

Held Back: Students Trapped in Gaza

June 2008



- ↪ Hundreds of young Palestinian men and women are trapped in the Gaza Strip and cannot leave to pursue academic studies abroad.
- ↪ The closure that Israel has imposed on Gaza is preventing these students from exercising their right to freedom of movement, to access education and to develop their potential, and it is devastating the Palestinian academic community.
- ↪ Last year, hundreds of students in Gaza lost their places at foreign universities, and if the closure continues, hundreds more will be unable to travel to their places of study for the upcoming academic year.
- ↪ Gisha – Legal Center for Freedom of Movement calls for all students in Gaza to be permitted to exercise their right to freedom of movement and to access education – including at universities abroad.

מרכז לשמירה על הזכות לנוע (ע"ר)
Legal Center for Freedom of Movement
مركز للدفاع عن حرية الحركة



Cover Photo: Gisha. Christian pilgrims in Gaza given rare opportunity to travel,
December 2007.

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1.5 Million People in Isolation

Introduction

Since June 2007, when the Hamas movement seized control of the internal governmental institutions of the Palestinian Authority in the Gaza Strip, Israel has kept Gaza's borders almost entirely closed. The closure is part of a wider policy of collective punishment which Israel has adopted towards the residents of the Strip.¹

The closure denies the 1.5 million residents of the Gaza Strip the option of leaving the Strip or reentering it. Medical treatment, higher education and further training, travel for work and business, family visits and reunification – all these are denied to Gaza residents. All connection between Gaza residents and the outside world has been severed. Among those trapped are hundreds of young men and women who have been accepted to study at academic institutions abroad but are being prevented from traveling to pursue their studies.

Israel is able to implement its closure policy due to its ongoing control of the borders between Gaza and the outside world, control which continues despite implementation of the “disengagement” plan in September 2005, in which Israel removed permanent military installations and civilian settlements from Gaza. Israel maintains full control of the Gaza Strip's territorial waters and air space, as well as all overland border crossings between the Strip and Israel. In addition, Israel maintains substantial control of the overland border crossings between Gaza and Egypt, since it holds veto power over the opening of the Rafah Crossing to regular traffic. Israeli control over movement, together with control over other significant

Israel's prevention of hundreds of young Gaza residents who have been accepted into academic institutions abroad from traveling to pursue their studies constitutes one of the most severe effects of the Gaza Strip closure

aspects of life in Gaza, create obligations for Israel under the law of occupation and under other international law provisions.²

However, Israel categorically denies owing any obligations towards the civilian population in Gaza and has been implementing punitive measures against the

civilian population as a means of pressuring Hamas and armed groups in the Strip. Doing so violates various provisions of international law, including the prohibition against collective punishment.

The isolation of the Gaza Strip is crippling Palestinian civil society, especially the system of higher education, because students are not permitted to leave Gaza for study, and foreign lecturers and others are not permitted to enter. These restrictions are not explained by reference to specific security concerns regarding individuals. Rather, they are part of a comprehensive closure policy which is violating the rights of the students to freedom of movement and to pursue higher education.

¹ The policy was explicitly expressed in the Security Cabinet's decisions of September 5 and 19, 2007. The texts of the decisions can be viewed on the website of the Prime Minister's Office: www.pmo.gov.il.

² Gisha – Legal Center for Freedom of Movement, *Disengaged Occupiers: The Legal Status of Gaza*, January 2007, pp. 64-95. Israel continues to exercise governing powers in Gaza, such as control of the taxation system and the population registry (including the power to determine who is a resident of Gaza and who is entitled to live there). See pp. 30-58.

Higher Education Under Closure

The Higher Education System in Gaza

The opportunities for acquiring higher education throughout the Palestinian territories are limited. There are no doctorate-level programs at Palestinian universities, and the options for Master's-level programs are limited.

The state of higher education within the Gaza Strip is even more limited. Many medical and para-medical courses are not offered in Gaza, including occupational therapy, speech therapy, dentistry and physiotherapy. The limitations of the higher educational system in Gaza are due to, among other things, the restrictions on entrance to Gaza for non-residents – a policy that Israel has enforced throughout the 41 years which it has controlled Gaza's borders. Through these restrictions, Israel has impeded entry to the Strip of lecturers and academics from abroad and even from the West Bank. This includes both those who sought entrance to Gaza to participate in particular academic activities and those who wished to join academic faculties there for long-term positions.³

Concurrently, Israel has limited the opportunities of lecturers and academics living in Gaza to travel abroad to pursue scholarly and research activities. These harsh restrictions were transformed into a total travel ban as of June 2007. Thus ties

Israel has severed ties between the academy in Gaza and the international academic community • Study abroad is the only option available to many students wishing to pursue advanced degrees

between the academy in the Gaza Strip and the academic community in the West Bank, Arab states, Western countries and the rest of the world have been severed.

The movement restrictions that Israel imposes on student residents of Gaza are even more intense. Since 2000, Israel has totally prohibited Palestinian residents of Gaza from studying in the West Bank⁴ and has banned Gaza residents accepted to

Israeli academic institutions from entering Israel for their studies.⁵ Travel abroad is therefore the last remaining option for students wishing to pursue academic studies in the many fields not offered in the Gaza Strip.

But since June 2007, this option has been severely restricted, too. The inability to travel is stifling the aspirations of young Gaza residents who dream of making a contribution to the development and welfare of Palestinian society through further education.

³ See Gisha, *Disengaged Occupiers*, p. 32-36.

⁴ Gisha – Legal Center for Freedom of Movement, “*Position Paper on Limitations on Access to Higher Education for Palestinian Students*”, December 2006. Gisha filed 10 petitions with Israel's High Court of Justice against the restrictions on behalf of 10 student residents of Gaza who wished to study occupational therapy in the West Bank. The petitions were rejected. See HCJ 11120/05 *Hamdan and others v. Commander of the Southern Command and others* and the nine related petitions (judgment of August 7, 2007, unpublished).

⁵ See HCJ 4496/07 *Madhoun and others v Commander of the Southern Command and others* (judgment of June 4, 2007, unpublished).

Wissam Abuajwa

A 31-year-old resident of Gaza City, Mr. Abuajwa has been trying to pursue a Master's degree in Environmental Science since 2001. Recently, in 2007, he was accepted to a program at Nottingham University in the UK – but has been trapped in Gaza.

“The environmental sciences are relevant to every person's daily life and are especially pertinent in Gaza. The infrastructure here is on the verge of collapse.



Garbage is piling up in every corner, the sewage is not properly treated, and the water and air are extremely polluted.

“There is no program in environmental sciences at the universities in Gaza. My dream is to return from my studies abroad and establish an institute for the research and study of the environment. There is an urgent need for

Photo: Gisha

environmental experts in Gaza, largely due to the recent, severe deterioration in the state of the infrastructure and the quality of life of residents.

“Over the past seven years, I have made repeated attempts to reach my studies, and each has ended in disappointment: I was accepted into a program at the Arava Institute in Israel, but unfortunately I could not get there because of the security situation. Afterwards I tried to travel to Germany to study, but the Israelis wouldn't let me go.

“Last year I was accepted into a program in the UK with a full scholarship, but due to the closure I was unable to travel there. This year they agreed to give me the scholarship once more. I am now trying to leave again and I'm worried that I won't succeed. All I want is to finally get to the university and begin my studies”.

Chronicle of Closure

June 2007-May 2008

The closure of the Rafah border crossing between Gaza and Egypt in June 2007 turned the Erez border crossing between Gaza and Israel into the sole remaining gateway to the outside world for the Gaza Strip's 1.5 million residents. But this crossing is also closed to the vast majority of the Strip's residents, except in isolated cases – primarily for critically ill people in need of life-saving medical care, subject to the condition that the security forces do not object to allowing them to enter Israel or to pass through its territory for treatment.⁶

Tens of thousands of students, medical patients not included in the category above, businesspeople and those with family members in the West Bank or abroad – remain trapped in the Gaza Strip. Since the closure of the Rafah border crossing and until recently, those who requested to leave the Gaza Strip to travel overseas registered with the Palestinian Civil Affairs Committee. The Committee was charged with facilitating their exit by sending requests to the Israeli Coordination and Liaison Administration at the Erez crossing, which is responsible for issuing permits to leave Gaza via Erez Crossing.

Through the end of 2007, thousands of requests from Gaza residents seeking to leave piled up at the offices of the Civil Affairs Committee in Gaza, but Israel approved the exit of just a few hundred.⁷

In August-September 2007 and again in December 2007-January 2008, Israel did arrange shuttle bus services which allowed Gaza residents to travel via the Erez crossing directly to the Nitzana and Kerem Shalom border crossings between Israel and Egypt. The buses were approved following pressure from inside and outside Gaza to allow some relief, including petitions submitted to the Israeli High Court of Justice on behalf of Gaza residents urgently needing to travel abroad. In total, however, only around 480 students successfully exited the Gaza Strip via the shuttles during the 2007-2008 academic year – less than half of those who wanted to leave. Most reached their destinations late, missing the first semester of studies.

As of December 2007, 1,100 students and family members had requested to leave Gaza, but Israel permitted just 400 to leave on the "shuttles". During that year, an unknown number of additional students gave up on studying abroad due to the travel restrictions.⁸ Since January 13, 2008, Israel has not allowed any students

⁶ There are many cases where Israel has prevented sick people from Gaza from entering its territory for medical treatment or for passage to the West Bank or Jordan for medical treatment. See Physicians for Human Rights-Israel, *Israeli Policies at Erez Crossing, Gaza: Medical-Ethical Position Paper*, August 2007, available at <http://www.phr.org.il/phr/article.asp?articleid=480&catid=42&pcat=42&lang=ENG>. See also: World Health Organization, *Health Sector Surveillance Indicator Monitoring the Health Sector in the OPT*, Issue No. 22, Feb- Mar 2008.

⁷ See Gisha news release, January 1, 2008: "Israel Still Preventing 625 Students from Leaving Gaza", available at www.gisha.org.

⁸ As of December 2007, some 1,100 students were waiting to leave the Gaza Strip, but Israel permitted fewer than half to leave via the shuttles. Between August 26 and September 6, 2007, around 550 people left via the shuttle services, including approximately 80 students. However, by October 17, 2007, there were 6,400 people still waiting in Gaza to travel abroad, including 670 students and 40 family members (spouses and children) who wished to accompany them. Six additional shuttles operated between December 2 and 11, 2007, and a final shuttle that allowed students to travel (as of publication of this report) exited on January 13, 2008. Some 1,400 people left the Strip with these shuttles, including 403 students and family members. See Gisha – Legal Center for Freedom of Movement, *Israel Undermines Higher Education – and its Own Best Interest – in Gaza*, October 2007; available at:

from the Gaza Strip to travel abroad via the shuttle services. Currently there is no mechanism whatsoever to facilitate their exit – even the limited and arbitrary shuttle bus system is no longer available to students.

On January 23, 2008, following almost seven months of nearly total closure, the border fence between the Gaza Strip and Egypt was breached, and for four days, it was possible to cross the border freely from Gaza to Egypt and back. Tens of thousands of Palestinians crossed from the Gaza Strip into northern Sinai in search of essential goods and fuel which had become scarce in the Strip. Movement through the crossing was gradually restricted until the border was re-sealed on February 2, 2008.

A number of residents of the Strip, including some students, were able to take advantage of the opportunity created by the border breach to leave Gaza and travel overseas via Egypt. The breach of the border also allowed hundreds of residents who were stuck outside Gaza to return to their homes. It is difficult to estimate the number of Gaza residents, and the students among them, who successfully exited during those brief days when the border was open. However, this opportunity came too late for many students, who had already missed more than one and a half semesters of the academic year, and thus had to forfeit their places at their respective universities, as well as any scholarships that had been awarded to them and in some cases also visas.

Since then, the Rafah border crossing has remained closed, except in a few isolated and exceptional cases where it was opened through coordination between Egypt and Hamas in Gaza. In those cases, most of those permitted to cross were critically ill. This occurred, for example, during the extensive Israeli military operation in the Gaza Strip in early March 2008, when the Rafah border crossing was opened in order to evacuate the wounded to Egypt. It also occurred on May 10-12, 2008, when Egypt allowed a few hundred medical patients and holders of foreign

residency to enter its territory via Rafah. But on those isolated occasions when the Rafah border crossing was opened in a limited fashion, students and the thousands of others were not allowed out of Gaza.

Currently the State of Israel continues to openly oppose the reopening of the Crossing and refuses to participate in

its operation via the Agreement on Movement and Access, which requires Israeli participation.⁹ Rafah Crossing has remained closed to regular traffic.

The ad hoc and limited openings of the Rafah Crossing for humanitarian cases are no substitute for a regular and reliable system that would allow Gaza residents to travel abroad. Israeli control of the Gaza Strip's borders, its opposition to the opening of Rafah Crossing and its continued exercise of effective control over the lives of Gaza residents impose upon Israel a legal obligation to facilitate a mechanism that permits exit from Gaza.

**During the last academic year,
Israel allowed less than half the
students registered for studies
abroad to leave Gaza • Most
missed the first semester of
their studies**

http://www.gisha.org/UserFiles/File/publications_english/Publications%20and%20Reports_English/Appendix%20to%20Press%20Release%2022.10.07_eng.pdf. See also Gisha news release, "Israel Still Preventing at Least 625 Students from Leaving Gaza", available at www.gisha.org.

⁹ See State's Response of June 29, 2007, to a petition submitted by the Hamoked: Center for the Defence of the Individual, HCJ 6475/07 *Abu Laban and others v. Commander of the Southern Command and others*; Gisha, *Disengaged Occupiers*, pp. 32-39; *Agreed Documents on Movement and Access from and to Gaza*, Israel-Palestinian Authority, November 15, 2005; available at : www.mfa.gov.il.

No Exit for Students

Israel's Position for the Upcoming 2008-2009 Academic Year

For some time Gisha has been lobbying the Israeli security authorities to arrange a regular mechanism that will allow student residents of Gaza to travel abroad for study.¹⁰ The importance and urgency of such a system is intensifying as the start of the 2008-2009 academic year draws nearer. However, even as this report is published, Israel maintains its strict policy. It has announced that **it has no intention of allowing student residents of Gaza to travel abroad to study.**

This contradicts earlier promises to reinstate the shuttle services. In response to Gisha's requests, representatives of the Office of the Coordinator of Government Activities in the Territories stated that **"at the present time, residents will only be allowed to leave the Gaza Strip in exceptional humanitarian and emergency medical cases"**.¹¹

During a Supreme Court hearing in the case of a young Gaza resident who sought to travel abroad to study, the State Attorney further claimed that **"the State of Israel bears no legal obligation" to allow a student to go study overseas,** since it maintained that **"the entry of students from Gaza to Israel so that they can travel abroad to study is far beyond the humanitarian standard which Israel is obligated to uphold"**.¹²

Through this argument, the State of Israel – the entity which exercises primary and effective control over the borders of the Gaza Strip – repudiates its obligation to facilitate the functioning of normal life in the Strip and to safeguard the rights and welfare of the residents affected by the border closures.¹³ In spite of the responsibilities imposed on Israel by the laws of occupation and by force of international human rights conventions to which Israel is a party, the State of Israel sees its obligations towards the residents of Gaza as limited to "the humanitarian minimum".¹⁴ Meanwhile, it is implementing policies that are leading to the collapse of Gaza's economic, social, medical, and educational institutions.

¹⁰See, for example, letter from Adv. Noam Peleg of Gisha to the Minister of Defense on the issue of creating a mechanism to allow student residents of Gaza to travel overseas to study, March 23, 2008 (on file with the authors). Additionally, in the month preceding the publication of this report, four petitions were submitted to the High Court of Justice on behalf of students seeking to travel abroad to study: see HCJ 4389/08 *Nayef and others v. The Minister of Defense and others*; HCJ 4385/08 *Abuajwa and others v. Minister of Defense and others*; HCJ 4387/08 *Obeid and others v. The Minister of Defense and others*; HCJ 3794/08 *Abu Hashem and others v. The Minister of Defense and others*.

¹¹ See letter of Capt. Hussam Dagesh, Public Affairs Officer at the Office of the Coordinator of Government Activities in the Territories, to Gisha of February 21, 2008 (emphasis added to quote; the letter is held by the writers of this report). Moreover, it should be noted that the army restricts exit from the Strip even in cases where life-saving medical treatment is required. See footnote 6 above.

¹² See the State's response of April 27, 2008, in a petition submitted by the Hamoked: Center for the Defence of the Individual on behalf of a student seeking to leave Gaza, HCJ 3594/08 *Abasi and others v. The Commander of the Southern Command and others*.

¹³ See: *Disengaged Occupiers*, ch. 4.

¹⁴ See HCJ 9132/07 *Al Bassiuni and others v. Prime Minister* (judgment of January 30, 2008, unpublished). In this case, the Supreme Court accepted the state's claim that its obligations towards Gaza residents are limited to refraining from "harming the humanitarian needs of the residents of Gaza," in contradiction of the position of the 10 petitioning Israeli and Palestinian human rights organizations, represented by Gisha and Adalah – The Legal Center for Arab Minority Rights in Israel. The decision has been condemned as condoning collective punishment.

A representative of the Palestinian Civil Affairs Committee in Gaza:

"In the past, when there were shuttle services for Gaza residents who wanted to travel abroad, we collected the requests and passed them on to the Israeli Coordination and Liaison Administration headquarters at Erez. Currently there is no system whatsoever to allow Gaza residents to exit the Strip... The Israelis are refusing even to receive any such requests from us.

"The Civilian Affairs Committee is in a very sensitive position: We are constantly receiving so many applications from Gaza residents, who see us as their only hope, but there is nothing that we can do with these requests".

Zainab Zomlot

A 30-year-old resident of the Atuwam neighborhood, near Gaza City; She has been accepted to a doctoral program in Water Supply Engineering at the Free University in Brussels.

"My studies were supposed to begin in March 2008. I tried approaching the Civil Affairs Committee in Gaza, but the response I got was that there is no possibility of leaving the Strip. I contacted the main offices in Ramallah, which are in charge of the Civil Affairs Committee on behalf of the Palestinian Authority, but I got the same response.



Photo: Gisha

"I also contacted the Belgian Consulate in east Jerusalem, but they couldn't help me. The university that accepted me in Brussels approached the Delegation of the European Union in Tel Aviv and Cairo, but nothing has come of that so far.

"My little son is just one month old. In spite of the difficulties involved in traveling overseas to study right now – I'm ready to do it. I believe that the higher education of a mother has a very positive influence on the future of her children. The Gaza Strip, where I intend to raise my children, is a place with a lot of water problems. I hope that through my studies overseas I will acquire new tools that will contribute to the development of the region in the future".

Not Giving Up on the Right to Pursue Higher Education

Young Adults in Gaza and the International Academic Community

Miram Abu Daqqa

A 34-year-old resident of Khan Yunis; She was awarded a full scholarship by the Fulbright Foundation to study for a doctorate in English literature at Tulsa University in Oklahoma, USA.

"I was supposed to begin my studies in the USA in August 2007, but I only got a permit from the Israeli army to travel to the US Consulate in east Jerusalem in February 2008. They required that I appear personally for an interview in order to get a visa for the USA.

"The university where I was accepted... agreed that I could arrive even as late as the middle of the second semester, but I wasn't able to leave Gaza. As a result, I lost my place at the university and my scholarship. These studies were the only way forward for my professional development, because there is no doctoral-level program in the Gaza Strip.

"English literature is a field that I truly love, and it is also one that is in demand at the universities in Gaza. Currently I work as a lecturer at the Islamic University in Gaza, but if I could successfully complete a PhD I would have far more to offer.

"I think that if more young people from Gaza are able to go abroad to study, the academic standards in Gaza will improve".

During the 2007-2008 academic year, hundreds of students living in Gaza lost their places and scholarships at foreign universities because the Israeli closure of the Strip prevented them from reaching their places of study. As the 2008-2009 academic year approaches, some of them have been forced to go through the application and registration processes all over again, including new applications for scholarships.

A representative of an organization coordinating overseas travel for students in Gaza:

"In preparation for the 2007-2008 academic year, we have worked intensively in order to ready students from Gaza for travel abroad to study. We held courses in English and in preparing for interviews, and we helped the students get visas for their destination countries.

"But the closure is sending all our efforts down the drain. It is creating a very pessimistic atmosphere in our organization. We feel like an external body is toying with the fate of the Palestinian residents of Gaza.

"In spite of everything we are not giving up. We are continuing with our efforts to prepare the students for the upcoming academic year".

Among the hundreds of student residents of Gaza who have been accepted to study at universities abroad, many have been awarded scholarships and stipends by various foundations. The fact that a significant portion of the students who won scholarships for the previous year did not reach their destinations overseas has led some of the foundations to reconsider their continued support of students from Gaza.

Despite all the challenges, the students in Gaza refuse to let go of their dreams, and many of the foundations and foreign universities refuse to give up on the opportunity to contribute to the development of the Palestinian higher education system. These foundations and universities want to continue to grant talented young adults from the Gaza Strip the opportunity to acquire the tools they need to help build a flourishing society in Gaza.

A senior representative of a British scholarship fund:

"We were very angry when we learned that a young Gaza resident to whom we had awarded a scholarship for graduate studies was unable to leave for almost a year. We have a limited number of scholarships and a large number of candidates competing for them. Winning one of the scholarships is an outstanding achievement that indicates the exceptional abilities of that student.

"We don't understand what Israel gains by preventing such a talented young person from pursuing higher education. We believe that quality higher education for the residents of Gaza is in Israel's interest, since the Israelis and the Palestinians will eventually need to learn to live side by side.

"We believe that quality higher education for the residents of Gaza is in Israel's interest, since the Israelis and the Palestinians will eventually need to learn to live side by side".

"Now more than ever we are convinced that we should continue to award scholarships to students from Gaza. If they are unsuccessful in their attempts to reach the universities, we will hold the scholarships for them until they arrive.

"We deplore all attempts to silence the talented young residents of Gaza and oppose the policies preventing them from exercising their basic right to pursue higher education and make use of it to help develop their society and communities".

Conclusion

Mona Bkheet

A 28-year-old-resident of the Nuseirat refugee camp; She was accepted to a doctoral program in Water Resources Planning and Management, at Southern Illinois University Carbondale, USA.



Photo: Gisha

future and the efforts that I have invested in my studies in recent years – everything fell apart at the moment I entered Gaza.

"In the summer of 2007, during the vacation between finishing my Masters and starting my doctorate, I went to visit my family in the Gaza Strip after not seeing them for two and a half years.

"I found myself stuck here. I missed the first and second semesters, and soon it seems I'll miss the summer semester too ...

"All my plans for my

"The closure is suffocating our spirit, our dreams, our lives and our future. It is causing a sense of hopelessness among the people of Gaza – especially the children and young people".

The kind of future that the young people of Gaza can look forward to looks bleaker day by day. The Israeli closure has created a severe economic crisis and is causing a collapse of the infrastructure in the Strip, while the schools and higher education system are disintegrating.

Despite the severe crisis that the closure has created, hundreds of talented young adults from Gaza are accepted into foreign academic institutions every year. This is a tremendous opportunity, both for their personal development, and as a step towards bringing the society in which they live out of its state of crisis.

Some 40 years ago, the member states of the United Nations recognized that the right to education is a basic human right, and upheld the importance of education when it stated that its goal is to promote the *"full development of the human personality and the sense of its dignity, and [to] strengthen the respect for human rights and fundamental freedoms... [To] enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all*

nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace".¹⁵

This report, however, demonstrates how the policies of closure and collective punishment are destroying one of the last wellsprings of hope for the young people of Gaza. The hardships caused by the closure stand between Palestinian residents of the Gaza Strip and their dreams of personal and professional fulfillment. The closure undermines their aspirations to make a contribution to the development of Palestinian society and a brighter future for the region.

In this way, Israel's policies are not just violating the fundamental rights of Gaza residents, but also harming its own interests and those of all who live in the region.

¹⁵ *The International Covenant on Economic, Social and Cultural Rights*, 1966, Article 13.

Recommendations

- ⇒ **Gisha calls on the State of Israel to allow all students who have been accepted to foreign academic institutions to leave Gaza immediately.**

Since Israel is the occupying power in the Gaza Strip and it maintains primary control of the Strip's borders and border crossings, it is obligated to create an organized, functional and regular system which will allow the residents of Gaza to exit and reenter the Strip. Only then will they be able to exercise their rights to freedom of movement, education, health, family life and freedom of occupation, in accordance with international law.

In addition, Gisha calls on Israel to withdraw its opposition to the opening of the Rafah border crossing and to allow its regular operation for the exit and entrance of people to the Gaza Strip.

Gisha maintains that according to the Fourth Geneva Convention and the Hague Conventions of 1907, which were designed to protect the rights of civilians in times of war and occupation, the State of Israel is obligated to protect the residents of Gaza, to allow them to live normal lives and to safeguard their rights. Also according to the Geneva Convention and the Hague Conventions, Israel must provide for the regular functioning of civil institutions in Gaza, including the school system and institutions of higher education.

The Fourth Geneva Convention and its First Additional Protocol prohibit the use of collective punishment.

Among the rights which the State of Israel is obligated to uphold for the residents of Gaza is **the right to leave and reenter the Gaza Strip**. The right of any person to leave a given territory, including the territory in which he or she lives, is protected by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

- ⇒ **Gisha calls on the Palestinian Authority** to work for the immediate opening of the Rafah border crossing, to cooperate with all initiatives to operate the Palestinian side of the crossing and to facilitate the necessary coordination with all the relevant bodies.
- ⇒ **Gisha calls on the Hamas movement**, which controls the security forces in the Gaza Strip, to facilitate the secure opening of the border crossings between the Gaza Strip, Israel and Egypt, in order to protect the rights and well-being of the residents of Gaza.
- ⇒ **Gisha calls on the neighboring states, Egypt and Jordan**, to do their utmost to contribute to the creation and operation of organized mechanisms through which student residents of Gaza can depart for overseas.
- ⇒ **Gisha calls on the international community to intercede with all the relevant actors in order to promote a resolution of the problem of students trapped in the Gaza Strip**, and to help arrange procedures for leaving Gaza which will allow residents to exercise their rights. Gisha calls on the international community to fulfill its obligation to ensure the implementation of the Fourth Geneva Convention and the other relevant international conventions, and to exercise its maximum influence to put an end to violations of the rights of Palestinian residents of the Gaza Strip.

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Gisha - Legal Center for Freedom of Movement is a human rights organization founded in 2005, whose goal is to protect the freedom of movement of Palestinian residents of the occupied territories. Gisha promotes rights guaranteed by international and Israeli law.

Since the 1967 occupation of the West Bank and Gaza Strip, Israel's military has developed a complex system of rules and sanctions to control the movement of the 3.4 million Palestinians who live there. The restrictions violate the fundamental right of Palestinians to freedom of movement. As a result, additional basic rights are violated, including the right to life, the right to access medical care, the right to education, the right to livelihood, the right to family unity and the right to freedom of religion.

Gisha uses legal assistance and public advocacy to protect the rights of Palestinian residents of the occupied territories. Because freedom of movement is a precondition for exercising other basic rights, Gisha's work has a multiplier effect in helping residents of the occupied territories access education, jobs, family members and medical care.

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