the children who died during Israel's winter attack, compiled by DCI-Palestine and Al Fakhoora, has documented, one of the recurring themes of the attack was that there was no safe place for people to hide from the bombings. Even the UNRWA schools that were used as shelters, which gave their GPS coordinates to Israeli forces, were not safe from Israel's attack. For instance, on the night of 5 January 3 Palestinians were killed in UNRWA Asma Elementary School, which was being used as a bomb shelter for civilians. To deny construction materials because they might be used to build bunkers, which protect people from bombs, seems unjust.

• There will be no easing of restrictions on the movement of people. The statement of 20 June claimed that Israel would "[s]treamline the policy of permitting the entry and exit of people for humanitarian and medical reasons and that of employees of international aid organizations that are recognized by the GOI" and that "as conditions improve", Israel would "consider additional ways to facilitate the movement of people to and from Gaza." However, the State Attorney, writing on behalf of the “Defence” Ministry, clarified the situation in a further statement written to oppose a petition by a Palestinian student from Gaza to study in the West Bank. In it he stated: "Regarding passage for the population, the announcement [of June 20] did not say anything about expanding the current policy, which permits entrance in humanitarian cases, with emphasis on urgent medical cases … To be clear: this decision does nothing to expand the criteria, and it certainly does not permit passage for purposes of Master’s degree studies" (Gisha, 2010). The nature of the “streamlining” for humanitarian cases can only be tested by practice. Since the “easing” of the siege there has been increased, though still restricted, movement of persons through the Egyptian border. As of July 2010 350 people per day crossed into Egypt from Gaza, many of them leaving to go on the Haj (OCHA, 2010c).

• The Israeli statement claims that Israel will “[e]xpand operations at the existing operating land crossings, thereby enabling the processing of a significantly greater volume of goods through the crossings and the expansion of economic activity.” This needs to be verified by a change in practice, as one of the most significant problems prior to the “easing” of the siege was the low level of goods that were permitted to be imported. For instance, in April and May 2010 the level of imported goods was 24 percent of the pre-siege level (Paltrade, 2010, p.2). Additionally, it is doubtful whether items will be permitted to be exported from Gaza. Mohammad Skaik from Paltrade has stated that the increase will not help economic recovery unless restrictions on exports are meaningful (Hass, 2010). 95 percent of Gaza’s private sector has collapsed since the beginning of the siege (Jansen, 2010).

• The statement also declares that Israel will add capacity at the existing crossings as more “processing capacity becomes necessary” and will open more crossings if unspecified “security concerns are fully addressed”. However, it does not state who will determine what is “necessary”. It is moreover notable that the Israeli Ministry of Foreign Affairs, when commenting on the pre-“easing” situation, stated that the current level of goods is sufficient, that there is “no food shortage” and goods in markets are plentiful (MFA, 2010b). In contrast, UNRWA has reported that as a direct result of the blockade “325,000 refugees are believed to be living in abject poverty, unable to meet their basic food needs” and that a “further 350,000 are now below the official poverty line” (UNRWA, 2009). There is no timescale to this announcement, despite current crossings being insufficient. The UN OCHA reports that the Kerem Shalom crossing, the only commercial conduit, is already operating at maximum capacity (IRIN, 2010).

• The final point of the statement announces that “Israel will continue to facilitate the expeditious inspection and delivery of goods bound for Gaza through the port of Ashdod [Isdud].” In other words the maritime blockade will remain. As well as being a violation of international law, this will increase Gazan economic dependence on Israel.

Potential for Renewed Conflict

Israel continues to launch sporadic bombing raids against Gaza, often attacking the tunnels, and to enforce the “buffer zone” on land and at sea – often by using live fire without warning (PCHR, 2009, p. 22). From 20 January to 02 December 2009, 33 individuals were killed, 68 injured and 62 detained (PCHR, 2009, p. 22).
Works Cited


