



## **Factsheet: Violations documented by Palestinian youth human rights defenders in the Gaza Strip**

**2019-2020**

This factsheet covers the violations documented by youth human rights defenders in the Gaza Strip throughout 2019 and 2020 as part of facts and figures that point to an overall systematic policy by Israel to violate the right to health and labor in the Gaza Strip.

The human rights defenders monitored and documented 483 violations in the Gaza Strip, committed by Israeli occupation forces throughout 2019-2020.

This paper will present the most prominent results of this documentation through a comprehensive tally of violations in the areas of operation, facts and figures.

### **Analysis of human rights violations in the Gaza Strip (restricted-access land and sea areas)**

#### **One: Right to Health**

The blockade imposed on the Gaza Strip caused considerable damage to the health sector, where the ratio of people to health centers was 13,149 persons to every one health center.<sup>1</sup> Moreover, there are only 13 hospitals in the Gaza Strip, with the ratio of physicians to population in Gaza at 10:10,000. There is one hospital for every 100,000 people in Gaza and 15 hospital beds for every 10,000 people. The period of empty hospital beds in Gaza hospitals does not exceed five hours. What's more, the Gaza Strip suffers from a shortage of medicine given that 50% of basic medicines have run out in addition to 25% of medical supplies and 60% of supplies for labs and blood banks.<sup>2</sup>

Throughout the preparation of this report, MIFTAH documented 41 violations pertaining to health services for citizens living close to access-restricted areas in Gaza, in addition to 13 allegations of medical negligence and 18 testimonies pertaining to bans on traveling outside the Strip for medical treatment. The results of the analysis of these violations are as follows:

#### **Provision of health care:**

Heart disease, circulatory illnesses, locomotor diseases, orthopedic diseases and neurological illnesses comprised over half of the documented cases (56%) while the other cases included

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<sup>1</sup> Gaza Strip Ministry of Health: annual population and health report , 2018; Page 22

<sup>2</sup> Gaza Strip Ministry of Health: annual report, 2019; Page 36



illnesses involving: cancer, kidney, urinary tract, glandular, breast, eyes, diabetes and ear, nose and throat.

The time it takes for sick persons in restricted areas to arrive to hospital is as follows:

51.2%: 10-20 minutes

41.5%: 20-40 minutes

7.3%: 40-60 minutes

97% of cases said there was a shortage of medicines in the health clinic closest to them

73% of cases said there was a shortage of physicians in the health clinic closest to them

78% said there was a shortage of beds in the health clinic closest to them

### **Emergency services:**

61% of violations were of the following: ambulances took 10-20 minutes to reach regions adjacent to access-restricted areas

39% of these included: emergency services that take 20-40 minutes to reach these areas

### **Disabled persons**

The cases of violations against the right to health: 51% of cases said either they or one of their family members had a disability.

91% of citizens monitored for health violations said neither they nor their family members with disabilities received free care.<sup>3</sup>

### **Treatment abroad**

Throughout the duration of this report, MIFTAH monitored violations against citizens' rights to receive treatment outside of the Gaza Strip, documenting 49 cases in access-restricted areas.

45% of these cases said they received medical referrals for treatment abroad.

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<sup>3</sup> Disabled Rights Law No. 4 of 1999, Article 10 cites special rights, including preventative and therapeutic services aimed at decreasing the percentage of disability in the society. Furthermore, Article 10 of the law stipulates that disabled persons should receive a disability card, which determines a package of services for these persons within an organized program. 94% of cases said they did not receive this card.



55% said they were banned from receiving medical referrals for treatment abroad.

Monitored cases indicated that the most prominent violations of their rights to seek treatment abroad include:

45.2% of cases said they were banned from travel for security reasons, usually with no justification.

16.1% of these cases said Israeli restrictions for traveling were placed on those accompanying them.

35.5% said one of the gravest violations was the lengthy waiting period for receiving a response to permit applications.

### **Medical negligence and medical errors**

In access restricted areas, MIFTAH monitored (11) allegations of medical errors or cases of medical negligence, half of which were while the cases were undergoing surgery. These cases varied between abuse of patients, inaccuracy of the diagnosis, or giving patients medication that were not appropriate to the patient's weight or age. The results of negligence also differed, some of which resulted in slight harm to the patient, but some of them resulted in death.

### **Two: Right to Work**

The term “land and sea buffer zone” applies to areas of land and sea, which Israeli military forces have unilaterally and illegally declared as a no-access zone along the eastern and northern land and sea border of the Gaza Strip following the redeployment plan in September, 2005. According to Israeli announcements, the buffer zone extends 300 meters along the northern and eastern border and into the Mediterranean Sea with various permitted areas for fishing, in accordance with security conditions.

The land buffer zones include the best farmland in the Gaza Strip, estimated at 27,000 dunums or 35% of the overall area of agricultural land in Gaza. This area is known for its abundant livestock, especially poultry and cattle barns. The ban on accessing these areas has limited farmers from planting various types of crops. Regarding fish stock in the Gaza Strip, this sector has been unable to effectively contribute to the local economy, whereby its contribution of the local product equaled 1%. This could be attributed to the meagre capabilities available to fishermen, coupled with the daily Israeli attacks on fishermen while they are out at sea, in addition to the decrease in the fishing area and the tightened maritime blockade.<sup>4</sup>

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<sup>4</sup> Palestinian Center for Human Rights; report on Israeli attacks in the buffer zone, 2017, pg. 8



The policy of collective and individual punishment, the blockade and siege on the Gaza Strip has resulted in the following:

In 2019, the number of unemployed over the past 15 years reached 217,000 people in the Gaza Strip while the unemployment rate in Gaza stands at 45% in comparison to 13% in the West Bank.<sup>5</sup> Furthermore, these measures represent a violation of international conventions and treaties.<sup>6</sup>

MIFTAH documented 92 violations pertaining to the right to work in regions adjacent to access-restricted areas in the Gaza Strip. According to the testimonies, MIFTAH documented 27 cases of insecticides sprayed by Israeli planes in the access-restricted areas, 28 cases of bulldozed agricultural land by Israeli forces, three cases of access restriction to agricultural land, 24 cases of gunfire on agricultural land and farmers and 23 cases of shelling on land and agricultural structures.

### **Restrictions on access to work places by occupation authorities**

- 99% of farmers and fishermen in access-restricted areas have experienced restrictions on reaching their farmlands in the eastern areas of the Gaza Strip or restrictions from reaching suitable fishing areas. All of the documented cases indicated that Israeli occupation authorities were the party that restricted their right to work.
- 96% of farmers subjected to violations of their right to work in access-restricted areas said Israeli forces opened fire, shot teargas or fired shells in some cases at them if they entered these access-restricted areas.
- The documented cases indicated that 75% of access restrictions extended from 300 meters to the separation fence, while 17% said they were in areas ranging from 300-600 meters from the separation fence. Furthermore, 8% of the cases were barred from approaching distances of one kilometer.
- Violations of farmers' rights in access-restricted areas are not limited to gunfire or prohibiting them from approaching these areas; 73% of farmers said they were also subjected to

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<sup>5</sup> Palestinian Central Bureau of Statistics; basic results of work force survey for the third quarter of 2019 (July-September, 2019)

<sup>6</sup> Article 23 of the Universal Declaration of Human Rights stipulates: Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment. The International Covenant on Economic, Social and Cultural rights, Article (6/1): recognizes the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts." Article (6/2) stipulates: "The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes." Article (2/1) of the International Labor Organization, No. 122 of 1964 stipulates that: "there is work for all who are available for and seeking work". This is also a violation of the Fourth Geneva Convention, which stipulates that all practices are banned, which could result in unemployment for those working in the occupied country or limit their possibilities for jobs with the intent of enticing them to work in the service of the occupying power.



insecticides and herbicides regularly sprayed on their farmland by Israeli planes and which ruined their crops.

- Also, 82% of farmers said their crops were ruined because of Israeli army shelling into agricultural areas.
- 73% of cases indicated that their land, which is near the separation border fence between the Gaza Strip and 1948-lands [inside the Green Line], was bulldozed and leveled, resulting in the ruin of their crops.
- Regarding the fishermen, all 10 documented cases stated they had been subject the risk of arrest, gunfire or of their fishing boats being impounded.
- Farmers are banned from exporting their produce whereby 70% of the documented farmers said they were barred from exporting produce abroad such as vegetables, strawberries, flowers, citrus and other crops.
- Furthermore, 63% of farmers were barred from importing the necessary raw and basic materials for farming; 22% said they were banned from importing agricultural medicines while 33% said they were prohibited from importing agricultural machinery and 19% said they were barred from importing fertilizers.

**Facts on violations against farmers, fishermen and sick Gazans barred from traveling outside of the Gaza Strip:**

**Incidents of gunfire/shelling at farmers in access-restricted areas according to governorates, between January 1, 2015 and June 25, 2020 <sup>7</sup>**

Governorate	Number of incidents
Northern Gaza	212
Gaza	160
Deir Al Balah	260
Khan Younis	356
Rafah	104
Total	1092

**Israeli violations against fishermen between January 1, 2015 and June 25, 2020 <sup>8</sup>**

<sup>7</sup> Mezan Center for Human Rights

<sup>8</sup> Mezan Center for Human Rights



Number of incidents of gunfire at fishermen	1,306
Number of detainees	381
Number of child detainees	5
Number of casualties	5
Number of injuries	115
Number of impounded boats and fishing equipment	99
Number of confiscated boats	116
Number of vandalism incidents of boats or fishing equipment	66

Three: Results of application requests for patients from January 1, 2015-December 31, 2019 <sup>9</sup>

Case	Number
Rejected	7,877
Delayed	37,117

- In the first half of 2020, 172 violations against fishermen’s rights were documented, based on the following patterns: restriction of fishing area allowed for Palestinian fishermen; gunfire at fishermen while they are on their boats at sea, resulting in martyrs and wounded; pursuit of fishermen and their boats at sea and their arrest; and impounding of fishing boats and equipment onboard and vandalizing fishing nets, power generators and boat lights. <sup>10</sup>
- These violations were reflected in the number of those working in the fishing sector; the number of fishermen and those working in a fishing-related trade in 2019 in the Gaza Strip was

<sup>9</sup> Mezan Center for Human Rights/ Gaza Strip

<sup>10</sup> Mezan Center: 172 Israeli violations against fishermen since the beginning of the year, published on 4/7/2020 on the Watania website:

<https://www.watania.net/news/161532-%D9%85%D8%B1%D9%83%D8%B2-%D8%A7%D9%84%D9%85%D9%8A%D8%B2%D8%A7%D9%86-172-%D8%A7%D9%86%D8%AA%D9%87%D8%A7%D9%83%D8%A7-%D8%A7%D8%B3%D8%B1%D8%A7%D8%A6%D9%8A%D9%84%D9%8A%D8%A7-%D8%A8%D8%AD%D9%82>



5,606 workers, including 3,606 fishermen. In contrast, in 1997, this number stood at 10,000 workers, according to data obtained from the PCBS.

- The areas allowed for Palestinian fishermen range from six nautical miles in the Gaza and northern Gaza districts, to 9-15 nautical miles in the central districts, Khan Younis, Rafah and southern Gaza in addition to a one-mile area prohibited for marine activity, parallel to the water borders of the southern Gaza Strip and 1.5 miles parallel to the northern water border. This deprives fishermen from accessing fishing areas with the widest variety of fish. It should be noted that the decrease or increase of the fishing radius determined by Israeli authorities is still under the approved borders according to the UN Convention on the Law of the Sea and even below the borders determined by the Oslo Accords. What's more, the median number of days in which the sea is closed off to fishermen range between 10-15 days a month.
- In the first six months of 2020, the safe or permitted fishing area in the northern Gaza Strip was six nautical miles, which fishermen were prohibited from entering before 5:00 a.m. due to the security situation in the area.
- Fishermen are constantly being subjected to violations by Israeli occupation forces, which take on several forms, such as gunfire, being directly targeted or arrested or their boats and fishing equipment confiscated.
- In the last seven years, three fishermen have been killed in northern Gaza by Israeli occupation forces while five were wounded and suffered permanent motor or optical disabilities from gunshot wounds.
- 13 fishing boats and two rowboats were confiscated by Israeli occupation forces after intercepting the fishermen at sea.<sup>11</sup>

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<sup>11</sup> Data from the Mezan Center for Human Rights on Israeli violations against fishermen in the Gaza Strip and their impact on the economic situation, 2019.