



*rising from the ashes*

**GAZA'S INDESTRUCTIBLE SPIRIT**



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# BACKGROUND

Gaza, the idyllic strip of land by the Mediterranean Sea, was once a strategic and commercial center linking Egypt and Mesopotamia in the days when caravans of traders traversed the area. But it's hard to glean evidence of those days. Since Israel illegally occupied the Gaza Strip and the West Bank in 1967, the area has been plundered of the best it had to offer. Instead of being a robust stopover for wayfaring merchants, Gaza has become an open-air prison surrounded by concrete walls and razor wire, its 1.6 million inhabitants locked into an area roughly two-thirds the size of the city of Chicago.

So in direct violation of international law and United Nations Resolution 242, which stresses land cannot be taken during acts of war and which called on Israel to withdraw from the areas it was occupying, Israel has had complete control over Gaza's airspace, sea and borders since 1967.

Until 2005, when Israel withdrew all military installations, nearly 8,000 illegal Israeli colonialists lived in illegal settlements that pockmarked the cities and countryside.

At the time of the 2005 disengagement, Israel also dismantled the 21 settlements. And dismantled them they did, destroying nearly every usable facility they were leaving behind, according to the *Journal of Palestine Studies*.

Israel would have the world believe that it relinquished control of the Gaza Strip once it withdrew its military. Nothing could be farther from the truth. Israel is still in complete control of the borders, the airspace, ports and even the areas where Palestinian fishermen are allowed to cast their nets, having recently restricted them to within three nautical miles of shore. Israeli Defense Forces can enter Gaza at will, as was seen in December 2008 and January 2009 during the worst assault on the Palestinian population since the 1967 war.

Israel has not loosened its grip, and in fact, has created "no-go" zones within the 28-mile-long strip of land - military zones and wide buffers along the Apartheid Wall - which comprises nearly 20 percent of the Gaza Strip.

Refugees from the 1948 Nakba and the 1967 war account for 71.5 percent of Gaza's residents. Nearly half of the 1 million refugees live in camps run by the United Nations Relief and Works Agency. Forty-five percent of the population is 14 years old or younger, and the median age is 17 years, according to the *CIA World Factbook*. With a population density of nearly 4,200 people per square kilometer, it is one of the most densely populated places on Earth. It's worse in the refugee camps, where there are nearly 75,000 people per square mile. Put into context, this is nearly three times greater than the average population density of New York City.

Gaza has been subjected first to Israeli occupation and then to a violent split between Fatah and Hamas, which gained control of the Strip in 2007. Hamas had been duly elected in 2006 in fair, democratic elections. But the Western world, lead by the United States, which views Hamas as a terrorist organization, withheld funds and support first to a Hamas-controlled government of the Palestinian territories, then to the Unity government comprised of members of both major factions. In 2007, Hamas gained control of the Gaza Strip after Fatah staged a failed coup attempt. Israel, which already had restricted access in and out of the Strip, then closed all borders.





# THE SIEGE

Israel's blockade of Gaza is well into its third year. Even before Operation Cast Lead, the siege had brought the people of Gaza to their knees. In fact, the deprivations are so severe that several studies of the December/January assault also include information about the siege's economic and humanitarian impact because the two events are so intertwined.

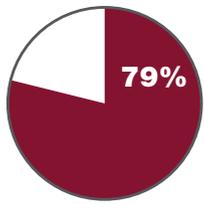
Even before the winter assault, Gaza's economy sputtered to a halt. Israel restricted the amount of fuel oil so severely that factories could not operate and water treatment facilities ceased operations or began operating on faulty generators. Generators became hospitals' main source of power as well. Many people who relied upon jobs in Israel no longer were allowed to leave Gaza to work. People were laid off in massive numbers. Even schoolchildren suffered. Israel deemed books, paper and other school supplies as luxuries and as such did not allow them into Gaza under the blockade.

Farmers were also hard hit. They could no longer sell their produce in markets outside Gaza, and in the Strip produce sold at a much lower price simply because many people could no longer afford to buy food. And IDF soldiers consistently bulldozed olive and orange orchards and ripped up fields, leaving farmers without a means of support year after year. In addition, Israel declared about 43 percent of the arable land in Gaza off-limits to Palestinians, creating border buffer-zones where IDF soldiers shoot to kill.

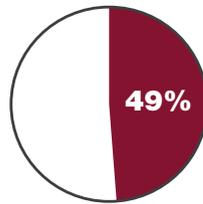
By the beginning of Operation Cast Lead, the Palestinians in Gaza needing UN relief assistance rose from 60 percent to 80 percent, and the percentage of children suffering acute anemia because of inadequate nutrition hovered at 45 percent, according to the New York City-based National Lawyers Guild's report "Onslaught: Israel's Attack on Gaza & the Rule of Law."

Israel purports it has relinquished control of the Gaza Strip and that Operation Cast Lead was a justifiable response to rocket fire from Gaza into southern Israel. Besides this being an inaccurate and false assessment of the situation, Israel conveniently leaves out its own aggressive and deadly military actions leading up to the winter war.

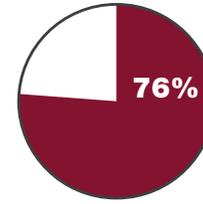
# STATISTICAL INDICATORS ON THE EVE OF OPERATION CAST LEAD



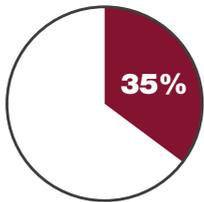
Percentage of Gazans classified as impoverished (living on less than \$2.30 per day)



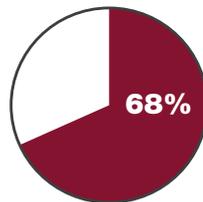
Unemployment rate of those still seeking work



Percentage of Gazans receiving aid from the United Nations



Percentage of Gazans living in deep poverty (living on less than .50 cents per day)



Percentage of private sector workers laid off

Source: Journal of Palestine Studies, Spring, 2009

Truckloads of food imports required per day to meet UNRWA's demand: **70 to 80**

Average number of UNRWA truckloads per day Israel allowed in November 2008: **4.6**

UNRWA truckloads per day Israel allowed in December 2008: **5 to 15**

Minimum weekly truck traffic needed to meet Gaza's basic humanitarian needs: **3,500**

Average number of weekly humanitarian aid trucks Israel allowed in December 2008: **300**

## AFTER THE DISENGAGEMENT

September 2005 to September 2006

### Israel:

Fired 15,000 artillery shells into Gaza



Launched 550 airstrikes



Killed 525 Palestinians



Injured 1,527 Palestinians



### Palestinian:

Fired 1,700 Qassam rockets into Israel



Injured 41 Israelis



=1,000

=100

=100

=100

## AFTER THE DISENGAGEMENT

JUNE 9 to 21, 2006

**Israel:** Launched numerous airstrikes  
Killed 10 Palestinians, including 6 children

**Palestinians:** Captured Israeli soldier Gilad Shalit

## OPERATION SUMMER RAINS

June 28 to September 2006

**Israel:** Destroyed Gaza's only power station  
Closed major fuel pipeline, Nahal Oz  
Killed 256 Palestinians, including 58 children  
Injured 848 Palestinians

## OPERATION AUTUMN CLOUDS

November 1 to 7, 2006

**Israel:** Beseiged town of Beit Hanoun in northern Gaza  
Fired 12 artillery shells  
Killed 19 Palestinians, including 7 children

**Total Gazans killed by Israel from June 9 to Nov. 25, 2006:  
400 Palestinians, including 85 children.**

## INTENSIFIED BLOCKADE AND MILITARY ATTACKS

January 2008

**Israel:** Killed 7 Palestinian children  
Injured 27 Palestinian children

## OPERATION WARM WINTER

February 27 to March 2, 2008

**Israel:** Killed 33 Palestinian children  
Injured 60 Palestinian children

**Palestinians:** Killed 1 Israeli from Qassam rocket

## CEASEFIRE AMID CONTINUING SEIGE

June 19 to December 19, 2008

In June, Hamas and Israel agreed to a ceasefire. But on Nov. 4, Israeli forces killed 6 Palestinians and destroyed civilian property, thereby breaking the ceasefire. Hamas resumed launching homemade Qassam rockets.

**Total Gazans killed by Israel from Jan. 1 - Dec. 26, 2008:  
3,160, including 615 children**

Source: Al Mezan Center for Human Rights and Defence for Children International - Palestine Section's report "Bearing the Brunt Again: Child Rights Violations During Operation Cast Lead."



# OPERATION CAST LEAD

Dec. 27, 2008 was unfolding under a bright blue sky like any other day in the Gaza Strip. At about 11:30 a.m., a class of police cadets was holding its graduation ceremonies, mothers shopped for produce in small markets and thousands of children were going to and from school. The Palestinians of Gaza, refusing to succumb to the horrors of Israel's siege, tried to live as normally as possible under the circumstances when the sky darkened with the shadows of mostly American-made fighter jets.



The attack was just a precursor to a 22-day assault that killed more than 1,400 Palestinians, including 355 children; maimed and injured more than 5,300; destroyed thousands of homes, displacing 50,000 people; contaminated or halted the supply of drinking water; and damaged or destroyed infrastructure, including municipal buildings, schools, universities, mosques, factories, and farm fields.

Israel's claim that Operation Cast Lead was justifiable self-defense in response to homemade rockets fired from Gaza by resistance groups does not bear up under scrutiny, nor does the self-defense claim meet the criteria under several facets of international law, according to the National Lawyers Guild, the United Nations-commissioned Goldstone Report and other human rights groups. While Article 51 of the UN Charter gives every state a right to self-defense, it must be used as a last resort and any military action must be in direct proportion to the threat. "Although illegal and deplorable, Palestinian rocket attacks do not, in terms of scale or effect, amount to an armed attack entitling Israel to rely on this principle. Under international law, self-defense is an act of the last resort and is subject to the customary rules of proportionality and necessity," according to "Bearing the Brunt Again: Child Rights Violations During Operation Cast Lead," by Al Mezan Center for Human Rights and Defense for Children International - Palestine Section.

"The killing of over 1,400 Palestinians, mostly civilians, including at least 353 children, and the injuring of over 4,000, accompanied by the destruction or damage to schools, mosques, hospitals, houses, UN compounds and government buildings, which Israel has a responsibility to protect under international law, is not commensurate to the threat posed by Palestinian rocket fire. Far from being an act of self-defense, Operation Cast Lead amounted to an illegal act of aggression." ~ "Bearing the Brunt Again," p. 24.

The honorable Richard Goldstone, a self-described supporter of Israel, is a well-respected South African judge, who was the former chief prosecutor for war-crime tribunals on Rwanda and the former Yugoslavia. He was the head of the United Nations investigation into Israel's assault on Gaza, which resulted in the Goldstone Report that was released on Sept. 15, 2009.

The commission found ample evidence that Israel committed war crimes and possibly crimes against humanity in its 22-day offensive. The commission also rejected Israel's claims the assault was an act of self-defense.

"While the Israeli government has sought to portray its operations as essentially a response to rocket attacks in the exercise of its right to self-defense, the mission considers the plan to have been directed, at least in part, at a different target: The people of Gaza as a whole." ~ "Human Rights in Palestine and Other Occupied Arab Territories (the Goldstone Report), p. 523.

**SUDDENLY, PANDEMONIUM  
BROKE OUT WHEN 80 ISRAELI  
WARPLANES LAUNCHED A  
SURPRISE ATTACK ON THE  
UNSUSPECTING POPULATION,  
KILLING HUNDREDS OF PEOPLE  
WITHIN 5 MINUTES.**



# INTERNATIONAL & AMERICAN LAW

## **WITHOUT MILITARY NECESSITY**

International humanitarian law is also known as the law of armed conflict, whose purpose is to limit the effects of war on innocent civilians and their property. These laws also regulate the actions of occupying powers.

The main sources for these rules of conflict generally are the Fourth Geneva Convention Relative to the Protection of Civilians of 1949, Additional Protocol I to the Geneva Conventions of 1977 Relative to the Victims of International Armed Conflicts, and the Hague Regulations of 1907.

In addition, all people are guaranteed a right to life under the Universal Declaration of Human Rights, Article 6 of the International Covenant on Civil and Political Rights and Article 6 in the UN Conventions for the Rights of the Child.

# CASE STUDY

Rouhiya al-Najjar, 47, laid in the village of Khoza'a in the Khan Yunis district. On January 13, 2009, Israeli forces ordered residents of her neighborhood to march to the village center. Rouhiya led a group of 20 women out of her home and into an adjoining alley; they all displayed white flags that they had made from sheets and scarves. Upon entering the alley, an Israeli sniper shot Rouhiya in her left temple, killing her instantly. Israeli forces then prevented medical personnel from reaching her body for 12 hours. Other residents of Khoza'a were shot at and forced to march to a school in the village center. There they found hundreds of other residents who had been rounded up from nearby villages. Israeli forces then shot phosphorus shells at the school, forcing the civilians to flee. Palestinian Red Crescent and International Red Cross ambulances then evacuated the civilians to a nearby village. ~ "Onslaught," p. 11.

Generally, there are two major criteria that must be analyzed and satisfied before any military action can be justified, according to these international laws:

1. **The Principle of Distinction** - "At all times, the parties to the conflict must distinguish between civilians and combatants; civilian objects and military objects." - "Bearing the Brunt," p. 24
2. **The Principle of Proportionality** - The aggressor must "refrain from deciding to launch any attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated." ~ "Onslaught," p. 9.

In other words, these principles can be summed up by the simple phrase: Military Necessity. Will there be an advantage gained after the military action, and will that advantage outweigh the harm that could be caused to innocent civilians?

Time and again, the Goldstone commission, members of the National Lawyers Guild and other human rights groups found that Israeli forces' actions in Gaza ignored the principles of distinction and proportionality and were "without military necessity."

Among other things, international law governing treatment of a civilian population during war guarantees:

- Wounded and sick are to be protected
- Civilian hospitals shall not be attacked
- Protected people - in all circumstances - must be treated humanely and protected against all acts of violence
- Civilians shall not be used as human shields
- Civilians shall not be subjected to collective punishment, pillage and reprisals
- Food and medical supplies are to be provided
- Occupying power must maintain medical facilities and hospitals
- Occupying power must administer relief programs
- Protected people must not be forcibly transferred or deported from occupied territory

Source: "Bearing the Brunt Again," pp. 23-24

## U.S. LAW

Because many of the weapons - including Apache helicopters and F-16 fighter jets - Israel used in Operation Cast Lead were made in the United States, their use falls under regulations stipulated in U.S. law.

The Mutual Defense Agreement of 1952, the Foreign Assistance Act of 1961 and the U.S. Arms Export Control Act of 1976 all regulate how weapons sold and exported overseas can be used.

The Foreign Assistance Act prohibits the sale of weapons to a country that "engages in a consistent pattern of gross violations of internationally recognized human rights," according to the National Lawyers Guild. The Mutual Defense Agreement, a pact signed by Israel and the United States, says Israel can use American-made weapons only for internal security, legitimate self-defense or to participate in a UN peacekeeping mission. Finally, the Arms Export Control Act says the president of the United States must notify Congress if any country that has purchased U.S. weapons violates any U.S. law governing those weapons' uses.

"... Statistics, published reports, and statements from Israeli leaders contradict Israel's stated reason for its military operation - to stop rocket attacks into Israel. For example, according to news reports from Israel's Galey Tzahal (Army Radio), Israel's Minister of Defense Ehud Barak is quoted as saying, 'had Israel accepted the calm (offered by Hamas), the firing of Qassam rockets would have stopped.' Accordingly, it is unlikely that Israel's operation and use of U.S.-supplied weapons for such was for internal security or self-defense. Even if Israel's overall operation were for legitimate self-defense, however, Israel's misuse of weapons - using indiscriminate weaponry in densely populated civilian areas, targeting civilians, and launching disproportionate attacks - could not have been for legitimate self-defense purposes, and thus merits investigation by the United States." ~ "Onslaught," pp. 33-34

## ISRAEL TARGETED

- Civilian women shields
- Civilian children • Schools
- Civilian men • Universities
- Elderly • Mosques
- Fleeing civilians • Farmland
- Fleeing civilians waving white flags • Homes
- Civilians removing bodies of dead relatives and neighbors • Hospitals
- Journalists • Medical clinics
- Media outlets • Emergency responders
- Shelters containing large groups of people seeking refuge • Ambulances
- Used civilians as human shields • Humanitarian agencies
- The Ministry of Foreign Affairs
- The Ministry of the Interior
- The Ministry of Justice
- Fishing harbors
- Factories
- Stores and shops
- Media outlets
- Private facilities, i.e. banquet halls, hotels
- Wastewater treatment plants
- Water pipeline network

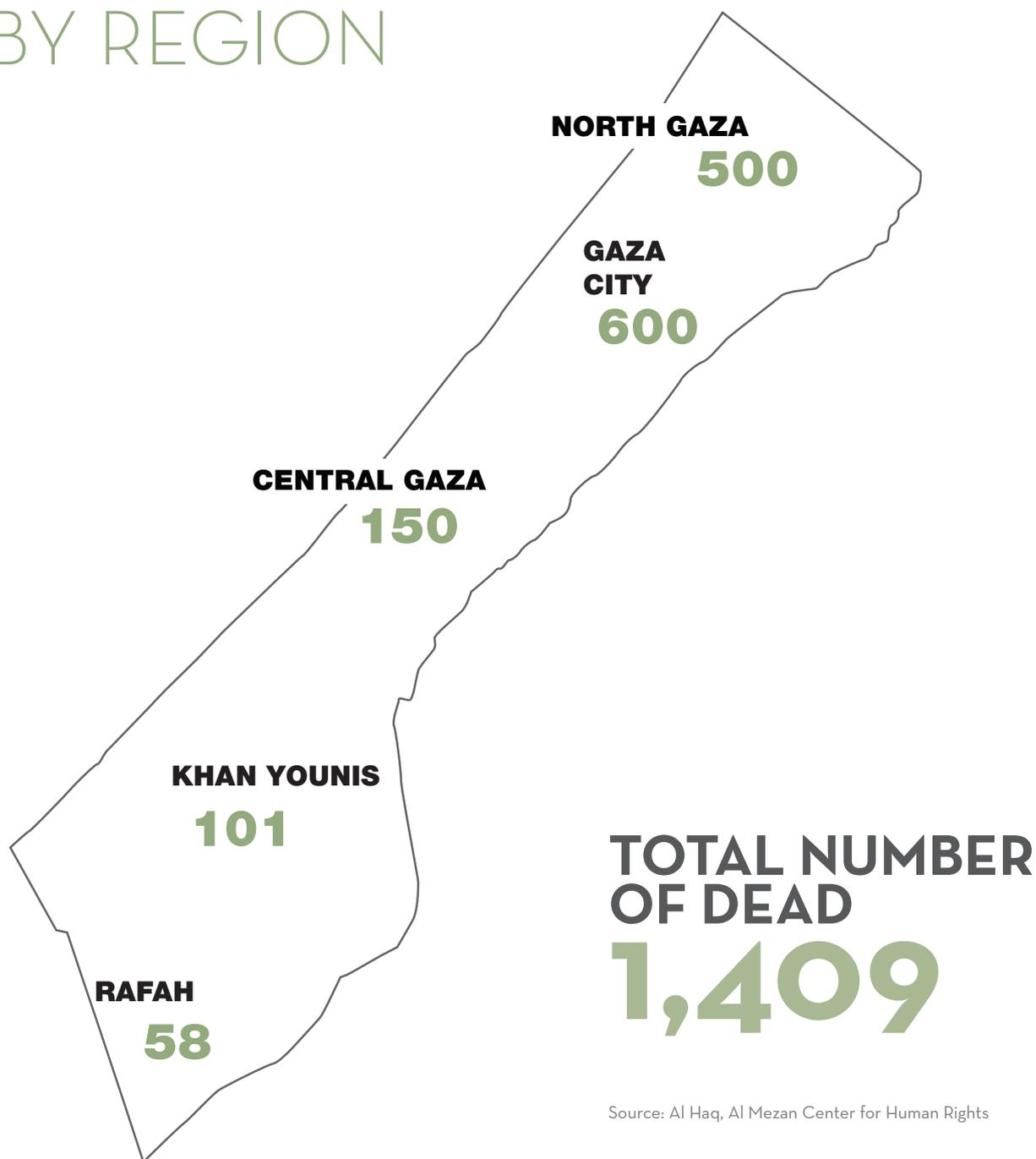
Sources: "Onslaught" and "Cast Lead Offensive in Numbers," Al Mezan Center for Human Rights





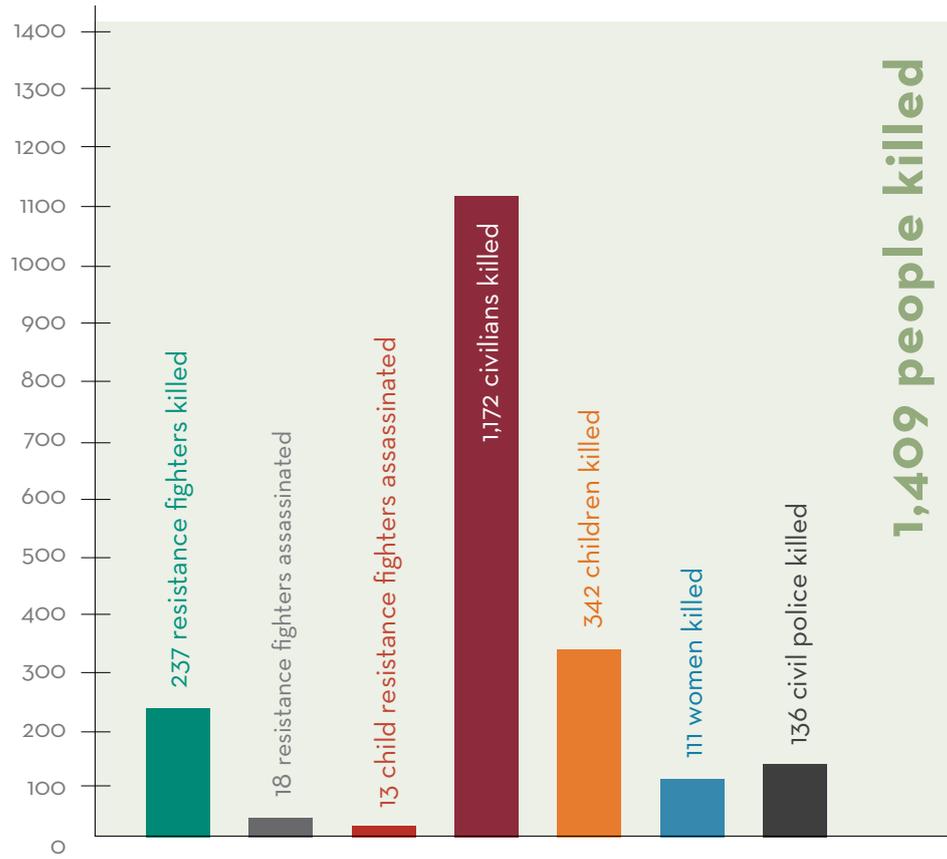
IMPACT OF  
OPERATION CAST LEAD

# NUMBER OF DEAD BY REGION

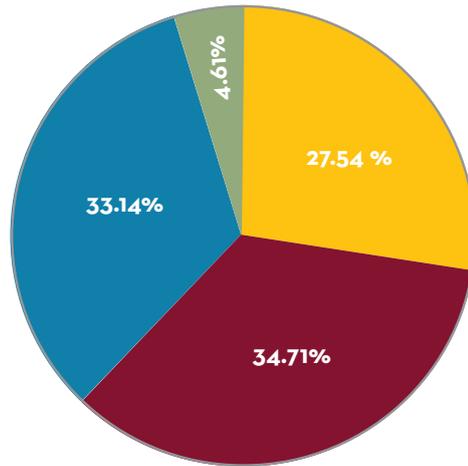


Source: Al Haq, Al Mezan Center for Human Rights

## NUMBER OF DEAD BY COMBANTANT / NONCOMBANTANT STATUS

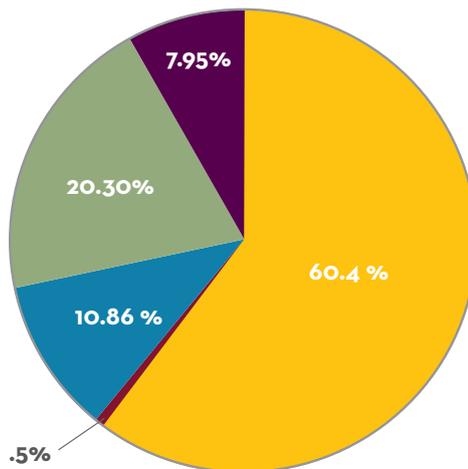


## DISTRIBUTION OF KILLINGS BY SCHOOL COMPLETION LEVEL



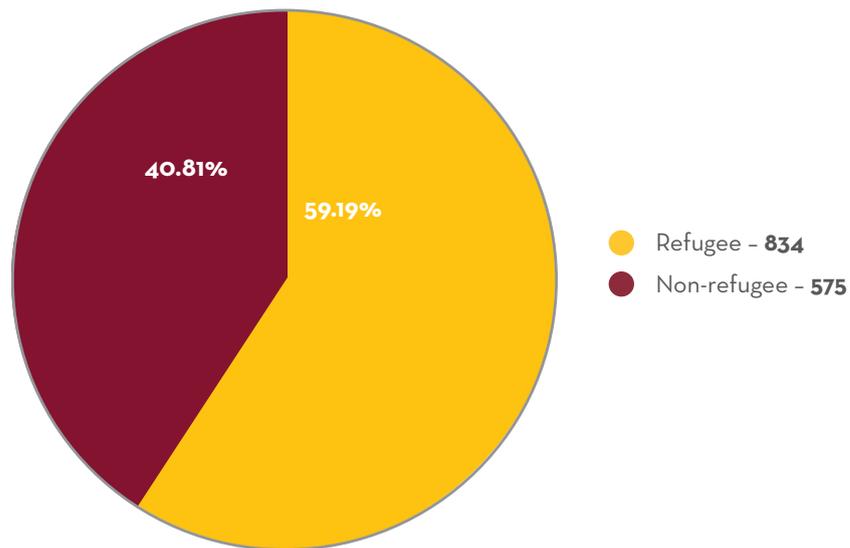
- Completed high school - 388
- Did not complete high school - 489
- Attending school - 467
- Too young to attend school - 65

## DISTRIBUTION OF KILLINGS BY PLACE OF DEATH



- Public space/outside of home - 851
- In ambulance - 7
- In hospital - 153
- At home - 286
- Other - 112

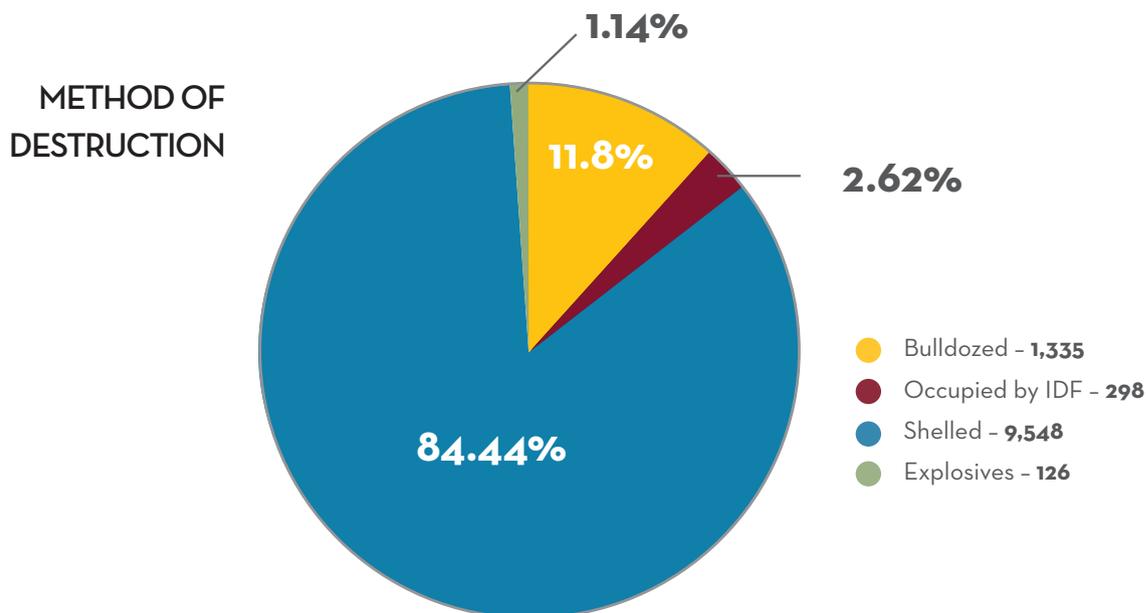
## DISTRIBUTION OF DECEASED BY REFUGEE STATUS



## HOMES DEMOLISHED OR DESTROYED

More than 100,000 Palestinians, including 50,000 children, were made homeless or were negatively impacted after Israeli Defense Forces shelled their homes, according to several human rights groups. Al-Haq and Al-Mezan documented damage to or destruction of 11,154 civilian homes. About 85 percent of the damage to houses was done by shells fired from tanks or airstrikes, with almost 12 percent of the houses destroyed by Israeli bulldozers.

Here is a breakdown:



total: **11,307**

\*This number is higher than the total number of houses destroyed or damaged on account of homes destroyed by more than one method.

Source: Source: Al Haq, Al-Mezan Center for Human Rights

## HOMES DEMOLISHED OR DESTROYED

“Such extensive destruction of property carried out unlawfully and wantonly and not justified by military necessity, is defined as a grave breach of the Geneva Convention – the most egregious category of war crimes, which entail an obligation on all High Contracting Parties to the Conventions to prosecute those responsible.” ~ “Operation Cast Lead: A Statistical Analysis,” Al-Haq

The United States and Israel are both High Contracting Parties to the Geneva Conventions. But homes were not the only structures targeted by Israeli forces, more evidence the Israeli military did not try to avoid unnecessary collateral damage, as required under international law.

## FACILITY DESTROYED OR DAMAGED BY TYPE

Police stations - **60**

Mosques - **30**

Private, i.e., banquet halls, hotels - **21**

Public civilian, i.e., ministry buildings, fishing harbors - **28**

Industrial/commercial workshops - **321**

Concrete factories - **5**

Juice factory - **1**

Media - **5**

Health institutions **3-5**

Farm fields – About **1,550 acres**, ranging from **7 percent** of arable land in the Rafah district up to **60 percent** of arable land in Gaza City

Productive trees (i.e., olive) - **396, 599**

Unproductive trees - **51,699**

Source: “Operation Cast Lead: A statistical Analysis,” Al-Haq

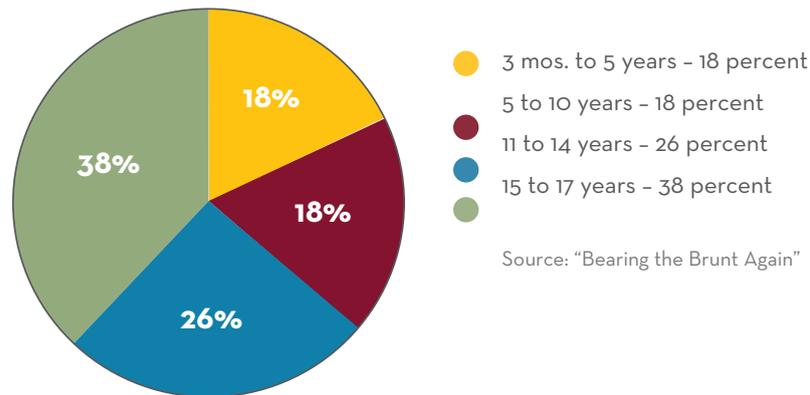
**“Extensive destruction of property that is not justified by military necessity, when done in an unlawful and wanton manner, is also illegal under international criminal law.”** ~ “Onslaught,” p. 16



## IMPACT ON CHILDREN

“In the past nine years, Israeli military action has claimed the lives of almost 1,000 children in Gaza; over a third of these were killed in just 22 days during Operation Cast Lead. ... The children of Gaza are once more bearing the brunt of a brutal Israeli offensive.” - “Bearing the Brunt Again,” p. 12

## DISTRIBUTION OF CHILD DEATHS BY AGE

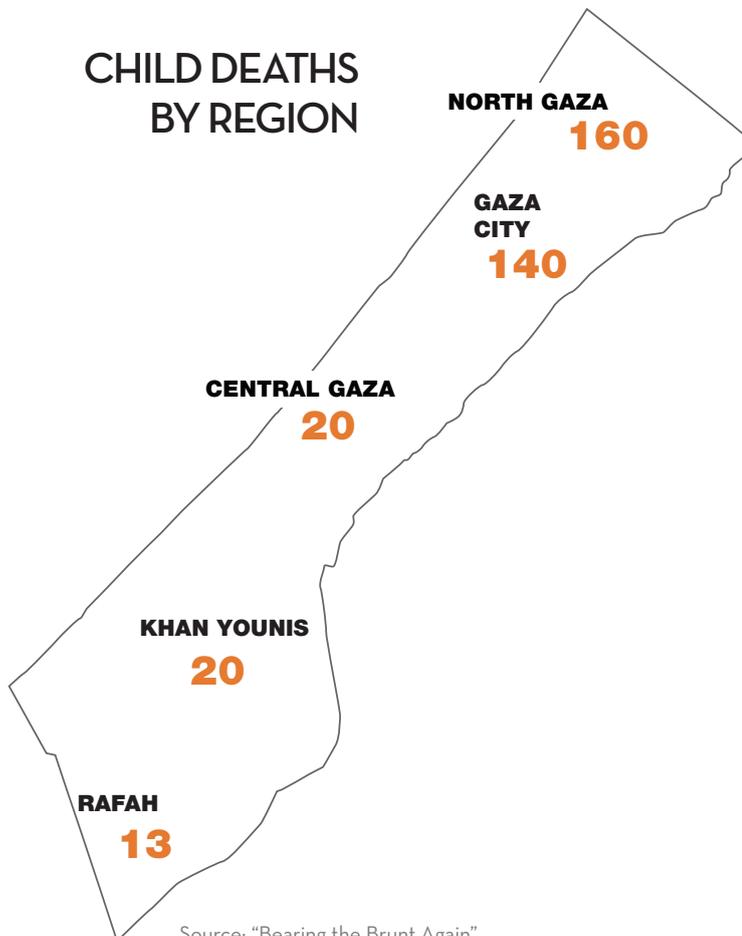


The physical, emotional and psychological impact on the children of Gaza is immeasurable. Children are exhibiting a wide range of problems as a result of the trauma they suffered, from having trouble sleeping to falling mute, experts report. In addition, there are still approximately 25,000 children who have no place to live.

"The destruction of houses and residential buildings created an unprecedented state of forcible migration, affecting thousands of Palestinian civilians. Palestinian Centre for Human Rights field workers reported that approximately 450,000 individuals had to leave their homes looking for secure shelters, recalling scenes of the forced mass migration of the Palestinian people in 1948." ~ "Targeting Civilians: A PCHR Report on the Israeli Military Offensive Against the Gaza Strip," p. 124

The Israeli military killed at least 355 Palestinian children in 22 days. That's slightly more than 16 children a day, every day during Operation Cast Lead.

## CHILD DEATHS BY REGION



The majority - **82 percent** - of children were killed by missile or artillery shell.

Israel's onslaught resulted in the creation of 2,000 to 2,200 new orphans, according to the Journal of Palestine Studies, Spring 2009, while 100 new amputees registered at the Artificial Limb and Polio Center in Gaza City by Jan. 15, 2009. Ninety percent of the population was left dependent entirely upon United Nations food aid.

**"Many children lost classmates, friends, and/or siblings, and remain psychologically scarred. The scale of Operation Cast Lead exposed children to unprecedented levels of stress; they witnessed horrific scenes of violence and were deprived of their own protective environments such as their homes and schools. An estimated 14,000 to 28,000 children need psychological support as a result of the offensive."** ~ "Bearing the Brunt Again," p. 75

"I still have lots of nightmares picturing the dead bodies of my family. I still live in that moment and I'll never forget it."

I stayed at home all the time from the start of the Israeli ground invasion of Gaza. It was dangerous to go out while we could hear explosions everywhere. Some of the explosions were quite close and broke the window panes of my house. Some of my aunts and uncles ... came to our house temporarily for safety because their house is located near the Islamic Sahwa Society in Jabalia block 8 that was thought to be an Israeli target.

On the night of Thursday, Jan. 8, 2009, we were all sleeping inside the house...I woke up because of the sound of a big bang. I thought it was like the many explosions we heard every day but I saw dust coming from my father's office room. When I opened the door of that room, I saw a small hole in the roof, and a similar one in the floor of the room. I called everyone who had already woken up to come and look. My mother called my father on his cell phone who asked her to evacuate the house immediately for fear of another strike. Three minutes later we were ready to go.

My mother asked me to get out first with my two uncles, my uncle's wife and my two sisters, Ruba and Rasha. Then she was going to follow us with the rest of the family. She was afraid we'd be shot by the Israeli planes if we went together in one big group.

We walked about 100 meters east and were waiting for the others to follow. We kept walking until we reached the financial department in Sheikh Zayed housing project. There, I heard the whistling sound of a moving rocket in the air...I didn't know what to do. I decided to go back to the house. The road was dark and empty. It all happened really quickly. I heard the deafening sound of the rocket and ran as fast as I could to the house. I couldn't see anything except a fire ball and a dark cloud of dust and smoke. I was shocked when I saw the house. It was a huge wreck. Stones and bits of flesh were thrown around everywhere. None of my family members were there. It was really dark and the electricity was off because of the explosion.

I reached what used to be the entrance to our house. My brother Diya'... was lying still on the stairs. I smelled a strange smell and had the strangest feeling I've ever had. I couldn't reach his body because of the rubble ... I tried to keep hold of myself and look for the others. I found my mother's body lying a few meters away. My sister Rana was beside her, and on her left side were the bodies of my Aunt Fatima and my sister Rola. My brother Baha'... was next to them. I couldn't think what to do. The world seemed to have stopped.

I started screaming and calling for help. My two young uncles who had left the house with me got there first, then a number of neighbors started to gather ... I had a strange feeling I don't know how to describe...

At around 4 a.m., I went back to the place and saw ambulance workers and neighbors looking for pieces of my family members' bodies. I saw them when they found my brother's (Baha') head near Al-Herthani School and my sister's (Rola) head near the fence of a nearby house. I followed my family to Kamal Odwan Hospital. I was told there that my mother, my aunt and my siblings Diya', Baha', Rana and Rola had all been killed and Rasha was injured. ... I still have lots of nightmares picturing the dead bodies of my family. I still live in that moment and I'll never forget it.



# CASE STUDY

**KILLED: Diya' Ad-Din Fayiz Nour Salha**

Date of birth: Aug. 31 1995

**KILLED: Rana Fayiz Nour Salha**

Date of birth: March 30, 1997

**KILLED: Baha' Ad-Din Fayiz Nour Salha**

Date of birth: April 10, 2004

**KILLED: Rola Fayiz Nour Salha**

Date of birth: Oct. 11, 2007

**DATE OF DEATH (ALL CHILDREN): JAN. 9, 2009**

**DATE OF INCIDENT: JAN. 9, 2009**

**LOCATION OF INCIDENT: JABALIA TOWN, NORTH GAZA GOVERNORATE**

**AFFIDAVIT TAKEN BY: AL MEZAN FROM NOOR-EDIN SALHA, 15,  
BROTHER OF THE VICTIMS, ON FEB. 23, 2009**

The war could have the following impact on the children of Gaza, according to experts:

## BEHAVIORAL TRAUMAS

- Increased violence
- Depression
- Sleeping Disorders
- Falling mute
- Fear and anxiety
- Changes in attachment to family and community
- Learning difficulties
- Loss of acquired skills

## GAZA'S STUDENTS

Life already was hard for Gaza's students because of the blockade. Now, it is even harder. Kids lost classmates and family members. Classrooms are in short supply, prohibiting some students from attending school in the 2009-10 school year. Trauma, poverty and malnourishment all have a negative impact on school and student performance.

Nearly 442,000 students need to be educated in Gaza, the place that has become known as the world's largest open-air prison. There are too many students for the 640 schools that serve the tiny strip of land. Schools must operate in shifts to accommodate all the students. University students are denied the opportunity for study abroad programs because they are not allowed to leave the Strip. On July 28, 2009, the United Nations and other international agencies warned that Gaza was facing a crisis in its educational system and was not prepared to face the 2009-10 academic year.

### The IDF:

- Destroyed 18 schools and damaged another 262
- More than 9,000 students had to relocate to other schools
- Destroyed six university buildings and damaged 16

### The IDF killed ...

- 250 students
- 15 teachers
- 856 students were injured
- 19 teachers were injured

### Gaza needs ...

- 105 new schools to replace those destroyed, damaged or worn out from serving as shelters
- Construction materials such as 25,000 tons of iron bars and 40,000 tons of cement
- Food and nutrients for its children, who are suffering malnutrition
- 20 percent of school-aged children are iodine deficient
- 62 percent of school-aged children are anemic
- 22 percent of preschool children lack Vitamin A

Sources: UNRWA, Palestinian Ministry of Education and Higher Education, and Palestinian Bureau of Statistics



# IMPEDING ACCESS TO MEDICAL CARE

International law under the Fourth Geneva Convention and the Additional Protocol, Article 1(2) stipulate that wounded and sick people are protected people in times of war and must be protected from harm and violence.

Furthermore, there is to be no “distinction among the wounded other than medical,” according to the National Lawyers Guild in its report “Onslaught: Israel’s Attack on Gaza and the Rule of Law.”

Still there are numerous accounts of Israeli soldiers blocking ambulances from treating the wounded, of Israel launching direct attacks on hospitals, crushing ambulances and shooting at emergency responders.

**Israeli forces killed - 16 on-duty medical personnel**  
**Israeli forces injured - 26 on-duty medical personnel**

**Israeli forces destroyed or damaged - 29 ambulances**  
**Israeli forces destroyed or damaged - 48 percent of Gaza's 122 health facilities**

Source: United National Economic and Social Council, May 2009

Nearly 20 percent of Palestinian deaths during Operation Cast Lead were caused when the wounded were denied access to medical treatment, according to human rights organizations.

Obstructing access to medical treatment for victims of attacks is a violation of their right to life and their right to health enshrined in Article 12 of the International Covenant on Economic, Social and Cultural Rights and also violates Articles 16 and 20 of the Fourth Geneva Convention, according to the report, "Bearing the Brunt Again," p. 28.

Furthermore, hospitals, clinics and emergency vehicles are protected under international law even if there are armed resistance fighters present. Even then the medical facilities are "presumed to be civilian until it is used to commit hostile acts, and even then in those circumstances, the belligerent (Israel) must provide warning before an attack and provide time for noncombatants to get out of harm's way," according to "Onslaught," p. 28.

## CASE STUDY

On Jan. 3, 2009, Israeli forces began a military operation in the al-Zaytoun neighborhood, resulting in the destruction of over a dozen homes and the death of dozens of civilians, including the elderly, women and children.

**During the Israeli onslaught, the Palestinian Red Crescent Society received 145 calls from Al-Zaytoun for help,** but the Israelis refused to allow ambulances to enter.

Dr. Bashar Ahmed Murad, director of Emergency Medical Services for the Palestinian Red Crescent Society stated, "a lot of people could have been saved, but they weren't given medical care by the Israelis, nor did the Israeli army allow Palestinian medical services in."

When paramedics were finally allowed to enter on Jan. 7, Israeli forces - for no apparent reason - refused to allow them to bring their ambulances.

"We had to park the ambulances two kilometers away and go in on foot," Dr. Murad said.

Dr. Murad stated:

**"We were forced to pile the wounded on donkey carts and have the medical workers pull the carts. The Israelis only gave us three hours; we didn't really have a choice; we didn't have many paramedics and we had many people to help. We pulled the wounded on the carts for two kilometers to the ambulances. We only focused on evacuating the people we thought we could save, leaving the dead behind. After the hours were over, the Israeli army started shooting toward the ambulances so that they would leave the area."**

The Red Crescent Society was not able to reach that area again to evacuate the dead until January 17, when the Israeli army pulled out of the area. - "Onslaught," p. 26

## NAMES OF MEDICAL FACILITIES DESTROYED OR DAMAGED

- Dec. 27, 2008** Palestine Red Crescent Society
- Dec. 27, 2008** Al-Quds Hospital
- Dec. 28, 2008** Attack on al-Burno Mosque also damaged Shifa Hospital: Damage sustained in hospital's main building, which houses the reception, emergency room, surgery, orthopedics, public administration, radiology and intensive care.
- Dec. 30, 2008** Al-Boreij public clinic damaged when the O'mar Ben al-Khattab Mosque next door was bombed.
- Jan 3, 2009** Civil defense station in Bani Suhaila-Abassan Road, east of Khan Younis, attacked. Completely destroyed.
- Jan. 5, 2009** Warplanes attacked the Union of Health Care Committees in the al-Remal neighborhood of Gaza City. Three mobile health clinics completely destroyed.
- Jan. 7, 2009** Warplanes attacked the civil defense headquarters in Rafah. One building destroyed, others damaged.
- Jan. 10, 2009** Israeli forces attack the northern fence of the European Gaza Hospital, south of Khan Younis, resulting in damage to the main electricity and water networks, electricity generators and fuel tanks.
- Jan. 10, 2009** White phosphorus shells damaged the health clinic at Khalil al Wazir Mosque. Israeli tanks also crushed three Palestine Red Crescent Society ambulances, destroying them completely.
- Jan. 15, 2009** Israeli troops in the Tal al-Hawa neighborhood of Gaza City fired conventional and white phosphorus artillery shells at the Palestine Red Crescent Society medical compound, al-Nour City building, and al-Quds Hospital.
- Jan. 15, 2009** Israeli forces targeted al-Wafaa' Hospital for Medical Rehabilitation and Specialized Surgery in Gaza City. Troops and warplanes targeted patient bedrooms, the elderly persons care building and the new building for surgery and children. Some shells contained white phosphorus.

Source: "Targeted Civilians," pp. 92-98.



Thousands of vials containing medicine were destroyed in Israel's white phosphorus attack on the UNRWA compound on Jan. 15, 2009.

## ATTACKS ON UNRWA COMPOUND

Regarding the attacks on the United Nations Relief and Works Agency compound, al-Quds and al-Wafa hospitals, the Goldstone Report finds Israel acted recklessly, negligently and used disproportionate force, repeatedly violating several international laws.

Currently, Gazans are still struggling to obtain decent medical care. Often, their requests to travel outside Gaza to seek treatment in Israel are denied.

Difficulties faced today include:

- Shortage of medicines
- Lack of permits to leave Gaza for treatment
- Harassment by IDF soldiers at checkpoints
- Being held for long periods of times at checkpoints – even for people in ambulances
- Hospitals running on worn-out generators
- Incubators for premature babies not working/no replacement parts because of siege
- Siege blocks the arrival of prosthetic devices

Source: "Gaza," pp. 4-5

## WHITE PHOSPHORUS

Several of the medical facilities report being hit with artillery shells laden with the chemical white phosphorus, which seeps into the body through burns on the skin and damages vital organs. The substance burns as long as it is in contact with oxygen and the burned areas must be excised from patients' bodies before the smoldering damage to human tissue stops.

International law does not ban outright all uses of white phosphorus, a chemical and incendiary weapon. It can be used to illuminate or – because of its dense smoke – to create a screen. But no law supports the use of white phosphorus in densely populated areas or for attacking buildings housing civilians seeking refuge.

On Jan. 15, 2009, Israeli forces attacked the headquarters for the United Nations Relief and Works Agency in Gaza City. Despite the fact the UNRWA facility was housing 700 civilians seeking refuge from the onslaught, the Israeli military lobbed artillery shells laden with the poisonous chemical into the compound, according to reports.

"The question then becomes how specialists expertly trained in the complex issue of artillery deployment and aware of the presence of an extremely sensitive site can strike that site 10 times while apparently trying to avoid it. ... The Mission rejects the Israeli armed forces' assertion to the effect that it was not anticipated that the shells would land in the compound." ~ Goldstone Report, pp. 170-171



The inside storage unit of the UNRWA compound is burned out after Israeli missiles containing white phosphorus struck it on Jan. 15, 2009.

# CASE STUDY

**KILLED:** Shahd Saadallah Matar Abu Halima

Date of birth: Aug. 4, 2007

**KILLED:** Hamza Saadallah Matar Abu Halima

Date of birth: Aug. 9, 2001

**KILLED:** Zaid Saadallah Matar Abu Halima

Date of birth: Aug. 17, 1998

**KILLED:** Abdel Raheem Saadallah Abu Halima

Date of birth: Oct. 25, 1995

**DATE OF DEATH (ALL CHILDREN):** Jan. 4, 2009

**LOCATION OF INCIDENT:** Beit Lahiya area, North Gaza

**AFFIDAVITS TAKEN BY:** DCI-Palestine from Yousef, Omar, Nizar, Nabeel and Mahmoud Abu Halima on Feb. 19, March 15 and 21, 2009.

On Jan. 4, 2009, white phosphorous shells struck the house of the Abu Halima family in Beit Lahiya (northern Gaza) following the start of Israel's ground invasion. Four siblings, Shahd, 1; Hamza, 7; Zaid, 10; and Abdel Raheem, 13; and their father were killed in the explosion and fire that ensued.

Another female relative died from her injuries almost three months later in a hospital in Egypt. Several other family members, including their mother, two siblings, Ali, 5; and Yousef, 15; and a 3-year-old niece, suffered white phosphorous burns.

Mahmoud, 20; brother of the child victims, ran out of the house at the moment of the attack and then ran back into the building to try to rescue his family.

He explained to DCI-Palestine: I filled a bucket with water and poured it on my burning father. The flames grew bigger after I had poured the water on him.

Ahmed then brought a blanket and placed it on my father's body. The smoke came out from under the blanket. Ahmed and I dragged my father. I thought I was dragging only my father, but I realized I was dragging Shahd, Abdel Raheem and Hamza in addition to my father. They were all attached to each other, he continued.

Their father had been decapitated and appeared to be clinging to Shahd, Hamza and Abdel Raheem, their charred bodies glued together.

## TARGETING SHELTERS

The UNRWA compound wasn't the only UN facility or shelter Israeli warplanes targeted. Contrary to typical Israeli statements suggesting the bombing of a school was a "mistake" and would be investigated, the United Nations had given the Israeli military a list of 91 provisional shelters, along with their GPS locations, according to "Bearing the Brunt Again," p. 68.

Al-Fakhoura School was one such provisional shelter. The school was housing people displaced by fighting and those whom Israeli soldiers rounded up from their homes and placed there in northern Gaza. The school was opened as a shelter on Jan. 5, 2009, according to "Bearing the Brunt Again." On Jan. 6, 2009, Israeli tanks shelled the perimeter of the school, killing 44 people - including 14 children - outside the building.

As a way of explanation, the IDF said the school was "booby-trapped" and resistance fighters were firing from within the school. Subsequent UN investigations and eyewitness accounts both refute this claim, according to "Bearing the Brunt Again," p. 68.

On Jan. 17, 2009, the IDF exploded white phosphorus shells above the Mashrou Boys School in Beit Lahiya, north of Jabalia, near Beit Hanoun. The school was housing 1,900 displaced civilians. Guards had checked all people entering the shelter to prevent weapons in the shelter. The Israeli military had the GPS location for the school and knew it was a shelter, which are protected under international law.

When the shells exploded, felt wedges burning with white phosphorus fell into the school. A shell casing crashed through the roof and another hit a corridor. Debris from the shells killed two young brothers, Bilal Mohammed Shihda Al-Ashkar, 5, and Mohammed Mohammed Shihda Al-Ashkar, 3. ("Bearing the Brunt Again," p. 72). Thirteen other people were injured in the attack, including the children's mother and their cousin Fatima, 8.

Experts warn that Israel's attacks on shelters will have a long-lasting impact on children. "The damaged shelters affect children in a serious way. I can't control respiratory infections if the shelters are bad. When winter comes, a major problem will appear among young newborns. We call it 'cold injury.' There are high fatalities from this among newborns. It's not a virus or bacteria, it's a shelter problem. Newborn children cannot control their body temperatures. There are still people in tents, people have damaged shelters, they can't even buy glass to replace the windows because of the siege - the prices in the shops are ten times higher than normal prices." ~ Dr. Yahia Abed, public health expert based in Gaza, as reported in "Bearing the Brunt Again," p. 100.

Though Israel admitted to using the chemical weapon, military officials said they used it in legal manners - that is as a smoke screen and for "marking and signaling purposes."

**ISRAEL ALSO SAID IT STOPPED USING WHITE PHOSPHORUS ON JAN. 7, 2009, DUE TO INTERNATIONAL CONCERN OVER ITS USE.**

**THE GOLDSTONE COMMISSION, HOWEVER, FOUND IDF TROOPS FIRED AN EXPLODING SHELL WITH THE CHEMICAL ONTO THE ABU HALIMA HOME, NORTH OF AL-ATRATA AND ALSO IN KHUZA - AND DID SO AFTER JAN. 7.**

"In addition to the reckless use of white phosphorus, the Mission must emphasize that it is concerned not only with the inordinate risks the Israeli armed forces took in using it, but also the damage it caused in fact. In speaking with medical experts and practitioners, it was impressed by the severity and sometimes untreatable nature of the burns caused by the substance. ... Several patients died, according to doctors, as a result of organ failure resulting from the burns." - Goldstone Report, p. 249.

# ECONOMIC IMPACT

Gaza's economy already was at a standstill because of Israel's siege when Israeli warplanes dropped the first bombs on Dec. 27, 2008. But the utter destruction that rained down on Gaza during Israel's three-week offensive has left the area reeling with no immediate possibilities to rebuild.





**The IDF destroyed farmland, factories, commercial centers and water treatment and water delivery systems.**

At the height of Operation Cast Lead, some 50,000 people were without access to running water. As of Sept. 3, 2009, there were still 10,000 people without water, according to "Bearing the Brunt Again," p. 11, and 60 percent of Gazans still did not have continuous access to water. In addition, attacks on water treatment facilities have allowed sewage to leak into farm fields, onto streets and into the Mediterranean Sea.

**69 million liters** - the amount of sewage dumped into the sea every day. It's the equivalent size of 28 Olympic-sized swimming pools.

**50,000** Palestinians have no access to running water

**50,000** Palestinians have water a few hours per week

**50,000** Palestinians have water for 4 to 6 hours every 2 to 3 days

Source: UN Economic and Social Council, May 2009, p. 13

**5,700** - Rooftop water tanks destroyed by IDF

**2,900** - Rooftop water tanks damaged by IDF

**30-50%** - Amount of water pipelines destroyed throughout Gaza

Source: UN Economic and Social Council, May 2009, p. 13

Unemployment - **44 percent**, April 2009

Industries shut down - **96 %**

Jobs lost - **70,000**

Poverty - **About 90%**

Source: "Gaza: 1.5 Million People Trapped in Despair," International Committee of the Red Cross, June 2009

"Most of the very poor have exhausted their coping mechanisms. Many have no savings left. They have sold private belongings such as jewelry and furniture and started to sell productive assets, including farm animals, land, fishing boats or cars used as taxis. They are unable to

**INDUSTRIAL PREMISES DESTROYED**

Bulldozed	<b>53</b>
Shelled/bombed	<b>44</b>
Exploded	<b>5</b>

Source: "Operation Cast Lead," Al Haq, p. 11

reduce spending any further. The declining living standards will affect the health and well-being of the population in the long-term. Those worst affected are likely to be the children, who make up more than half of Gaza's population."~ "Gaza," p. 6

Fully 90 percent of Gazans today are dependent upon UN food aid because of unemployment and the siege but shipments of humanitarian supplies allowed into the Strip don't begin to meet the desperate need. In May, 2009, there was an 80 percent decrease in the amount of aid trucks allowed into Gaza when compared to April 2007, according to the International Committee of the Red Cross. That's 2,662 truckloads entering Gaza in May 2009 compared to 11,392 allowed in in April 2007.

According to the Goldstone Report, it appears Israel purposely targeted factories and industrial sites. In fact, Al Badr - the only flour mill still operating in Gaza, (the others had shut down due to lack of fuel and supplies caused by the siege) - was hit by a series of air strikes on Jan. 9, 2009, actions the Goldstone commission found to have "no military justification." (Goldstone Report, p. 7)

"The precise targeting of crucial machinery suggests the intention was to disable the factory in terms of its productive capacity ... a violation of the grave breaches provision of the Fourth Geneva Convention . ...Unlawful and wanton destruction which is not justified by a military necessity amounts to a war crime." ~ Goldstone Report, p. 17

The Goldstone commission also said the IDF committed a war crime when they bulldozed the chicken coops belonging to Mr. Sameh Sawafeary in the Zeitoun neighborhood south of Gaza City, killing all 31,000 chickens inside.

A war crime also was committed when Israel shelled the wall of a sewage lagoon of the Gaza Wastewater Treatment Plant, spilling more than 200,000 cubic meters (260,000 cubic yards) of raw sewage into adjacent farmland. Water wells and pumping stations on the site also were hit and destroyed.

**INDUSTRIAL PREMISES DAMAGED**

Bulldozed	<b>9</b>
Shelled/bombed	<b>98</b>
Exploded	<b>1</b>
Occupied	<b>1</b>

## FACTORIES DESTROYED/DAMAGED BY TYPE/NUMBER OF EMPLOYEES

See Operation Cast Lead, al Haq, p. 12

The **211 factories** affected were forced to lay off more than **75 percent** of their workforce, resulting in the loss of more than **2,200 jobs**, according to "Operation Cast Lead: A Statistical Analysis," Al Haq, p. 11. A total of **703 stores** were damaged or destroyed, resulting in the loss of an additional **765 jobs**, according to "Cast Lead Offensive in Numbers," by Al Mezan Centre for Human Rights, p. 29.

Income losses are estimated at \$24 million per day, which accounts for **80 percent** of the gross domestic product in the Gaza Strip, according to the UN Economic and Social Council, May 2009.

## AGRICULTURE

More than 18,000 Gazans were severely impacted by Israel's destruction of thousands of acres of farmland.

## DIRECT LOSSES IN AG SECTOR

TYPE	NUMBER
Greenhouses	89
Ground greenhouses	49
Water wells	862
Irrigation pool	210/34,968 cubic meters
Water pumps	219
Pesticide sprayer	302/number of orchards 368/number of sprayers
Gates	735/number of orchards 1,038/number of gates
Livestock	178/number of orchards 8,721/number of animals
Warehouse	205/number of orchards 10,405/number of warehouses
Birds	191/number of orchards 305,430/number of birds
Beehives	46/number of orchards 1,010/number of beehives

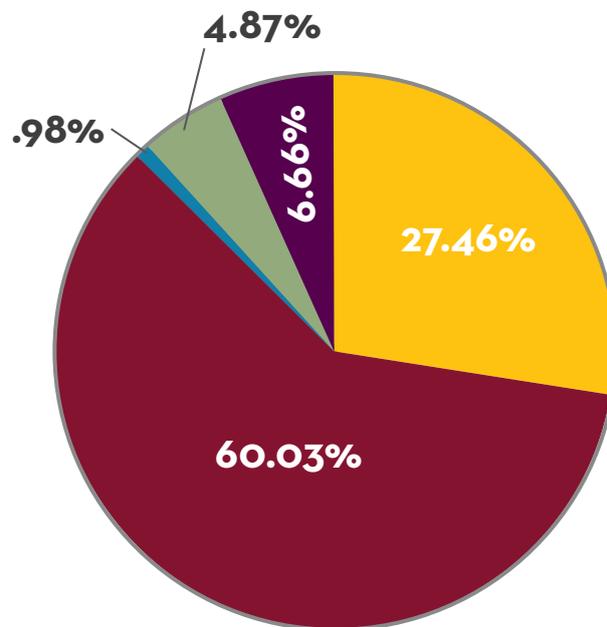
## DAMAGE TO PLANTS, TREES AND VEGETABLES

TYPE	NUMBER
Productive trees	396,599
Unproductive trees	51,699
Vegetables (area in dunam)	999,785

"In this precarious situation, the military operations destroyed a substantial part of the economic infrastructure. ... As a result of the razing of farmland and destruction of greenhouses, food insecurity is expected to further worsen." - Goldstone Report, p. 22

With borders closed, farmers can't sell their produce in more lucrative markets outside Gaza. And within Gaza, the poverty level is so high, farmers fetch a fraction of the price for their goods - providing they can sell them in the first place. Farmers' income is down by as much as 50 percent, and the exports of strawberries, cherry tomatoes and cut flowers is at a standstill, according to the International Committee of the Red Cross.

## TOTAL DESTROYED LAND BY DISTRICT



- North Gaza
- Gaza City
- Central Gaza
- Khan Younis
- Rafah



# THE GOLDSTONE REPORT

A monumental report, “Human Rights in Palestine and Other Occupied Arab Territories,” (the Goldstone Report) is the result of the United Nations-commissioned fact-finding mission that investigated the issues surrounding Israel’s brutal military offensive against the Gaza Strip in December 2008 and January 2009. It was released in September 2009 to much fanfare and criticism.

The report may be one of the first that actually holds Israel accountable for the human rights abuses it perpetrates against the illegally occupied Palestinian people, stating Israel may be guilty of war crimes and crimes against humanity for the winter assault that left 1,409 Palestinians dead and more than 5,300 wounded.

The commission was led by South African jurist Richard Goldstone, who served as the chief prosecutor of the United Nations International Criminal Tribunals for the former Yugoslavia and for Rwanda in the late 1990s. The group looked at the situation in illegally occupied Palestine in general, at events in Gaza leading up to Operation Cast Lead and other factors. It determined the responsibilities of each party to the fighting – whether they were IDF troops or Palestinian resistance fighters – and viewed their actions within the scope of the international laws that govern warfare with the objective of the humanitarian protection of the civilian population.

The legal framework included general international law, the Charter of the United Nations, international humanitarian law, international human rights law and international criminal law.

The State of Israel refused to cooperate.

**After reviewing the actions of Operation Cast Lead, the commission found evidence Israel violated international law by:**

- Willful killing
- Willfully causing great suffering to protected peoples
- Attacking government buildings, medical facilities, schools, and mosques
- Using white phosphorus
- Using flechettes
- Possibly used dense inert metal explosives (DIME)
- Using civilians as human shields

~ Goldstone Report, pp. 17-18.

The commission did not believe Israel was acting in self-defense when it launched Operation Cast Lead on Dec. 27, 2008, in part because of statements Israeli officials made publicly.

“Statements by Israeli leaders to the effect that the destruction of civilian objects would be justified as a response to rocket attacks (‘destroy 100 homes for every rocket fired’), indicate the possibility of resort to reprisals. The Mission is of the view that reprisals against civilians in armed hostilities are contrary to international humanitarian law.” ~ Goldstone Report, p. 22.

On more than one occasion, the commission finds Israel responsible for using disproportionate force against civilians, willfully and wantonly killed, maimed people, and destroyed property, all of which are in violation of several international laws. Furthermore, in at least one case, the Goldstone Report says it didn’t exclude an excuse Israel gave for firing a mortar shell into a family home, killing 11 people there, but it didn’t necessarily believe the reason that the attack was launched in response to an attack by an armed Palestinian group because of Israel’s track record for lying.

“... the Mission ... considers the credibility of Israel’s position damaged by the series of inconsistencies, contradictions and factual inaccuracies in the statements justifying the attack.”

~ Goldstone Report, p. 15.

“The Mission concluded that actions amounting to war crimes and possibly, in some respects, crimes against humanity, were committed by Israeli Defense Forces.” ~ Judge Goldstone was quoted as saying in al Jazeera.

More troubling, perhaps, is that Israeli military planners seemed to have been following a policy established in Israel’s 2006 attack against Lebanon called the Dahiya Doctrine that calls for the “application of disproportionate force and the causing of great damage and destruction to civilian property and infrastructure, and suffering to civilian populations,” according to the Goldstone Report.

“The lives of Palestinians, let’s say, is something very, very less important than the lives of our soldiers.” ~ Israeli infantry squad leader, as quoted in a March 20 Haaretz article.

The UN Human Rights Council approved the Goldstone Report in October 2009. It is to go before the UN Security Council at some point, where the United States is expected to veto any motion to move the issue to the International Criminal Court, according to experts.

The report recommends that both Israel and Palestinian armed groups launch investigations into its findings. Gazan authorities indicated they will comply. Israel refuses to do so and has gone to great lengths to discredit Judge Goldstone and the report.

“I would suggest that time has come for Israel to look at the allegations not only of the killing and injuring of so many civilians but also the collective punishment meted out to the people of Gaza by the substantial destruction of the infrastructure, and particularly the food infrastructure of Gaza. The debate should continue, not attempt to be silenced.” ~ Justice Richard Goldstone, Haaretz, Nov. 11, 200



# CONCLUSION

Ten months after the end of Operation Cast Lead, the siege of Gaza still had the Strip in a tight stranglehold. Humanitarian items from much needed emergency vehicles, construction supplies to school books, paper and pencils, were still restricted. Twenty-five thousand children were still homeless, and at least 100,000 people still did not have consistent access to clean drinking water.

Despite a donors' conference held at Sharm el Sheikh, Egypt, in March 2009, in which 75 countries and 15 international organizations pledged nearly \$4.5 billion for reconstruction, very little money has been delivered to authorities in Gaza because of the siege. The money continues to sit in a fund because Israel continues to block the disbursement of funds into Gaza.

According to international law and the Permanent Court of International Justice, the violating state is responsible for:

- Reconstruction
- Reparations in the form of restitution compensation
- Rehabilitation of victims
- Guarantee such an action will not happen again

With the siege still in place and with Israel's rejection of the Goldstone Report's findings and its recommendations that Israel conduct an investigation into the actions of its military, there is little hope such restitution will come.

Even if Israel lifted the siege in the near future, the threat of collective punishment is all too real. Israel's illegal occupation of Palestine has deprived Palestinians of their basic human rights for decades. It is the occupation that is at the root and heart of the intractable conflict between Israel and Palestine.

"The Mission is conscious that rebuilding Palestinian lives and livelihoods will not be fully possible until the effects of the occupation, the blockade and successive military incursions are eliminated," the Goldstone Report states. "... the harsh and unlawful practices of occupation, far from quelling resistance, breed it, including its violent manifestations. Ending the occupation is a prerequisite for the return of a dignified life for Palestinians, as well as development and a peaceful solution to the conflict."

**The people of Palestine - OF GAZA - are still standing tall, refusing to break under Israel's relentless cruelty.**

Perhaps one Gazan teacher quoted in the Goldstone Report, who has resumed teaching her students about human rights despite the irony that theirs have been so ruthlessly violated, summed it up best when she said: "This is a war of values and we are not going to lose it."

## Update on the blockade on Gaza as of December 31, 2010

In the two years since the cessation of Operation Cast Lead on Jan. 18, 2009, Israeli occupation forces have killed more than 100 Palestinians in Gaza and wounded hundreds more. The United Nations and NGOs, such as the Palestinian Centre for Human Rights, report weekly incursions, gunfire, air assaults and other harassment of Jewish forces against the besieged 1.6 million people of Gaza.

Conditions in Gaza continue to steadily decline, despite Israel's assurances to "ease" the blockade in the face of the global outcry resulting from Israel's murder of nine, unarmed humanitarian activists on the Mavi Marmara in international waters on May 31, 2010.

### The Stats:

'EASING' MEASURES ANNOUNCED JUNE 20, 2010	THE REALITY
Will publish a 'negative' list of items NOT allowed in Gaza; All other items will be allowed	<ul style="list-style-type: none"> <li>· Consumer food stuffs increased from 20% to 35% of pre-blockade levels</li> <li>· Many items absent from the list still were banned entry or required special approval, which was not granted</li> <li>· Raw materials still banned in most cases</li> </ul>
Allow the entry of construction materials for international projects	<ul style="list-style-type: none"> <li>· Inflow of construction products still at 11% or pre-blockade levels</li> <li>· Complex approval and monitoring system increases costs</li> <li>· Only 7% (25 projects) of UNRWA projects have been approved</li> <li>· Most building materials for these 25 projects not received</li> </ul>
<ul style="list-style-type: none"> <li>· Expand crossing capability at Kerem Shalom crossing to 250 trucks per day</li> <li>· Open additional crossings</li> </ul>	<ul style="list-style-type: none"> <li>· On average, 183 trucks cross at Kerem Shalom daily</li> <li>· Karni crossing remains closed except for conveyer belt</li> <li>· Conveyer belt processing only 137 truckloads, down from 158 prior to 'easing'</li> <li>· Conveyer belt processing only 38 % of what was promised</li> <li>· Erez crossing allowed for restricted pedestrians</li> <li>· Sufa and Nahal Oz crossings remained closed</li> </ul>
Streamline permits for humanitarian and medical reasons and for aid workers	<ul style="list-style-type: none"> <li>· Entry and exit ban still in place</li> <li>· Exits below 1% or 2000 levels</li> <li>· Fewer permits approved for UN local humanitarian staff than before 'easing'</li> <li>· Permit policy for medical patients and aid workers still arbitrary</li> </ul>

### Also:

Ban on exports continue. Except for few strawberries, NOT ONE TRUCK OF EXPORTS has left Gaza since the 'easing' was announced in June 2010 through Nov. 30, 2010. In fact, since the total blockade was enacted in 2007, a total of only 224 truckloads of exports (excluding strawberries) have been allowed out of Gaza.

Fuel imports remain restricted.

Fuel for power plant remains at 68 percent of capacity

Cooking fuel remains at 53 percent of needs

Almost no diesel or gasoline has been allowed in.

Restrictions remain in place on 35 percent of farmland, which lies in the 'buffer zone' adjacent to the Apartheid Wall, and 85 percent of maritime waters needed for fishing.

Israeli soldiers have killed 6 Palestinians - including 2 children - and wounded 57 - including 10 children - who entered the buffer zone to tend to crops, between the 'easing' announcement on June 10, 2010 and Nov. 30, 2010.

### Key humanitarian indicators remain bleak.

- 61 percent of Gazans do not have enough food to meet their needs
- The adjusted unemployment rate in Gaza stands at 43 percent, although it reaches 49 percent in the refugee camps.\*
- Power outages last 4 to 6 hours every day, and sometimes last longer
- 60 percent of Gazans receive running water once every 4 or 5 days for about 6 hours.
- 90 percent of water is contaminated and not suitable for drinking because water treatment plants destroyed in Operation Cast Lead can't be repaired because of the siege.
- 78 percent of homes destroyed in Operation Cast Lead have not been repaired because building supplies are banned.

\*The unemployment rate for those unemployed and seeking work is 39 percent. When the unemployed who have discontinued looking for work are factored in, the rate is adjusted to 43 percent, according to UNISPAL.

Sources: Palestinian Centre for Human Rights; the multi-organization report "Dashed Hopes: Continuation of the Gaza Blockade," Nov. 30, 2010; United Nations Information System on the Question of Palestine (UNISPAL); UN Office for the Coordination of Humanitarian Affairs (UNOCHA)

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United National Economic and Social Council, May 2009

Reem Salahi, National Lawyers Guild

## SILENCE FOR GAZA

*Gaza has no throat.*

*Its pores are the ones that speak in sweat, blood, and fires.*

*Hence the enemy hates it to death and fears it to criminality, and tries to sink it into the sea ... And hence its relatives and friends love it with a coyness that amounts to jealousy and fear at times, because Gaza is the brutal lesson ... and the shining example for enemies and friends alike.*

*Gaza is not the most beautiful city.*

*Its shore is not bluer than the shores of Arab cities.*

*Its oranges are not the most beautiful in the Mediterranean basin.*

*Gaza is not the richest city.*

*It is not the most elegant or the biggest, but it equals the history of an entire homeland, because it is more ugly, impoverished, miserable, and vicious in the eyes of enemies.*

*Because it is the most capable, among us, of disturbing the enemy's mood and his comfort. Because it is his nightmare.*

*Because it is mined with oranges; children without a childhood; old men without old age; and women without desires.*

*Because of all this it is the most beautiful, the purest and richest among us and the one most worthy of love.*

~ Mahmoud Darwish

