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HUMAN RIGHTS COUNCIL  
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### **HUMAN RIGHTS SITUATION IN PALESTINE AND OTHER OCCUPIED ARAB TERRITORIES**

**Joint written statement\* submitted by International Federation for Human Rights  
Leagues (FIDH) and The Palestinian Centre for Human Rights (PCHR), non-  
governmental organizations in special consultative status**

The Secretary-General has received the following written statement which is  
circulated in accordance with Economic and Social Council resolution 1996/31.

[20 February 2008]

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\* This written statement is issued, unedited, in the language(s) received from the  
submitting non-governmental organization(s).

### **Human rights situation in Gaza**

**"The food table in the Gaza Strip is now severely deficient because of the siege and closure....If this siege is maintained, then current malnutrition interventions and preventions will not be sufficient. Child morbidity and mortality will both increase [in Gaza]. We will not be able to cope."**

**Dr Adnan Al-Wahaidi, Medical Director of the Ard El Insan Child Nutrition Centre in Gaza city.**

As human rights organisations committed to the promotion and protection of international human rights and humanitarian law, the Palestinian Centre for Human Rights (PCHR) and the International Federation for Human Rights (FIDH) remain gravely concerned about escalating Israeli violations of international law in the Occupied Palestinian Territory (OPT). These include violations of the rights to life, the right to freedom of movement, including freedom of movement in order to work, the right to access medical treatment, and the right to adequate food. These human rights violations are seriously affecting every aspect of civilian life in the OPT.

Regarding the situation in the Gaza Strip, PCHR and FIDH have repeatedly condemned the siege and closure of the Gaza Strip, as well as escalating Israeli military attacks which have killed 105 Palestinians in Gaza since the beginning of this year. Fifty six of the victims were civilians, including 8 women and 3 children. In addition, more than 250 Palestinians have been injured by Israeli military attacks in the Gaza Strip since the beginning of the year, including civilians who sustained life- long injuries. PCHR and FIDH condemn all attacks on civilians, and are gravely concerned that the Israeli military continue to use disproportionate force, and to launch extra-judicial execution operations in densely populated Gaza neighbourhoods, where it is impossible to distinguish between civilians and military targets.

On 7 February, 2008, at approximately 7.30 am, an Israeli surface-to-surface missile hit the Beit Hanoun Secondary Agricultural School in the northern Gaza Strip. An estimated 70 students and 35 school teachers and other staff were in the schoolyard at the time. One of the school teachers, forty-one year old Hani Sha'ban Na'im, was killed instantly. Two seventeen year old students were also critically injured in the attack. Attacks of this nature are a violation of international human rights law, including the (1949) Fourth Geneva Convention.

In addition to launching extra-judicial execution operations in the Gaza Strip without regard for the lives of Palestinians civilians, Israel is also subjecting the people of Gaza to deprivations, imprisonment and masse collective punishment. Collective punishment of a civilian population is illegal under international human rights law and humanitarian law; however Israel has intensified its siege and closure of the Gaza Strip over the last eighteen months, especially since declaring the Gaza Strip "A Hostile entity" on September 19, 2007. As a direct result of the continuing siege and closure of the Gaza Strip, there are now

chronic shortages of medicines, numerous commodities and certain foods, including vital fresh foods, and even fresh drinking water.

At Gaza's largest hospital, the Al-Shifa hospital in Gaza city, an increasing number of essential drugs are now totally unavailable. Out of an essential drug list of 480 items recommended by the World Health Organisation (WHO), the hospital is 90 items short. Of the 390 remaining items in stock, Al-Shifa has less than three months supply of 130 items. In addition to suffering chronic drug shortages, patients are also systematically being denied access to medical facilities outside of the Gaza Strip, even when this denial of access is life-threatening. PCHR has documented 26 patients from Gaza who have died as a direct result of being denied access via Erez Crossing to medical facilities in Israel, including six children.

Ten year old Shireen Abdallah Abu Shawareb recently died from a heart condition that could not be fully treated in the Gaza Strip. Shireen had been treated at the Rambam Medical Centre in Haifa, but in December 2007 she was denied a permit to leave the Gaza Strip a second time in order to resume treatment at Rambam medical centre. By the time the Israeli authorities had finally agreed to issue Shireen a permit, her health had seriously deteriorated. She died in Gaza on 15 January, 2008.

Access to appropriate medical facilities, like access to adequate food and fresh water, are basic human rights that are being denied to the 1.5 million citizens of the Gaza Strip. There are now severe shortages of fresh meat throughout Gaza. Meanwhile, fifty percent of Gaza households (around 750,000 people) are short of fresh drinking water on a daily basis, because there is not enough fuel to power their electric water pumps for more than 4-6 hours per day. There are daily power cuts across the Gaza Strip, affecting all sectors, including medical facilities. In addition, there are severe shortages of fuel for private cars. Between 1-15 February, Israel allowed an average of 7,570 litres of benzene to enter Gaza per day – this represents 4.6% of the daily needs of the people living in the Gaza Strip.

Ard El Insan is a Palestinian NGO that treats children under five years of age suffering from malnutrition. Last year Ard El Insan treated more than 8,400 malnourished children at its centre in Gaza city, plus another 8,000 children at its centre in the southern Gaza Strip. The Medical Director, Dr Adnan Al-Wahaidi, describes the consequences of the siege and closure of the Gaza Strip as "Very severe for babies and young children," especially with regard to child stunting due to prolonged exposure to malnutrition. According to the Palestinian Central Bureau of Statistics, 10.2% of children in the Gaza Strip are now suffering stunted growth due to chronic malnutrition. However, the World Food Program (WFP) is currently unable to provide 84,000 of its poorest beneficiaries with their full aid rations due to the continued siege and closure of Gaza. Dr Al-Wahaidi describes the current food table in the Gaza Strip as "Severely deficient because of the siege and closure."

In addition to denials of the rights to medication, appropriate medical facilities, food, fuel and water, Israel is also denying children in the Gaza Strip their right to education. There is now a severe shortage of paper in schools across the Gaza Strip. The second term of the school year started on 2 February, and the Ministry of Education in Gaza has informed PCHR that 1.5 million schoolbooks are still needed for Gaza's 450,000 school children, many of whom are now studying without text books due to the siege and closure.

Israel has not only allowed a humanitarian crisis to emerge in the Gaza Strip: it has manufactured a chronic humanitarian crisis in Gaza in defiance of international law, as a tool of collective punishment against the citizens of Gaza. PCHR and FIDH have repeatedly called on the International Community to honour their legal and moral obligations as High Contracting Parties to the Fourth Geneva Convention, in order to ensure Israel's respect for the Convention in the Occupied Palestinian Territory (OPT). In addition, PCHR and FIDH have reiterated that failure to act by the international community has encouraged Israel to act as if it is above the law, and encourages Israel to violate international human rights and humanitarian law.

Last year 491 Palestinians, including 296 civilians, were killed by the Israeli military in the OPT. Eighty four of them were killed in the West Bank, and 407 were killed in the Gaza Strip. Since the beginning of this year another 115 Palestinians have already been killed by the Israeli military; ten have been killed in the West Bank and 105 in the Gaza Strip. The human rights situation throughout the OPT remains critical.

PCHR and FIDH reiterate that any political settlement not based upon international human rights law and humanitarian law cannot lead to a peaceful and just solution of the Palestinian question. Rather, such an arrangement can only lead to further suffering and instability in the region. Any peace agreement or process must be based on respect for international law, including international human rights and humanitarian law in order to protect the lives and human rights of all Palestinian civilians.

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