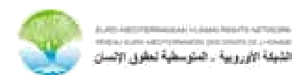
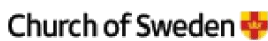


Dashed Hopes

Continuation of the Gaza Blockade



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Half dark: Half of Gaza City in a blackout

1. Introduction



Photo credit: Karl Schembri/Oxfam
Palestinian men collect gravel from destroyed buildings in Gaza, here near the Erez crossing, close to the Israeli "security zone".

On June 20, 2010, following concerted international pressure, the Government of Israel announced a set of measures to 'ease' its illegal blockade of the Gaza Strip. This included:

- Publishing a list of items not permitted into Gaza and allowing all other items to enter;
- Expanding and accelerating the inflow of construction materials for international projects;
- Expanding operations at the crossings and opening more crossings as more processing capacity becomes necessary and security conditions allow;
- Streamlining entry/exit permits for medical and humanitarian reasons and for aid workers;
- Facilitating the movement of people in additional ways as conditions and security allow.¹

Many in the international community, including Quartet Representative Tony Blair, expressed hopes that this would lead to a major change and alleviate the plight of the Palestinian civilian population in Gaza.² However, five months later, there are few signs of real improvement on the ground as the 'ease' has left foundations of the illegal blockade policy intact. In order to have a positive impact on the daily lives of the 1.5 million Palestinians in Gaza, half of whom are children, Israel must fully lift its blockade of the Gaza Strip.

While the Government of Israel committed to expand and accelerate the inflow of construction materials for international projects, it has so far only approved 7 per cent of the building plan for UNRWA's projects in Gaza, and of that 7 per cent only a small fraction of the necessary construction material has been allowed to enter for projects including schools and health centres.³ In fact, the UN reports that Gaza requires 670,000 truckloads of construction material, while only an average of 715 of these truckloads have been received per month since the 'easing' was announced.⁴

While the Government of Israel committed to expand operations at the crossings and to open further crossings as necessary, and has indeed undertaken an expansion of the operations at the limited Kerem Shalom crossing, the main Karni commercial crossing stands idle. While the Government of Israel committed to more than double operations at the Karni conveyor belt, the operations there have in fact decreased since the 'easing'. Exports remain banned and except for the humanitarian activity of exporting a small amount of strawberries, not a single truck has left Gaza since the easing.]

Although there has been a significant increase in the amount of food stuffs entering Gaza, many humanitarian items, including vital water equipment, that are not on the Israeli restricted list continue to receive no permits. Two thirds of Gaza's factories report they have received none or only some of the raw materials they need to recommence operations. As a result, 39% of Gaza residents remain unemployed and unable to afford the new goods in the shops. Without raw materials and the chance to export, Gaza's businesses are unable to compete with the cheaper newly imported goods. This economic development leaves 80% of the population dependent upon international aid.

More Palestinian businesspeople than before have been allowed to leave Gaza, but ordinary Gaza residents are still denied access to their friends and family, and to educational opportunities in the West Bank, East Jerusalem and abroad.

While restrictions on access to and from Gaza date back to the 1990s, these restrictions were intensified leading to the current blockade after Hamas took control of the Strip in June 2007. The Israeli Security Cabinet declared Gaza a 'hostile entity' and decided to impose additional sanctions restricting the passage of goods, fuel and people. Israel has a duty to protect its citizens from security threats and the measures it uses to do so must conform to international humanitarian and human rights law.⁵ This includes its legal obligation as an occupying power to protect the safety, rights and needs of the occupied civilian population. The government of Israel holds the position that the restrictions and procedures are part of legitimate warfare.⁶ However, the International Committee of the Red Cross has recently confirmed that the blockade constitutes a collective punishment of the entire civilian population of Gaza and is in clear violation of international humanitarian law.⁷

Following the Israeli announcement of steps to 'ease' the blockade, international attention shifted to the Israeli-Palestinian negotiations and the pressure from the international community to lift the blockade was also eased. The current approach risks perpetuating what is an unacceptable situation and fails to recognise that there cannot be a just and durable resolution of the Israeli-Palestinian conflict without an end to the isolation and punishment of people in Gaza. The Government of Israel and parts of the international community remain reluctant to fully lift the blockade as long as Hamas holds power in Gaza. Yet, upholding the rights and needs of civilians in Gaza must not be conditional on other political objectives. Civilians in Gaza cannot wait until the Israeli-Palestinian negotiations are concluded.

Lifting the blockade of Gaza remains a legal, economic and political imperative for those seeking a lasting resolution to the Israeli-Palestinian conflict. The time for credible and effective action is now.

Israel's 'easing' of the Gaza blockade: promises and realities

'Easing' measures announced on 20 June 2010 ⁸	Summary of implementation and results
<ul style="list-style-type: none"> • Publish a list of items not permitted into Gaza ('negative list'). • All items absent from this list will be permitted to enter Gaza. 	<p>Imports</p> <ul style="list-style-type: none"> • Imports increased from 20% to 35% of pre-blockade levels; primarily consumer goods including food.⁹ • The published negative list extends far beyond the international definition of dual-use items.¹⁰ • Many items absent from the list still require special approval and many of them have not received it.¹¹ • Imports of many raw materials still restricted.¹² • Negative impact of cheap imports on local production.
<ul style="list-style-type: none"> • Allow the entry of restricted construction materials for international projects in Gaza approved by the Palestinian Authority. • Expand and accelerate their inflow 	<p>Construction materials</p> <ul style="list-style-type: none"> • Inflow of construction materials at only 11% of pre-blockade levels.¹³ • Delays and extra costs due to complex approval and monitoring procedures. • Only 25 UNRWA projects approved in principle, i.e. 7% of UNRWA building plan; only a small fraction of materials for these 25 projects received.¹⁴ • Reconstruction of people's homes hampered due to exclusion of private sector.
<ul style="list-style-type: none"> • Expand operations and capacity of crossings to Gaza, enabling the processing of a significantly greater volume of goods. (Further elaborated as allowing 250 trucks per day at Kerem Shalom crossing, to be increased to 400 in the first half of 2011; and allowing 360 truckloads per week through a conveyor at Karni crossing.¹⁵) • Open additional crossings "as more processing capacity becomes necessary and when security concerns are fully addressed". 	<p>Crossings operation</p> <ul style="list-style-type: none"> • Crossings' operation still far from sufficient for the level of imports and exports required. • Kerem Shalom crossing: 183 trucks entering per day on average, up from 86 prior to easing.¹⁶ • Karni crossing with capacity to process over 750 trucks daily remains closed except for a conveyor belt. The conveyor is processing only 137 truckloads per week on average, down from 158 prior to 'easing', and only 38% of what was promised.¹⁷ • Erez crossing remains opened for restricted movement of people only. Other Israeli crossings – Sufa and Nahal Oz - remain closed.
<ul style="list-style-type: none"> • Streamline permits for entry and exit for humanitarian and medical reasons and for aid workers. • "As conditions improve", consider additional ways to facilitate the movement of people to and from Gaza. 	<p>Movement of people</p> <ul style="list-style-type: none"> • Increase in permits for businesspeople. • Overall ban on exit and entry still in place. No expansion of the few exceptional categories of Palestinians allowed to travel through Israeli controlled crossings. Number of exits below 1% of 2000 levels.¹⁸ • Fewer permits approved for UN local humanitarian staff than before 'easing'.¹⁹ Permit policy for aid workers and medical patients still arbitrary, unpredictable and time consuming.
Not mentioned in the announcement:	
Exports	
<ul style="list-style-type: none"> • Ban on exports continues. Except for the humanitarian activity of exporting a small amount of strawberries, not a single truck of exports has left Gaza since the 'easing until now'. Israel has signalled willingness to allow some exports by spring 2011 but makes it conditional on presence of Palestinian Authority at the crossings.²⁰ 	
Fuel imports	
<ul style="list-style-type: none"> • No easing of fuel restrictions. Fuel for the power plant remains limited at 68% of its maximum capacity; cooking gas imports have been at around 53% of average needs; almost no diesel and petrol allowed for commercial sector.²¹ Due to the power plant fuel restrictions, exacerbated by intra-Palestinian disagreements, there is a chronic lack of electricity and regular blackouts, affecting provision of essential services, including water supply, sewage treatment, and health services.. 	
Buffer zone	
<ul style="list-style-type: none"> • No change. Access to around 35% of Gaza's farmland and 85% of maritime areas for fishing remains restricted by the Israeli 'buffer zone', with devastating impact on the economy and people's rights and livelihoods. An estimated 178,000 people are directly affected. Boundaries of the restricted areas are highly arbitrary and enforced by live fire: 6 civilians have been killed (2 of them children) and 57 injured (10 of them children) by Israeli fire in the buffer zone since the 'easing' of the blockade.²³ 	

2. Paralysed economy



Photo credit: Karl Schembri/Oxfam

Khaled Nasan, former textile factory owner, now selling second hand clothes coming from Israel at the Gaza market: "Until 2004 we used to send up to 400 clothing items to Israel everyday – from trousers to shirts and underwear. Now we depend on the second hand clothes the Israelis send us. I used to make 1,000 shekels a day. Nowadays I just open the shop so that by the end of the day I might make enough money to eat with my wife and four children, and pay the university fees of two of them. UNRWA sends us food aid and thank God for that, because without that help what would we do?"

Situation in the Gaza Strip: key humanitarian indicators

- 80% of the population is dependent on international aid.³⁵
- 61% of the population is food insecure.³⁶
- Unemployment rate is around 39%, one of the highest in the world.³⁷
- Power outages usually last 4-6 hours a day and often longer.³⁸
- 60% of Gaza's population receives running water only once every 4 or 5 days, for 6-8 hours.³⁹
- 50 to 80 million litres of untreated or partially treated sewage are released into the sea every day.⁴⁰
- About 90% of water supplied to Gaza residents is not suitable for drinking and is contaminated with salt and nitrates.⁴¹
- 78% of homes with major damages from Operation Cast Lead have not been rebuilt.⁴³

Israel's 'easing' measures have relaxed restrictions on the number of **imports** of many basic goods banned since the imposition of the blockade in June 2007, such as spices, clothes, cosmetics, refrigerators and cars, and reduced their flow through the tunnels under the Egyptian border. For the population of Gaza, this means improved availability of these goods, often at lower prices and better quality, than through the tunnel trade. However, the number of items entering remains restricted, and given the general impoverishment caused by the blockade, few in Gaza can afford to buy many of these goods.

Consumer goods make up the majority of import volumes. Food items, which constituted less than 20% of goods entering Gaza before the blockade, now account for 44% of imports.²⁴ In order to restart local production and revive the economy, entry of **raw materials** is vital. While some raw materials including textiles, wood, drink concentrates and industrial margarine gradually started moving in, many remain restricted. In a survey of Gaza businesses between July and September 2010, only 18% of companies indicated that they received all the raw materials they needed, while 44% received only some and 38% received none.¹⁴

In addition to limitations on access to raw materials, Gaza's productive sector is paralysed by the continuing ban on **exports**.²⁶ In the past Gaza's economy was largely reliant on exports of goods such as furniture, clothing and textiles, food and agricultural products, providing livelihoods to tens of thousands of workers and their families. The scale of economic activity in Gaza is now dependent on local demand, which in turn is constrained by the low purchasing power of the population and the relatively small size of the local market.²⁷

Even under the 2005 Agreement on Movement and Access signed by Israel, the target for exports from Gaza was set at 400 trucks *per day*. In contrast, under the blockade since June 2007, only 224 truckloads of exports *in total* have been allowed out of Gaza (occasional shipments of carnations and strawberries).²⁸ In the meantime, the only exports leaving Gaza are passing through the tunnels under the Egyptian border.

According to the World Bank, the prohibition on exports combined with the restrictions on raw materials "preclude the revival of the private sector".²⁹ Currently, 65% of **industrial businesses** in Gaza are shut down and the rest operate only at partial capacity. The sector is currently employing 6,000 workers, down from 35,000 prior to the blockade.³⁰

The easing of imports is, paradoxically, also undermining the remaining local production. Many producers in Gaza cannot compete with the lower prices of newly imported goods such as cheap textiles of Chinese origin and food products from Israel, while access to their former export markets remains banned.³¹

The much reported **economic growth** of 16% in Gaza relates to the period between the first quarter of 2009 and first quarter of 2010, prior to the 'easing'. The World Bank partly attributes this growth to a lowered base for comparison caused by the plunge in economic activity during Operation Cast Lead and subsequent months of 2009. According to the World Bank it also reflects the inflows of humanitarian assistance, the thriving tunnel operations as well as smaller easing steps taken by Israel during the given period.³² The IMF adds that this growth "is unlikely to last if imports of private investment inputs and exports to Israel remain prohibited".³³ Gaza's economic output per capita is today 40% lower than it was in 1994, at the start of the Oslo peace process.³⁴

3. Homes and schools denied



Photo credit: Karl Schembri/Oxfam

Reem Said Hassanein, mother of 6 from Zeitoun, husband unemployed, former construction worker, Oxfam's Urban Voucher Programme beneficiary: *"Today is the first time in three years that he has been called to work for the day. I have no idea how it will be tomorrow as there are no guarantees for work, but thank God there is some construction going on now that small amounts of cement have started entering Gaza. When we got married we could buy our house and furniture and live a good life, but now I couldn't even buy food for my children's breakfast before they go to school, were it not for the food vouchers we're receiving."*

40,000 children turned away from UN schools

Because UNRWA was unable to get construction materials to build new schools, 40,000 eligible children could not be enrolled at UNRWA schools at the start of the new academic year and were referred to schools under the authority of the Hamas government. Over 90% of UNRWA schools are already running double shifts and shipping containers are sometimes used as classrooms. Israel has so far approved - in principle - only 6 out of 100 schools needed by UNRWA to

accommodate students in the coming years.⁴⁸

According to UN agencies, the Gaza Strip needs about 86,000 new **housing units** to accommodate past population growth and also to replace the homes destroyed or damaged as a result of Israeli military operations. It would require the entry of over 670,000 truckloads of construction materials into Gaza in order to build these units.⁴³ Since the 'easing' of the blockade only 715 truckloads of construction materials for all uses (not only housing) have entered Gaza per month on average, a mere 11% of pre-blockade levels.⁴⁴ At this rate, it would take many decades to build the needed homes, while the unmet housing needs grow each day the blockade continues.

Since the 'easing' of the blockade, the Israeli authorities have approved only 25 **UNRWA projects** (such as schools, clinics and housing units), representing a mere 7% of UNRWA's building plan. Only a small fraction of the truckloads needed to complete these 25 projects have been received so far. The delays have a highly detrimental impact on the UNRWA construction programme.⁴⁵

In its announcement of 20 June, the Government of Israel committed to allow, expand and accelerate entry of construction materials into Gaza for **projects implemented by the international community** and approved by the Palestinian Authority (PA). However, the progress of these projects has been very limited due to Israel's lengthy approval process and its onerous monitoring and verification requirements. After a project is approved in principle, a detailed schedule has to be negotiated and each individual truckload then must be approved. Use of each construction item then has to be extensively documented from point of entry to its final placement through regular reporting including multiple photographs. This results in significant additional costs to international agencies and their donors.

One of the delaying factors is a restricted operation of the conveyor belt at the Karni crossing used for the entry of construction materials as well as wheat grain and animal feed. Despite Israel's agreement in July 2010 to expand its operation to 120 truckloads daily for 3 days per week⁴⁶, the conveyor belt continues to operate at 80 truckloads for 2 days per week, i.e. less than half of the promised weekly capacity (and often only 1 day per week due to frequent technical breakdowns). In fact, the weekly average number of truckloads entering via the conveyor belt decreased from 158 prior to the 'easing' to 137 since then.⁴⁷ Due to this bottleneck, UNRWA has received just a fraction of the truckloads of construction items due to enter Gaza per the schedule agreed with Israel.

For Gaza's **private sector**, the situation is even worse. The private sector is excluded from the possibility to import construction materials including concrete, steel and gravel, hampering efforts of people in Gaza to rebuild their homes, businesses and other property.⁴⁹ Over 6,000 homes were destroyed or severely damaged during Operation Cast Lead and only 22% of the homes with major damage have been repaired so far, using recycled rubble and cement smuggled through the tunnels.⁵⁰

The Government of Israel has stated that it restricts entry of construction materials because they 'are liable to be used for **Hamas** military purposes' and that it will only permit their entry for international projects approved by the PA.⁵¹ However, with cement available through the tunnels, by default the consequence of this policy ends up restricting building materials for the international organisations that face both Israel's burdensome procedures and donor governments' restrictions on procurement. Meanwhile, average Palestinian civilians cannot afford the inflated prices of materials from the tunnels. Furthermore, by tying projects of the international community in Gaza more closely to the Palestinian Authority as opposed to the Hamas authorities, the new policy is further entrenching intra-Palestinian divisions and politicising international aid in Gaza.

4. Population locked in

Case Study: Nasma Abu Lasheen and access to health care

Nasma Abu Lasheen, a two year-old girl from Gaza suffering from leukaemia, died on 16 October 2010 after Israeli authorities failed to issue her an urgent permit in time for life-saving medical treatment at an Israeli hospital. When the permit was granted after more than a week's delay, it was already too late.⁵⁶

Palestinian patients seeking specialised medical treatment unavailable in Gaza are one of the very few categories allowed to leave the Gaza Strip - if granted a permit. However, the permits are still frequently delayed or denied by Israeli authorities, which can have dire consequences. Delayed patients generally miss their hospital appointments and need to start the permit process over again. Since 2009, 33 patients have died before being able to access the hospital they were referred to. For children in particular, caregiving family members of ill children also do not receive permits to cross, posing additional child protection risks. Some patients seeking permits are interrogated by the Israeli intelligence services at the Erez crossing, raising strong concerns about conditionality placed on exit for medical treatment.

Given the absence of progress on the Israeli side and increased opening of the Rafah crossing since June 2010, a substantially higher proportion of patients from Gaza are now being referred to Egypt, despite the much lengthier journey to Egyptian hospitals, that can compromise emergency and patient care.⁵⁸

The need to refer patients for treatment outside Gaza is being reinforced by Israeli restrictions on entry of medical equipment and spare parts. Since the 'easing' more equipment has been allowed entry, but some essential types of equipment are still blocked, including radiation machines for oncology, endoscopy and laparoscopy machines for surgery, microscopes and other optic equipment.⁵⁹

Case Study: Fatma Sharif and access to education

Fatma Sharif, a 29-year-old lawyer from Gaza, was accepted for a Masters' course on human rights and democracy at a West Bank university and was set to begin her studies in August 2010. However, her request for a permit to travel to the West Bank for her studies was rejected by the Israeli authorities.⁶⁰

Israel has imposed a general ban on the passage of people from Gaza to the West Bank, including students, since 2000. Israel is only permitting the exit of students with scholarships at universities in selected 'friendly' countries, but not students enrolled at universities without scholarships or in other countries. Since the 'easing' and as the new academic year began, no change to that policy has been observed.

Palestinians' **freedom of movement** including to travel, work, study and visit family members abroad continues to be denied. The ban on movement applies also to travel between Gaza and the West Bank – including East Jerusalem – together recognised as a single territorial unit by the international community and Israel as signatory parties to the Oslo Accords. Such movement would be essential for a normal functioning of the Palestinian society. In the announcement on the 'easing', the Government of Israel stated that 'as conditions improve,' it will consider ways to facilitate the movement of people to and from Gaza. However, apart from the case of businesspeople, there has been no visible easing of the restrictions and no expansion of the criteria. Since August 2010, only 2,140 residents (from the exceptional categories) have been allowed to exit Gaza via the Erez crossing per month on average, similar to the levels prior to the 'easing'.⁵² This is less than 1% of the number of exits in September 2000, before Israel tightened its restrictions on the movement of Palestinians.⁵³

Despite the Israeli authorities' commitment in the 20 June announcement to streamline entry and exit **permits** to and from Gaza for medical and humanitarian reasons and for aid workers, there has been so far no tangible improvement in practice. On the contrary, there has been a decrease in the rate of permit approvals for entry or exit of UN agencies' national humanitarian staff.⁵⁴ Permit policy for aid workers and medical patients remains arbitrary, unpredictable and time consuming.

The sole significant positive change in the area of freedom of movement has been an approximately fourfold increase in the numbers of **businesspeople** allowed to leave and enter Gaza via the Erez crossing.⁵⁵ This is an improvement which must be built on to allow freedom of movement for all people.

Human rights defenders from Gaza are also denied exit via the Erez crossing, and are not allowed to meet with their counterparts in Israel and the West Bank, nor to travel abroad, while international human rights workers are denied entry to Gaza via Erez.

Unlike on the Israeli side, there has been a significant increase in travel via the Rafah crossing on the **Egyptian border** as a result of its increased opening since June 2010. Despite the improvement, there are still restrictions on the categories of individuals permitted to travel through the border crossing.

5. Recommendations to the international community



Photo credit: Karl Schembri/Oxfam

Rafah fisherman Jamal Basala used to employ 20 fishermen on his trawler, but with the 3 nautical mile limit and daily shootings from Israeli naval forces his income has gone down to its lowest ever. He can no longer employ anyone and is receiving humanitarian aid.

Case Study: Jamal Basala and access to Gaza's fishing grounds

While the Oslo Accords entitled Palestinians to access maritime areas up to 20 nautical miles from the shore, Israel has progressively reduced the limit to 3 nautical miles, thus barring access to 85% of the area agreed in Oslo. This has had a devastating impact on Gaza's fishing industry, which is no longer able to reach schools of large fish which remain further out to sea. From 2008 to 2009, the total catch in Gaza decreased by 47%.⁶² The poverty rate among Gaza's 4,000 fishermen has reached nearly 90%, up from 50% in 2008. 63 Israeli naval forces are enforcing the limit by opening fire on fishing boats, even when they are within the 3 nautical mile limit, sometimes leading to casualties.

Renewed international action to ensure an immediate, sustained and unconditional lifting of the blockade in line with international law is necessary.⁶³ That includes allowing the movement of people into and out of Gaza, ending the ban on exports, allowing entry of construction materials including those for the private sector and raw materials, expanding operations of the crossings, lifting restrictions on fuel imports, and ensuring access to Gaza's agricultural land and fishing grounds. Security for both Israeli and Palestinian civilians must be ensured and the authorities must be able to make legitimate security checks on goods and persons going through the crossings in accordance with international law. Reinstating and respecting the rule of international law and enabling positive, self sufficient futures for the people will create more not less security for the civilian populations in Israel and the occupied Palestinian territory.

Primary responsibility for ending the blockade and ensuring the welfare of Palestinian civilians lies with Israel as the occupying power, which controls Gaza's air space, territorial waters, most crossing points and other important aspects of the lives of its inhabitants. The Hamas authorities in Gaza, the Palestinian Authority, and Egypt must also do their utmost to help Gaza's civilian population. This includes the obligation of the Hamas authorities to stop and prevent all attacks against Israeli civilians immediately.⁶⁴ The international community must do its part to ensure that its repeated appeals to end the blockade are finally heeded.

- 1) Launch a new, concerted diplomatic initiative for an immediate, unconditional and complete lifting of the blockade, including:
 - allowing movement of people including humanitarian staff into and out of Gaza;
 - allowing exports from Gaza;
 - allowing entry of construction materials including those for the private sector;
 - allowing entry of raw materials;
 - expanding operations of the crossings;
 - lifting restrictions on fuel imports;
 - ensuring access to Gaza's agricultural land and fishing grounds and the protection of civilians in these areas.
- 2) Convene a meeting of the UN Security Council to review the implementation of Resolution 1860 which emphasises "the need to ensure sustained and regular flow of goods and people through the Gaza crossings" and calls for "tangible steps towards intra-Palestinian reconciliation." Further action necessary for its implementation should be considered.
- 3) Plan a visit to Gaza as part of every high-level visit to Israel and the occupied Palestinian territory.
- 4) State explicitly that the ongoing blockade is illegal under international law.
- 5) Support genuine investigations into, and accountability for, violations of international human rights and international humanitarian law committed by all parties, including the Israeli forces and Palestinian armed groups as a way to prevent future violations.

Endnotes

- 1 Statement Following the Israeli Security Cabinet Meeting, 20 June 2010, <http://www.pmo.gov.il/PMOEng/Communication/Spokesman/2010/06/ spokemediniyut206010.htm>
- 2 For example, the Quartet Representative Tony Blair stated: "These changes are significant and, once implemented, should have a dramatic influence on the daily lives of the people of Gaza and on the private sector." The Office of Tony Blair, New Gaza Guidelines Will Support Health, Education, Water and Sanitation Projects, 5 July 2010, <http://www.tonyblairoffice.org/news/entry/quartet-representative-tony-blair-welcomes-israels-publication-of-controlle>.
- 3 Information from UNRWA Gaza as of 25 November 2010. Calculation is based on the total value of the planned construction in USD.
- 4 OCHA, Gaza Crossings Online Database, Period August-November 2010, <http://www.ochaopt.org/GazaCrossings.aspx>.
- 5 Israel as the occupying power in Gaza also has a duty to safeguard the health and welfare of the civilian population. International humanitarian and human rights law permits restrictions on the passage of goods and persons that are limited to what is necessary and proportionate to concrete security threats. Security measures must respect fundamental rights to free movement, health, decent living conditions, protection from hunger, as well as special duties to protect children.
- 6 Answer given by the Israeli state prosecutor in response to a lawsuit filed by the Israeli NGO Gisha: "It goes without saying that the very inclusion of this last qualification in the article shows that damaging the enemy's economy is in and of itself a legitimate means in warfare and a relevant consideration even while deciding to allow the entry of relief consignments." 17 November 2010, <http://www.gisha.org/UserFiles/File/Israel%20uses%20the%20closure%20as%20economic%20warfare.pdf>
- 7 International Committee of the Red Cross, Gaza Closure: Not Another Year!, 14 June 2010, <http://www.icrc.org/Web/Eng/siteeng0.nsf/htmlall/palestine- update-140610>.
- 8 Statement Following the Israeli Security Cabinet Meeting, 20 June 2010, <http://www.pmo.gov.il/PMOEng/Communication/Spokesman/2010/06/ spokemediniyut206010.htm>
- 9 OCHA, Gaza Crossings Online Database, values for January-May and August-November 2010 as compared to the first five months of 2007.
- 10 The 'negative list' was published on 4 July 2010 and includes two parts
 - A list of military and 'dual-use' (civilian and military) items. The dual-use part extends significantly beyond the internationally recognised Wassenaar Arrangement list of dual-use items which is also incorporated into Israel's domestic legislation
 - A list of construction items and materials to be allowed entry into Gaza only for international projects approved by the PA. Israel Ministry of Foreign Affairs, Gaza: Lists of Controlled Entry Items, 4 July 2010, http://www.mfa.gov.il/MFA/HumanitarianAid/Palestinians/Lists_Controlled_Entry_Items_4- Jul-2010.htm.
- 11 For example, industrial machinery and equipment and materials for water and sanitation projects. According to the WASH Cluster oPt, merely 25% of materials requested for WASH projects have been allowed into Gaza since the 'easing', although at least 61% of the materials are not listed as restricted items and therefore should be allowed without a special permit. Information from the WASH Cluster oPt, 27 October 2010. See also OCHA, The Humanitarian Monitor, September 2010, http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2010_10_19_english.pdf.
- 12 PalTrade, Gaza Strip - Crossings Bi-Monthly Monitoring Report, August-September 2010, 14 October 2010, http://www.paltrade.org/cms/images/ enpublications/GAZA%20REPORT%20Aug%20_%20Sep.pdf.
- 13 OCHA, Gaza Crossings Online Database, Period August-November 2010, <http://www.ochaopt.org/GazaCrossings.aspx>.
- 14 Information from UNRWA Gaza as of 25 November 2010.
- 15 Operation of the Karni conveyor belt was supposed to be increased from 80 truckloads on 2 days per week to 120 truckloads on 3 days per week. Maj. Gen. Eitan Dangot, Coordinator of Government Activities in the Territories, Easing of the Closure of Gaza, 6 July 2010, <http://dover.idf.il/IDF/English/ News/today/10/07/0601.htm>; OCHA, The Humanitarian Monitor, July 2010, http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2010_08_25_english.pdf.
- 16 OCHA, Gaza Crossings Online Database, values for January-May and August-November 2010, <http://www.ochaopt.org/GazaCrossings.aspx>
- 17 OCHA, Gaza Crossings Online Database, values for January-May and August-November 2010, <http://www.ochaopt.org/GazaCrossings.aspx>
- 18 Gisha, Facts Behind MFA Report on "Easing" of Gaza Closure, 21 September 2010, <http://www.gisha.org/index.php?intLanguage=2&intSiteSN=119&intLemId=1890>.
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