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Country of Origin Information on the Situation in the Gaza Strip, Including on Restrictions on Exit and Return

This document provides an update of and replaces UNHCR’s “Access to the Gaza Strip through Rafah” and “Internal Displacement and Humanitarian Situation in the Gaza Strip” of November 2015.¹ It provides information on the living conditions in the Gaza Strip, including the human rights and humanitarian situation, as well as information in relation to Palestinians’ ability to move between the Gaza Strip and Israel and Egypt, respectively. This document is based on publically available information (noting that UNHCR does not have a presence in the Gaza Strip). Information up to 23 February 2018 has been considered.

This document should be read in conjunction with UNHCR’s Position on Deportations to Gaza from February 2015, in which UNHCR requests States to uphold a non-removal policy to Gaza for humanitarian reasons.²

¹ UNHCR, *Access through Rafah Border Crossing the Gaza Strip*, November 2015, <http://www.refworld.org/docid/5657ff174.html>; UNHCR, *Internal Displacement and Humanitarian Situation in the Gaza Strip*, November 2015, <http://www.refworld.org/docid/564ec6914.html>.

² UNHCR, *UNHCR Position on Deportations to Gaza*, February 2015, <http://www.refworld.org/docid/5448f2bea.html>.

Table of Contents

I. List of Abbreviations	3
II. Introduction	4
III. Humanitarian Situation	7
1) Housing and Reconstruction	7
2) Livelihoods	8
3) Food Security	10
4) Health	11
5) Education	14
6) Electricity, Water and Sanitation	15
IV. Human Rights Situation.....	16
V. Restrictions on Exit from and Return to the Gaza Strip	22
1) Erez Crossing	23
2) Rafah Crossing	25

List of Abbreviations

AFP	Agence France Presse
ARA	Access Restricted Area
CERI	Consolidated Eligibility and Registration Instructions
COGAT	Coordination of Government Activities in the Territories
EuroMed	Euro-Mediterranean Human Rights Monitor
EWR	Explosive Remnants of War
GBV	Gender-based violence
HRW	Human Rights Watch
IHL	International Humanitarian Law
ILGA	International Lesbian, Gay, Bisexual, Trans and Intersex Association
ILO	International Labour Organization
IMEMC	International Middle East Media Center
IMF	International Monetary Fund
ISIS	Islamic State in Iraq and Syria
NRC	Norwegian Refugee Council
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the High Commissioner for Human Rights
oPt	Occupied Palestinian Territory
PCBS	State of Palestine/Palestinian Central Bureau of Statistics
PCHR	Palestinian Centre for Human Rights
RSF	Reporters Without Borders
UN	United Nations
UNCT	United Nations Country Team
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNGA	United Nations General Assembly
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNMAS	United Nations Mine Action Service
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
UNSCO	The Office of the United Nations Special Coordinator for the Middle East Peace Process
US	United States
WFP	World Food Programme
WHO	World Health Organization

I. Introduction

The Gaza Strip covers an area of about 365 km² in size and has a total population of approximately 1.9 million people, including over 1.3 million Palestine refugees (68 per cent of the total population).³ For the past decade, the Gaza Strip has reportedly been on a “*trajectory of de-development*”.⁴ The Gaza blockade, which is now in its 11th year and imposes wide-ranging restrictions on imports, including medical and other humanitarian items, and on exports and movement of people to and from the Gaza Strip by land, sea and air,⁵ is considered a primary cause of the Strip’s socio-economic and humanitarian crisis.⁶ The United Nations (UN) and human rights organizations have repeatedly highlighted the illegality of the blockade as a form of “*collective punishment*” and called for its full lifting.⁷ The situation is reportedly compounded by severe movement restrictions between the Gaza Strip and Egypt since June 2013,⁸ as well as by the intra-Palestinian political divide between authorities in the West Bank and the Gaza Strip, which stems from the takeover of the Gaza Strip by Hamas from the Palestinian Authority in June 2007.⁹ This internal divide reportedly escalated in April 2017 following the

- ³ According to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), 1,348,536 Palestine refugees are registered with the Agency in the Gaza Strip. An additional 87,080 “*other registered persons*” are listed with UNRWA in the Gaza Strip, namely those who, at the time of original registration, did not satisfy all the Palestine refugee criteria of UNRWA but who were determined to have suffered significant loss and/or hardship for reasons relating to the 1948 conflict in Palestine. They also include persons who belong to the families of other registered persons; UN General Assembly, *Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, 1 January - 31 December 2016*, 22 May 2017, A/72/13, <http://www.refworld.org/docid/59ef4f534.html> (hereafter: UNGA, *Report of the Commissioner-General*, 22 May 2017, <http://www.refworld.org/docid/59ef4f534.html>, p. 7. “*Palestine refugees*” are defined as “*persons whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948, and who lost both home and means of livelihood as a result of the 1948 conflict*”; UNRWA, *Consolidated Eligibility and Registration Instructions (CERI)*, 1 January 2009, <http://www.refworld.org/docid/520cc3634.html>, p. 3.
- ⁴ United Nations (UN), *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 3. “*Since 2007, Israel has maintained a suffocating economic and travel blockade that has driven Gaza back to the dark ages. More than 60 per cent of the population of Gaza is reliant upon humanitarian aid, it is unable to secure more than one-third of the electrical power that it requires, it will soon exhaust its sources of safe drinking water, and, virtually unique in the world, its gross domestic product is actually lower than it was in 2006*”; UN Secretary-General, *Situation of Human Rights in the Palestinian Territories Occupied since 1967*, Advance Unedited Version, A/72/43106, 23 October 2017, <http://bit.ly/2BAHHtF> (hereafter: UN Secretary-General, *Situation of Human Rights in the Palestinian Territories Occupied since 1967*, 23 October 2017, <http://bit.ly/2BAHHtF>), para. 55. “*Overall humanitarian conditions in Gaza have deteriorated to breaking point, with severe and far-reaching consequences*”; United Nations Development Programme (UNDP), *Three Years after the 2014 Gaza Hostilities – Beyond Survival: Challenges to Economic Recovery and Long-Term Development*, 31 May 2017, <http://bit.ly/2yXaUO4> (hereafter: UNDP, *Three Years after the 2014 Gaza Hostilities*, 31 May 2017, <http://bit.ly/2yXaUO4>), p. 6. “*Ten years into the almost total blockade by land, sea and air, Gaza is inching ever closer to humanitarian collapse*”; International Labour Organization (ILO), *The Situation of Workers of the Occupied Arab Territories*, 2017, ILC.106/DG/APP, <http://www.refworld.org/docid/59314e4b4.html> (hereafter: ILO, *The Situation of Workers of the Occupied Arab Territories*, 2017, <http://www.refworld.org/docid/59314e4b4.html>) para. 23.
- ⁵ Following the takeover of the Gaza Strip by Hamas in June 2007, Israel imposed a land, sea and air blockade on the Gaza Strip, which intensified earlier access restrictions; UNRWA, *Gaza Situation Report 206*, 17 September 2017, <http://bit.ly/2jDmU3h>; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 7; Al Jazeera, *A Guide to the Gaza Strip*, 26 June 2017, <http://aje.io/898j>; United Nations Office for the Coordination of Humanitarian Affairs (OCHA), *The Gaza Strip: The Humanitarian Impact of the Blockade*, November 2016, <http://bit.ly/2mmeUS9>. See also below Section IV (“*Restrictions on Exit from and Return to the Gaza Strip*”).
- ⁶ The United Nations Conference on Trade and Development (UNCTAD) warned in September 2015 that, if the prevailing economic trends persisted, “*Gaza could become uninhabitable by 2020*.” In July 2017, the UN Country Team (UNCT) Palestine reported that “*most of the projections for 2020 have in fact deteriorated even further and faster than anticipated*”; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 3. “*In the Gaza Strip, ten years of blockade imposed by Israel after the violent takeover of Gaza by Hamas, plus recurrent outbreaks of hostilities, have eroded basic infrastructure, service delivery, livelihoods and coping mechanisms*”; OCHA, *Humanitarian Bulletin Occupied Palestinian Territory – December 2017*, 15 January 2018, <http://bit.ly/2mRl4uJ>, p. 14. See also, Al Jazeera, *UN Warns of Gaza’s ‘Total Collapse’ amid Power Crisis*, 14 June 2017, <http://bit.ly/2hdOqVV>; UNCTAD, *Gaza Could Become Uninhabitable in Less than Five Years in Wake of 2014 Conflict and Ongoing De-Development, According to New UNCTAD Report*, 1 September 2015, <http://bit.ly/1X7e2uk>.
- ⁷ “*The ongoing Israeli blockade, which also constitutes a form of collective punishment, continued to restrict the enjoyment by Gazans of a range of human rights, including their right to freedom of movement and their economic and social rights. The blockade remains a key driver of Gaza’s humanitarian crisis (...)*”; UN Human Rights Council, *Implementation of Human Rights Council Resolutions S-9/1 and S-12/1*, 25 January 2017, A/HRC/34/36, <http://www.refworld.org/docid/58ad8c054.html> (hereafter: UN Human Rights Council, *Implementation of Human Rights Council Resolutions S-9/1 and S-12/1*, 25 January 2017, <http://www.refworld.org/docid/58ad8c054.html>), para. 36. See also, Amnesty International, *Annual Report 2017/18 – Israel and the Occupied Palestinian Territories*, 22 February 2018, <http://bit.ly/1vz6eK3>; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 7.
- ⁸ See Section IV.2 (“*Restrictions on Exit from and Return to the Gaza Strip – Rafah Crossing*”).
- ⁹ “*The authorities in the West Bank took punitive actions against the Hamas administration that further restricted the civilian population’s access to vital services, exacerbating the humanitarian crisis resulting from Israel’s military blockade of Gaza*”; Amnesty International, *Annual Report 2017/18 – Israel and the Occupied Palestinian Territories*, 22 February 2018, <http://bit.ly/1vz6eK3>. “*The ongoing restrictions on the movement of people and goods in and out of Gaza, in combination with the internal Palestinian political divisions, have precipitated a marked deterioration in the overall humanitarian situation and increased violation of rights of the people of Gaza*”; OCHA, *Occupied Palestinian Territory: Humanitarian Needs Overview 2018, November 2017*, 20 December 2017, <http://bit.ly/2BLdM29> (hereafter: OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>), p. 23. See also, Human Rights Watch (HRW), *World Report 2018 – Israel and Palestine*, 18 January 2018, <http://www.refworld.org/docid/5a61ee62a.html>.

imposition of a series of measures by the Palestinian Authority against the Gaza Strip affecting public sector allowances, electricity supplies and the referral of patients for medical treatment outside the Gaza Strip.¹⁰ The reconciliation agreement concluded between the Palestinian Authority and Hamas on 12 October 2017 has reportedly not yet led to a reversal of all of these measures and a significant improvement in the humanitarian situation.¹¹ In a positive development, the Palestinian Authority reportedly reinstated payments for electricity to Israel in early January 2018, allowing for the restoration of electricity supplies to the Gaza Strip.¹²

Furthermore, the Gaza Strip's population growth is reported to outpace the growth of the economy, basic infrastructure and services.¹³ In addition to the blockade imposed by Israel, the Gaza Strip has experienced successive rounds of violent confrontations between Israel and Hamas. Since Israel withdrew from the Gaza Strip in 2005, major conflicts occurred in 2008, 2012 and 2014.¹⁴ The last round of hostilities in July/August 2014 was reportedly the most devastating and resulted in high numbers of civilian casualties, the vast majority of whom were Palestinians,¹⁵ large-scale internal displacement in the Gaza Strip,¹⁶ and widespread damage to housing and already weak basic infrastructure,¹⁷ further exacerbating the area's dire economic and humanitarian situation.¹⁸ Three years after the latest escalation of hostilities, and despite significant progress in the reconstruction of damaged and destroyed housing and infrastructure, the Gaza Strip is reportedly yet to recover:

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- ¹⁰ “The punishing measures taken against Gaza by the Palestinian Authority since April [2017] only add to the crippling humanitarian effect on the population of Israel’s closures”; The Office of the United Nations Special Coordinator for the Middle East Peace Process (UNSCO), *Security Council Briefing – 22 August 2017*, 22 August 2017, <http://bit.ly/2x4Z4zG>. See also, OCHA, *Humanitarian Bulletin Occupied Palestinian Territory – December 2017*, 15 January 2018, <http://bit.ly/2mR14uJ>, p. 14; UNGA, *Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People*, 5 September 2017, A/72/35, <http://www.refworld.org/docid/59d228984.html> (hereafter: UNGA, *Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People*, 5 September 2017, <http://www.refworld.org/docid/59d228984.html>), para. 17; OCHA, *The Humanitarian Impact of the Internal Palestinian Divide on the Gaza Strip*, June 2017, <http://bit.ly/2upySP4>.
- ¹¹ “Divisions between the Ramallah-based “national consensus” government and the Hamas de facto administration in Gaza persisted for much of the year [2017]. In an apparent effort to regain control of the Gaza Strip, the Palestinian authorities introduced a series of punitive measures against Hamas, which remained in place at the end of the year”; Amnesty International, *Annual Report 2017/18 – Israel and the Occupied Palestinian Territories*, 22 February 2018, <http://bit.ly/1vz6eK3>. See also, OCHA, *Humanitarian Bulletin Occupied Palestinian Territory – December 2017*, 15 January 2018, <http://bit.ly/2mR14uJ>, p. 2, and below Section II (“Humanitarian Situation”) and Section IV (“Restrictions on Exit from and Return to the Gaza Strip”).
- ¹² See below Section II.6 (“Humanitarian Situation – Electricity, Water and Sanitation”).
- ¹³ “Since the publication in 2012 of the UNCT’s report on ‘Gaza 2020’, Gaza’s population has increased by 400,000, reaching 2 million people by the end of 2016. Gaza’s population is projected to further increase to 2.2 million by 2020 and to 3.1 million by 2030 – just 12 years away. (...) The population has actually grown slightly faster than projected and neither the economy nor basic infrastructure and services have been able – even remotely – to keep pace”; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 3. “Gaza’s population growth due to higher fertility and built-in population momentum will more than double (multiplication by 2.5), from 1.9 to 4.8 million in 2050”; United Nations Population Fund (UNFPA), *Palestine 2030 – Demographic Change: Opportunities for Development*, December 2016, <http://www.refworld.org/pdfid/585b87ea4.pdf>, p. 15. See also, UN News, *Population Growth in Occupied Palestinian Territory to Drive Demand for Housing, Services – UN*, 21 December 2016, <http://www.refworld.org/docid/585b877c40c.html>.
- ¹⁴ The cost of the total direct physical damages of the three conflicts combined was estimated at three times the size of the Gaza Strip’s annual GDP. The 2014 hostilities are reported to have been the “deadliest and most devastating of all”; UNDP, *Three Years after the 2014 Gaza Hostilities*, 31 May 2017, <http://bit.ly/2yXaUO4>, p. 25. For an overview of the three major rounds of hostilities and their impact, see UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 12; The New York Times, *In Gaza, a Pattern of Conflict*, 31 July 2014, <https://nyti.ms/2zkC4gJ>.
- ¹⁵ “The hostilities between Israel and Palestinian armed groups from 8 July to 26 August 2014 were the most devastating in the Gaza Strip since the start of the Israeli occupation in 1967. They resulted in the deaths of 2,251 Palestinians, including at least 1,462 civilians, and 71 Israelis, of whom five were civilians. Over 11,000 Palestinians were injured, including hundreds of people left with a long-term disability, and huge numbers of the population, particularly children, were traumatized”; OCHA, *The Monthly Humanitarian Bulletin – August 2017*, September 2017, <http://bit.ly/2y8MUWJ>.
- ¹⁶ During the July/August 2014 hostilities, nearly half a million people, or 28 per cent of the Gaza Strip’s population, became internally displaced at the height of the conflict; UNRWA, *Gaza Emergency*, accessed 23 February 2018, <http://bit.ly/2ytHqcQ>. This displacement needs to be seen in the context of the vast majority (around 70 per cent) of the Gaza Strip’s residents being Palestine refugees; UNRWA, *Where We Work – Gaza Strip*, figures last updated 31 October 2016, <http://bit.ly/1vUFFuP>; Norwegian Refugee Council (NRC), *Housing, Land and Property Rights in Gaza*, August 2017, <http://bit.ly/2xQc9wq>.
- ¹⁷ Including health and educational facilities. According to UNRWA, 17 hospitals and 56 primary healthcare centres were either destroyed or partially damaged. In addition, 252 schools were damaged and seven were destroyed, including 83 UNRWA schools; UNCTAD, *Report on UNCTAD Assistance to the Palestinian People: Developments in the Economy of the Occupied Palestinian Territory*, TD/B/62/3, 6 July 2015, <http://bit.ly/1NV3nBT>, para. 42; UN, *Gaza: Two Years After*, 26 August 2016, <http://bit.ly/2hUTY3H>, p. 6.
- ¹⁸ “It lasted 51 days, and wrought unprecedented carnage to Gaza’s civilian population and caused widespread destruction to its already weak economy and failing infrastructure including schools, universities, hospitals, water and sanitation systems, communication networks, and Gaza’s only power plants, public buildings, industrial assets and agricultural land. Over 60% of Gaza’s housing stock sustained significant damage, with highrise residential buildings flattened, and entire neighbourhoods across the eastern Gaza Strip were reduced to rubble or rendered uninhabitable”; UNDP, *Three Years after the 2014 Gaza Hostilities*, 31 May 2017, <http://bit.ly/2yXaUO4>, p. 25. See also, UN, *Gaza – 10 Years*

*“Three years since the hostilities, Gaza remains a war-torn area, a man-made disaster, an open air prison, isolated and besieged from all sides. Its economy has been crushed, its 2 million people – half of them under the age of 15 – are traumatized and abandoned, and its civilian infrastructure and public services, both social (health, education, and housing) and physical (roads, water, energy, and sanitation), are largely dysfunctional.”*¹⁹

Although the August 2014 ceasefire continues to hold and no further conflict-related displacement has been recorded since, the security situation in the Gaza Strip is reported to remain volatile as tensions between Israel and Hamas result in episodes of violence and the killing and injury of civilians.²⁰ Following the US President’s decision to “officially recognize Jerusalem as the capital of Israel” in early December 2017,²¹ the situation has reportedly become more tense with an increase in security incidents, including rockets fired from the Gaza Strip, demonstrations and clashes between Palestinians and Israeli security forces.²² Since the end of the 2014 hostilities, the United Nations Mine Action Service (UNMAS) has recorded an increase in the number of incidents related to Explosive Remnants of War (ERW) in the Gaza Strip, as a result of which nearly 160 people, mostly men and boys, have been either killed or injured.²³

In a move to end the split that has divided the West Bank and the Gaza Strip politically and administratively since 2007, Hamas and the West Bank-based Palestinian Authority concluded a reconciliation agreement based on a unity government on 12 October 2017. The Egyptian-brokered agreement formally restored the Palestinian Authority’s administrative control over the Gaza Strip as of 10 December 2017.²⁴ The Fatah-dominated Palestinian Authority regained full control of the Gaza Strip’s side of the Erez, Kerem Shalom and Rafah Crossings, and on 18 November 2017, for the first time in more than a decade, the Rafah crossing to Egypt temporarily opened under Palestinian Authority control.²⁵ The two parties, alongside 11 other political factions, have agreed to hold presidential and legislative elections by the end of 2018.²⁶ Subsequent talks will have to address a number of outstanding and contentious issues, above all the security arrangements and the disarming

Later, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, pp. 11-12; Amnesty International, *Gaza: Looming Humanitarian Catastrophe Highlights Need to Lift Israel’s 10-Year Illegal Blockade*, 14 June 2017, <http://www.refworld.org/docid/59422e974.html>.

¹⁹ UNDP, *Three Years after the 2014 Gaza Hostilities*, 31 May 2017, <http://bit.ly/2yXaUO4>, p. 12.

²⁰ UNSCO, *Security Council Briefing on the Situation in the Middle East, UN Special Coordinator Nickolay Mladenov*, 20 February 2018, <http://bit.ly/2HDLAAS>; UNRWA, *Occupied Palestinian Territory Emergency Appeal 2018 – Factsheet*, 30 January 2018, <http://bit.ly/2EKJ1en>. Civilian casualties reportedly occur regularly as a result of clashes near the Gaza Strip’s perimeter fence and the use of firearms along the Israeli designated “access restricted area” (ARA) on land and sea, often in the context of protests along the Israel-Gaza fence; Palestinian Centre for Human Rights (PCHR), *Gaza Strip: Attacks in the Border Areas and Their Consequences*, 21 February 2018, <http://pchr.org/en/?p=10414>. See also OCHA’s successive *Protection of Civilians Reports*, available at: <https://www.ochaopt.org/reports/protection-of-civilians> and OCHA, *Conflict-Related Casualties and Violence*, monthly figures database, available at: <https://www.ochaopt.org/content/monthly-figures> and UNRWA bi-weekly *Gaza Situation Reports*, available at: <https://www.unrwa.org/newsroom/emergency-reports>.

²¹ The White House, *Statement by President Trump on Jerusalem*, 6 December 2017, <http://bit.ly/2DeXLBA>.

²² In response to the level of casualties in Gaza Strip, the UN High Commissioner for Human Rights raised “serious concerns as to whether the force used by Israeli forces was properly calibrated to the threat”; Office of the High Commissioner for Human Rights (OHCHR), *UN Rights Chief Denounces Israeli Forces’ Shooting of Man in Wheelchair*, 19 December 2017, <http://bit.ly/2Bd3ju9>. See also, OCHA, *Humanitarian Bulletin Occupied Palestinian Territory – December 2017*, 15 January 2018, <http://bit.ly/2mRl4uJ>, p. 1; UNSCO, *Nickolay Mladenov, Special Coordinator for the Middle East Peace Process: Briefing to the Security Council on the Situation in the Middle East – Report on UNSCR 2334 (2016)*, 18 December 2017, <http://bit.ly/2CRt1Wy>.

²³ “In 2017, the recorded number of ERW accidents surpassed the number of reported incidents during the whole of 2016, indicating the ongoing ERW threat to the local population. Since the 2014 conflict ended, 158 people have been killed or injured by ERW, 80% of whom were men and boys”; UNMAS, *State of Palestine*, updated January 2018, <http://bit.ly/1QUfNgR>. See also, OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, pp. 7, 23.

²⁴ Deutsche Welle, *Palestinian Rivals Fatah and Hamas Sign Reconciliation Deal*, 12 October 2017, <http://p.dw.com/p/2lgVK>.

²⁵ UNSCO, *Nickolay Mladenov, Special Coordinator for the Middle East Peace Process, Briefing to the Security Council on the Situation in the Middle East*, 20 November 2017, <http://bit.ly/2omK3Hp>. See also below Section IV (*Restrictions on Exit from and Return to the Gaza Strip*).

²⁶ Al-Monitor, *Palestinians Ponder who May Run for President Next Year*, 13 December 2017, <http://almon.co/2yqjd>; Deutsche Welle, *Rival Palestinian Parties Fatah and Hamas Agree to Hold Elections by End of 2018*, 22 November 2017, <http://p.dw.com/p/2o64p>.

of Hamas' military wing.²⁷ At the time of writing, progress in working out the details of the political power-sharing deal between Hamas and the Palestinian Authority has reportedly stalled.²⁸

II. Humanitarian Situation

The already protracted humanitarian situation in the Gaza Strip deteriorated markedly in 2017 and into 2018.²⁹ An estimated 1.6 million people, or 64 per cent of the Gaza Strip's population, are reportedly in need of humanitarian assistance in Gaza Strip, with high needs across most sectors.³⁰ With the Gaza Strip reportedly heavily dependent on humanitarian assistance and services, concerns have been expressed about the impact of predicted funding cuts in 2018 to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) on the continued provision of vital health, education and food services.³¹

1) Housing and Reconstruction

The Gaza Strip is reported to suffer from a chronic and deepening housing shortage as a result of the population's growth, the ongoing blockade and recurrent conflict.³² The housing sector was severely affected by the July/August 2014 hostilities as more than 171,000 homes were damaged or completely destroyed.³³ According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), approximately 100,000 people were displaced due to the destruction or severe damage to their homes (over 17,000 housing units).³⁴ At the end of December 2017, 4,450 families (about 23,500 individuals) remained displaced as their homes were either destroyed or severely damaged and have not yet been reconstructed.³⁵ Delays reportedly relate mainly to

²⁷ "Palestinian factions signed an agreement on 12 October [2017] to allow the Palestinian Authority to assume control of Gaza. The Gaza crossings fully returned to the control of the Palestinian Authority on 1 November; and public sector employees recruited by the Palestinian Authority prior to 2007 registered in preparation for establishing a unified work force. The process, however, is faltering over substantial disagreements, including on important questions related to the payment of public sector salaries, the lifting of PA imposed measures, and Hamas giving up its security control of Gaza"; UNSCO, Nickolay Mladenov, *Special Coordinator for the Middle East Peace Process: Briefing to the Security Council on the Situation in the Middle East – Report on UNSCR 2334 (2016)*, 18 December 2017, <http://bit.ly/2CRt1Wy>. "The more troublesome issues between Hamas and Mr. Abbas's Fatah faction – including the merger of two separate work forces in Gaza, and what is to become of the estimated 25,000 Hamas fighters, their arsenal of rockets and network of tunnels – were left for later"; The New York Times, *U.S. Works to Keep Palestinians' Talks on Track to Aid Peace*, 19 October 2017, <https://nyti.ms/2kZmVPC>. See also, Al Jazeera, *Three Issues that Could Derail the Fatah-Hamas Deal*, 21 October 2017, <http://aje.io/ewwe3>.

²⁸ "As the humanitarian crisis in Gaza escalates, the implementation of the Egyptian-brokered intra-Palestinian agreement has stalled. Absent immediate steps to address the humanitarian crisis and to revive the economy, we will face a total institutional and economic collapse in Gaza"; UNSCO, *Security Council Briefing on the Situation in the Middle East, UN Special Coordinator Nickolay Mladenov*, 20 February 2018, <http://bit.ly/2HDLAAS>. "In Gaza, living conditions deteriorated further as Palestinian Authority (PA) maintained punitive measures on enclave and rapprochement between rival Palestinian factions, Fatah and Hamas, continued to stall"; International Crisis Group, *Tracking Conflict Worldwide*, January 2018, <http://bit.ly/2EKO1DA>. See also, Christian Science Monitor, *In Gaza, amid Warnings of an Explosion, a Sense of Abandonment*, 15 February 2018, <http://bit.ly/2CdtNkw>; UNRWA, *Occupied Palestinian Territory – Emergency Appeal 2018*, 30 January 2018, <http://bit.ly/2GTBYeo>, p. 3; Reuters, *Palestinians See Gaza Peace Dividend Pass Them by*, 16 January 2018, <http://bit.ly/2mTu2b1>.

²⁹ World Health Organization (WHO), *WHO Gaza Crisis Donor Alert (February 2018)*, 22 February 2018, <http://bit.ly/2F7yvkA>.

³⁰ OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 17.

³¹ UNRWA, *Statement by UNRWA Commissioner-General Pierre Krähenbühl, 17 January 2018*, <http://bit.ly/2DCZwMa>. See also, Reuters, *U.N. Employees in Gaza Hold Protest Strike over U.S. Aid Cut*, 29 January 2018, <https://reut.rs/2njqppeP>; The Independent, *'Trump – He Wants Us to Die': Palestinians Fear US Aid Cuts Could Ignite Gaza Tinderbox*, 23 January 2018, <https://ind.pn/2DvXfD6>; IRIN, *What You Need to Know Now about Cuts to the UN's Agency for Palestine Refugees*, 17 January 2018, <http://bit.ly/2DBTPPi>; Al Mezan Center for Human Rights (Al Mezan), *The Humanitarian Implications of a Possible UNRWA Funding Reduction*, 10 January 2018, <http://bit.ly/2DEdv4Y>.

³² "(...) while significant focus has – rightly – been on reconstructing the houses damaged in 2014, the total size of the housing shortage in Gaza has increased from 71,000 in 2012 to 120,000 today – in large part due to natural population growth"; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 12. "The housing shortage, made chronic due to the blockade and ongoing conflict, has made many people resort to problematic informal arrangements, resulting in tenure insecurity and enhanced vulnerability to further displacement"; NRC, *Housing, Land and Property Rights in Gaza*, August 2017, <http://bit.ly/2xQc9wq>, p. 1. See also, Palestine News Network, *Gaza: 125,000 Homes Required to Overcome Housing Crisis*, 19 February 2018, <http://bit.ly/2sSQSVK>; Al Jazeera, *Bronze Age Site in Gaza Endangered by Desperate Need for Housing*, 29 October 2017, <http://bit.ly/2Ch4hGR>.

³³ A total of 171,000 housing units were reportedly impacted by the last conflict, affecting both refugees and non-refugees, including 12,580 housing units that were totally destroyed, 6,524 that sustained severe damage, 6,212 with major and 145,825 with minor damage; Shelter Cluster Palestine, *Shelter Cluster Factsheet*, September 2015, <http://bit.ly/2yx3YIW>, p. 10. See also, UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 12; UNOSAT, *Impact of the 2014 Conflict in the Gaza Strip | UNOSAT Satellite Derived Geospatial Analysis*, 14 October 2014, <http://bit.ly/2yzx3UA>.

³⁴ OCHA, *Three Years on from the 2014 Conflict, 29,000 People Remain Displaced*, 11 September 2017, <http://bit.ly/2y8MUWJ>.

³⁵ A funding gap for about 3,200 destroyed and over 56,400 damaged units reportedly remains; Shelter Cluster Palestine, *Shelter Cluster Factsheet – December 2017*, 5 February 2018, <http://bit.ly/2EHL0zT>. "Displacement continues for 23,500 people who are primarily reliant on temporary shelter cash assistance (TSCA) to rent accommodation until their homes are reconstructed or rehabilitated. TSCA been disrupted due to significant funding shortages with anecdotal evidence suggesting that this has resulted in debt accumulation and the adoption of negative coping mechanisms such as withdrawing children from school or engaging children in income generation. Some 4,500 families who have not yet received assistance to repair conflict-related damages are in urgent need of support due to continued exposure to the elements, high vulnerability

the slow pace of disbursements of pledged aid for reconstruction³⁶ and continued restrictions on the import of building materials defined by Israel as “dual use items”³⁷ through the Kerem Shalom (*Karam Abu Salem* in Arabic) Crossing into the Gaza Strip.³⁸ Some 400 Palestine and other refugee families displaced to the Gaza Strip from Syria, Libya and Yemen reportedly face particular shelter concerns.³⁹

Over half a million Palestine refugees in the Gaza Strip live in eight recognized Palestine refugee camps, which have some of the highest population densities in the world.⁴⁰ The camps, many of which have developed into urban areas, are characterized by overcrowding, poor living conditions, social problems associated with overstretched infrastructure, high levels of unemployment and food insecurity, environmental health concerns, lack of privacy and severely limited spaces for safe play and recreational activities.⁴¹ While UNRWA provides services to Palestine refugees in established refugee camps in line with its mandate, the Agency is not responsible for the management or security of camps.⁴²

2) Livelihoods

Following the 2014 hostilities, the World Bank assessed that the Gaza Strip’s economy was on the verge of collapse.⁴³ Following the end of the hostilities, the economy has reportedly moderately grown, largely due to reconstruction; however, the economic outlook reportedly remains poor.⁴⁴

In the fourth quarter of 2017, unemployment in the Gaza Strip was reported to reach nearly 43 per cent (compared to nearly 14 per cent in the West Bank).⁴⁵ Youth unemployment has reportedly soared to more than

and lack of resources. In addition, 8,100 families are at risk of exposure due to inadequate protection against the natural elements”; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 7.

³⁶ International donors at the “Cairo Conference on Palestine – Reconstructing Gaza” in October 2014 pledged USD 3.5 billion (a quarter of which consisted of existing commitments, reallocations from existing commitments or assistance that was already disbursed during the war) in support to the Gaza Strip, which was to be provided over a period of three years (2014-2017). As of 31 July 2017, only USD 1.851 billion have been disbursed, which puts the disbursement ratio at 53 per cent; World Bank, *Reconstructing Gaza – Donor Pledges*, last updated 12 September 2017, <http://bit.ly/2f5nAJP>; Brookings Doha Center, *Reviving the Stalled Reconstruction of Gaza*, August 2017, <http://brook.gs/2fflbzE>, pp. 3-4; UNDP, *Three Years after the 2014 Gaza Hostilities*, 31 May 2017, <http://bit.ly/2yXaUO4>, pp. 28-30. See also, Government of Norway, Government of Egypt, Government of the State of Palestine, *The Cairo Conference on Palestine Reconstructing Gaza Cairo, 12 October 2014 – Conclusions by the Chair*, 12 October 2014, <http://bit.ly/2BYLekk>.

³⁷ “Dual use items” include products/technologies normally used for civilian purposes that may have military applications, according to the Israeli authorities. “Israel considers many materials needed for these [humanitarian and development] projects to be ‘dual-use’ and posing security concerns, thus subjecting them to severe import restrictions. These include construction materials, raw material for the productive sectors, including wood and pesticides, medical equipment and water pumps necessary to deal with seasonal flooding”; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 9. See also, UNGA, *Report of the Commissioner-General*, 22 May 2017, <http://www.refworld.org/docid/59ef4f534.html>, footnote 5.

³⁸ “Insufficient funding is the primary obstacle to completing the remaining residential reconstruction projects”; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 7. “Several factors account for the slow reconstruction of Gaza. The first is restricted access into and out of the territory, enforced by both Israeli and Egyptian authorities (...) Due to these restrictions, humanitarian and construction supplies have not been arriving in the quantities essential to effectively rebuild Gaza (...)”; Brookings Doha Center, *Reviving the Stalled Reconstruction of Gaza*, August 2017, <http://brook.gs/2fflbzE>, p. 2. For the monthly rate of construction materials entering the Gaza Strip via Kerem Shalom Crossing, the only official crossing open for the transfer of authorized goods into and out of the Strip via Israel, see OCHA, *Gaza Crossings Operations Status - Monthly*, available at: <http://bit.ly/2fZdAT1>. Small quantities of construction materials enter occasionally from Egypt via Rafah Crossing when the crossing is open; Gisha | Legal Center for Freedom of Movement (Gisha), *Gaza in Numbers*, 31 August 2017, <http://bit.ly/2x80CsG>, p. 3.

³⁹ OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 41.

⁴⁰ UNRWA, *Where We Work – Gaza Strip*, figures last updated 31 October 2016, <http://bit.ly/1vUFFuP>.

⁴¹ UNRWA, *What We Do – Infrastructure and Camp Improvement*, accessed 23 February 2018, <http://bit.ly/2Ad0yJV>.

⁴² UNGA, *Report of the Commissioner-General*, 22 May 2017, <http://www.refworld.org/docid/59ef4f534.html>, para. 1.

⁴³ World Bank, *Gaza Economy on the Verge of Collapse, Youth Unemployment Highest in the Region at 60 Percent*, 21 May 2015, <http://bit.ly/1FsQD5a>.

⁴⁴ “Strains on the Palestinian economy became more evident during 2017. While the authorities see somewhat higher growth, staff estimates that growth slowed to close to 3 percent. Liquidity constraints and fewer economic buffers held back consumption and investment, most acutely in Gaza. At this rate, growth will not generate enough jobs or meaningfully improve living standards for the Palestinian people. The continued deterioration of the socio-economic environment is a major concern, and there is a growing risk that humanitarian conditions may be nearing a breaking point”; IMF, *IMF Staff Concludes Visit to West Bank and Gaza*, 20 February 2018, <http://bit.ly/2GAdU5y>. See also, Al Jazeera, *Gaza under Commercial Strike amid Worsening Conditions*, 22 January 2018, <http://bit.ly/2rw73Y8>; Al-Monitor, *Impoverished Gaza's Economy on Verge of Total Collapse*, 7 January 2018, <http://bit.ly/2DvyAvu>; World Bank, *Palestine's Economic Outlook – October 2017*, 11 October 2017, <http://bit.ly/2yysOXe>, p. 2; IMF, *IMF Staff Concludes Visit to West Bank and Gaza*, 13 February 2017, <http://bit.ly/2EJEABn>. President Mahmoud Abbas issued a presidential decree on 3 January 2018 to reinstate the collection of taxes in the Gaza Strip, which is expected to worsen the Strip’s frail economy; Al-Monitor, *Abbas Lifts Gaza Tax Exemption, Threatening Further Economic Woes*, 16 January 2018, <http://bit.ly/2mJrKKR>.

⁴⁵ Unemployment is higher in rural (57.1 per cent) and camp locations (45.6 per cent) compared to urban areas (41.7 per cent); State of Palestine/Palestinian Central Bureau of Statistics (PCBS), *Labour Force Survey (October-December, 2017) Round (Q4/2017)*, 13 February

60 per cent.⁴⁶ There is reportedly also a stark gender gap as unemployment among women is significantly higher than among men.⁴⁷ In addition, the majority of those employed in the private sector, nearly 80 per cent, are paid less than the legal minimum wage (compares to 17.3 per cent in the West Bank).⁴⁸

Seeking employment opportunities in Israel is reportedly not an option as the Israeli labour market has been closed to workers from the Gaza Strip since 2007,⁴⁹ and businesspeople have been facing increasing restrictions on their ability to leave the Gaza Strip via the Erez Crossing into Israel.⁵⁰ Furthermore, restrictions imposed by Israel on access to agricultural land in the border area between the Gaza Strip and Israel and restrictions on access to the Mediterranean Sea reportedly disrupt the access to livelihoods of farmers and fishermen in the Gaza Strip.⁵¹ The escalation of the internal Palestinian political divide in March 2017, which resulted in power

2018, <http://bit.ly/2G9L0sK>, pp. 4, 13, 14. See also, UNRWA, *Occupied Palestinian Territory – Emergency Appeal 2018*, 30 January 2018, <http://bit.ly/2GTBYeo>, p. 3; Asharq Al-Awsat, *Exclusive: 2017 Goes Down as Worst in Gaza Unemployment*, 9 January 2018, <http://bit.ly/2r8h5Pk>; Gisha, *Unemployment in Gaza in the Third Quarter of 2017 Highest since 2014*, 15 November 2017, <http://gisha.org/updates/8414>.

⁴⁶ In the age group 15-19, 65.7 per cent of Gazans are reported to be unemployed (compared to 21.7 per cent in the West Bank), constituting the age group with the highest ratio of unemployment; State of Palestine / PCBS, *Labour Force Survey (October-December, 2017) Round (Q4/2017)*, 13 February 2018, <http://bit.ly/2G9L0sK>, pp. 13, 15. “Among economically active youth, the unemployed constitute the majority; among graduates, joblessness is all but universal.” And further: “The situation of women is particularly dire: female youth unemployment, for instance, stands at 85 per cent”; ILO, *The Situation of Workers of the Occupied Arab Territories*, 2017, <http://www.refworld.org/docid/59314e4b4.html>, p. iv, para. 24. “The deindustrialization of the economy, multiple wars and the loss of employment opportunities in Israel pushed up the unemployment rate particularly amongst Gaza’s youth (...);” World Bank, *Economic Monitoring Report to the Ad Hoc Liaison Committee*, 19 September 2016, <http://bit.ly/2z2gf9S>, p. 25. See also, Worldcrunch, *The Jobless Youth of Gaza Have Lost Faith in Everyone*, 19 October 2017, <http://bit.ly/212usgP>.

⁴⁷ Nearly 66 per cent of women and 35 per cent of men are reported to be unemployed in the Gaza Strip; State of Palestine / PCBS, *Labour Force Survey (October-December, 2017) Round (Q4/2017)*, 13 February 2018, <http://bit.ly/2G9L0sK>, p. 11. Women’s labour force participation in the Gaza Strip is among the lowest in the world at 21.9 per cent (compared to 70.8 per cent for men); UNGA, *Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People*, 5 September 2017, <http://www.refworld.org/docid/59d228984.html>, para. 26. “The unprecedented unemployment rates in Gaza, which affect women disproportionately, have pushed many into abject poverty”; Al Mezan, *It Is Time to End Violence Against Women!*, 26 November 2017, <http://bit.ly/2AZG1cW>. “Women are often poorly paid and have precarious jobs in which they are exposed to various health hazards, and they commonly work without adequate legal protection”; ILO, *The Situation of Workers of the Occupied Arab Territories*, 2017, <http://www.refworld.org/docid/59314e4b4.html>, para. 113. According to UNRWA, “[F]inding a job and being able to provide for family and paying bills is out of reach for many young people, especially among young females”; The Palestine Chronicle, *UNRWA: Unemployment in Gaza is the Highest in the World*, 9 August 2016, <http://bit.ly/2hP5DA8>.

⁴⁸ The minimum wage is 1,450 New Israeli Shekel/NIS (approximately US\$ 415). The average monthly wage of those paid less than the legal minimum wage in the Gaza Strip was 726 NIS; State of Palestine / PCBS, *Labour Force Survey (October-December, 2017) Round (Q4/2017)*, 13 February 2018, <http://bit.ly/2G9L0sK>, pp. 5, 26. See also, UNCTAD, *Report on UNCTAD Assistance to the Palestinian People: Developments in the Economy of the Occupied Palestinian Territory*, 10 July 2017, TD/B/64/4, <http://bit.ly/2zKvYav>, para. 39.

⁴⁹ ILO, *The Situation of Workers of the Occupied Arab Territories*, 2017, <http://www.refworld.org/docid/59314e4b4.html>, para. 74. See also, Times of Israel, *Farmers in Israeli South Urge Defense Minister: Let Gazans Work for Us*, 1 September 2007, <http://bit.ly/2gDkK34>; Al-Monitor, *Why Some Gazans Are Telecommuting with Israeli Firms*, 4 August 2016, <http://almon.co/2pqo>.

⁵⁰ “While a number of business people can get permits to leave the area, workers are trapped due to tight restrictions on movement, access-restricted areas and limited resources, which seriously affect their basic human rights and livelihoods”; ILO, *The Situation of Workers of the Occupied Arab Territories*, 2017, <http://www.refworld.org/docid/59314e4b4.html>, para. 73. See also below Section IV (*Restrictions on Exit from and Return to the Gaza Strip*).

⁵¹ “Israel also continues to enforce access restrictions in unilaterally determined wide buffer areas inside the enclave along Gaza’s perimeter areas and to severely restrict access to the sea by Palestinian fishermen, routinely harassing them and firing at them, endangering lives and impairing their livelihoods”; UNGA, *Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People*, 5 September 2017, <http://www.refworld.org/docid/59d228984.html>, para. 24. According to B’Tselem, an Israeli human rights group, Israel’s Gaza blockade and “harassment of fishermen” have been “destroying Gaza’s fishing sector,” with the majority (95 per cent) of fishermen living below the poverty line; B’Tselem, *Israel Destroying Gaza’s Fishing Sector*, 29 January 2017, <http://bit.ly/2zKR9t5>. “Access to agricultural land and maritime resources remains extremely limited. Access-restricted areas along the borders account for a significant part of Gaza’s cultivable land. Areas several hundred metres beyond the restricted 300 metres of the perimeter fence with Israel are unsafe, inhibiting agricultural activities. Palestinian farmers and fishers risk injury or death when approaching the access-restricted areas. During 2016, OCHA recorded eight Palestinian fatalities and 178 injuries caused by Israeli forces in Gaza. In that year, the Israeli military forces reportedly arrested 113 fishers. The de facto authorities have also reportedly been preventing fishers from going out to sea, thus further undermining their livelihoods, which have already been seriously affected by the access limit imposed by Israel”; ILO, *The Situation of Workers of the Occupied Arab Territories*, 2017, <http://www.refworld.org/docid/59314e4b4.html>, para. 75. “Access to areas within 300 metres of the perimeter fence with Israel is prohibited and areas several hundred meters beyond are not safe, preventing or discouraging agricultural activities. Fishermen are allowed to access less than a third of the fishing areas allocated under the Oslo Accords”; OCHA, *The Gaza Strip: The Humanitarian Impact of the Blockade*, November 2016, <http://bit.ly/2mmeUS9>, p. 1. Some 75,000 Bedouins, many of whom live in border areas where they face access restrictions enforced by Israel, are reportedly among the most marginalized populations in the Gaza Strip; Anadolu Agency, *Without Work, Landless Gazans Have Nowhere to Turn*, 26 November 2017, <http://bit.ly/2DcvATq>; Oxfam, *Towards Sustainable Food Security in the Occupied Palestinian Territory – Strengthening Rangeland Governance*, April 2017, <http://bit.ly/2zj7U1K>.

shortages and salary cuts in the public sector, reportedly continue to negatively affect the livelihoods of many in the Gaza Strip.⁵²

Nearly 40 per cent of Gazans are reported to live below the poverty line, half of them in extreme poverty.⁵³ Poverty is considered to be a major factor forcing an increasing number of children into work.⁵⁴ The vast majority of the population, about 80 per cent, is reportedly dependent on some form of humanitarian aid,⁵⁵ mostly food assistance.⁵⁶ Many households have reportedly been forced into debt to secure basic needs such as food, shelter and education.⁵⁷

3) Food Security

As a result of poverty and unemployment as well as high food prices,⁵⁸ an estimated 39 per cent of households in the Gaza Strip are severely or moderately food insecure.⁵⁹ Food insecurity is reported to be particularly high

⁵² “Against the backdrop of 10 years of Israel’s land, air and sea blockade, these measures have exacerbated Gaza’s energy crisis, resulting in increasing outages, worsened the salary crisis in the public sector, increased the shortage of essential drugs and delayed the referral of patients for medical treatment outside Gaza. These developments have impacted the availability of essential services and the livelihoods of Gaza’s two million residents”; OCHA, *Gaza Crisis: Early Warning Indicators – December 2017*, 24 January 2018, <http://bit.ly/2BBVTkq>. “Increased power shortages have further undermined economic activity, particularly in the manufacturing and agriculture sectors, with some 30,000 out of 80,000 dunums planted with seasonal vegetable crops at risk due to irregular irrigation, and dairy cattle farmers and poultry breeders also facing significant losses”; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 8. “Power shortages have undermined economic activity, particularly in the manufacturing and agriculture sectors, compounding the impact of an ongoing salary crisis in the public sector. Since March 2017, the PA has cut the salaries of some 62,000 public employees in Gaza by 30-50 per cent, while about 22,000 employees recruited by the Hamas authorities receive typically less than half of their salaries, and on an irregular basis”; OCHA, *Gaza Crisis: Urgent Funding Appeal*, 3 July 2017, <http://bit.ly/210xqCA>, p. 2. See also, AFP, *Hundreds Protest Unemployment, Electricity Outages, in Gaza*, 4 January 2018, <http://bit.ly/2mEmIQj>; OCHA, *The Humanitarian Impact of the Internal Palestinian Divide on the Gaza Strip*, June 2017, <http://bit.ly/2upySP4>; Al Jazeera, *Gaza Pay Cuts Deepen Rift Between PA and Hamas*, 11 April 2017, <http://bit.ly/2gnGYIN>. See also below Section II.6 (“Electricity, Water and Sanitation”).

⁵³ “More than one-quarter (25.8%) of Palestinians live below the national poverty line. In the West Bank, the poverty rate is 17.8%, while in the Gaza Strip conditions are more dire, with poverty affecting 38.8% of the total population. Extreme poverty affects 7.8% of the West Bank population, and 21.1% of those living in the Gaza Strip. (...) Poverty remains a continuous challenge in the Palestinian context, staying high and on the increase” (emphasis added); UNFPA, *Palestine 2030 – Demographic Change: Opportunities for Development*, December 2016, <http://www.refworld.org/pdfid/585b87ea4.pdf>, pp. 32, 41. “In Gaza, persistent insecurity, occasional outbreaks of violence and restrictions on the movement of persons and goods have resulted in deep poverty and distress among the resident population”; UNGA, *Report of the Commissioner-General*, 22 May 2017, <http://www.refworld.org/docid/59ef4f534.html>, para. 68. See also, UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 13.

⁵⁴ “According to the Palestinian Central Bureau of Statistics, child labour has risen significantly in the past five years as economic conditions have deteriorated in the Gaza Strip”; United Nations Children’s Fund (UNICEF), *Poverty Drives Child Labour in Gaza*, 20 July 2017, <http://uni.cf/2gQp3Vx>. See also, The Electronic Intifada, *Making Ends Meet on Gaza’s Streets*, 23 February 2018, <http://bit.ly/2GGkWFR>; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 26; 972 Magazine, *Israel’s Wars in Gaza Propel Child Labor for Palestinian Kids*, 26 October 2017, <http://bit.ly/2ipgp43>; Al Mezan, *Al Mezan Calls for Practical Steps to Tackle Chronic Poverty in Gaza*, 17 October 2017, <http://bit.ly/2yyhw1Y>; UNFPA, *Palestine 2030 – Demographic Change: Opportunities for Development*, December 2016, <http://www.refworld.org/pdfid/585b87ea4.pdf>, p. 212; Reuters, *Child Labor Rises in Gaza amid Soaring Unemployment*, 30 March 2016, <http://reut.rs/1MSejNi>. See also below Section III (“Human Rights Situation”).

⁵⁵ “One decade after its imposition, the blockade in Gaza has driven the vast majority of Palestine refugees to depend on humanitarian aid to simply survive”; UNRWA, *Occupied Palestinian Territory – Emergency Appeal 2018*, 30 January 2018, <http://bit.ly/2GTByeo>, p. ii. “About 80 per cent of people in Gaza receive food assistance and other forms of social transfers which enable scarce cash resources to be spent on other essentials, preventing a further deterioration of food security and livelihood status, and reducing the impact of negative coping mechanisms”; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 8. See also, World Bank, *The World Bank in West Bank and Gaza*, last updated 1 April 2017, <http://bit.ly/2uxYawF>.

⁵⁶ World Food Programme (WFP), *Market Assessment in the Gaza Strip*, June 2017, <http://bit.ly/2yHJlBd>, p. v. See also below Section II.3 (“Food Security”).

⁵⁷ “With reports that many families have incurred high levels of debt to make their homes liveable, servicing this debt within the current economic crisis facing Gaza has negatively affected the availability of household funds for basic needs”; UNRWA, *Occupied Palestinian Territory – Emergency Appeal 2018*, 30 January 2018, <http://bit.ly/2GTByeo>, p. 14. See also, Islamic Relief Palestine, *Poor Families in Focus – Gaza Strip 2017*, 8 July 2017, <http://bit.ly/2yBGV0e>, p. 7.

⁵⁸ “High unemployment, low household incomes, the high cost of living (particularly for food) and the erosion of livelihoods have resulted in continued high levels of food insecurity in oPt [including in the Gaza Strip]; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 3. The blockade means that the population in the Gaza Strip essentially has to rely on the import of expensive products from Israel. “Food prices are driven by Israel, where people’s average purchasing power per person is six times higher than in Palestine, and therefore too high for poor families to afford”; WFP, *State of Palestine Country Brief*, December 2017, <http://bit.ly/2DK6Z8O>, p. 2. See also, UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 14.

⁵⁹ WFP, *State of Palestine*, accessed 23 February 2018, <http://bit.ly/2gVDL0L>; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 34.

among female-headed households and refugees.⁶⁰ Cases of chronic malnutrition among young children in the Gaza Strip are reportedly on the rise.⁶¹

According to UNRWA, the number of Palestine refugees in the Gaza Strip relying on UNRWA for food aid has increased from less than 80,000 in 2000 to almost one million in 2017 (representing 77 per cent of the total Palestine refugee population in the Gaza Strip).⁶²

4) Health

The ongoing blockade, successive conflicts and socio-economic decline, among other reasons, have reportedly brought Gaza's health sector close to collapse.⁶³ While the population in the Gaza Strip continues to grow and with it, medical needs, the capacity of the public health sector, including medical infrastructure, resources, supplies and staff, reportedly continue to shrink.⁶⁴ Extended power cuts and fuel shortages reportedly put additional strains on the health sector.⁶⁵ Although critical departments in Gaza's hospitals reportedly continue to function, there has been a disruption in the delivery of primary and secondary healthcare services by the Ministry of Health.⁶⁶ The Ministry of Health has reportedly implemented strict contingency measures, including the temporary closure of three hospitals (Beit Hanoun Hospital, Durrah Hospital, Psychiatric Hospital), and partial closure of an additional 13 MoH primary healthcare clinics, impacting over 300,000 people.⁶⁷ The functioning of critical services such as blood banks, laboratories and vaccine storage is also directly affected by

⁶⁰ UNRWA, *Occupied Palestinian Territory – Emergency Appeal 2018*, 30 January 2018, <http://bit.ly/2GTByeo>, p. 3; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, pp. 3, 34-35, 36.

⁶¹ Medical Aid for Palestinians (MAP), *Hope for a Healthy Future: Combatting Malnutrition in Gaza*, 25 January 2018, <http://bit.ly/2GxLYiY>; Al Jazeera, *A Decade under Siege: Gaza Health Sector nears Collapse*, 25 June 2017, <http://aje.io/4whq>.

⁶² UNGA, *Report of the Commissioner-General*, 22 May 2017, <http://www.refworld.org/docid/59ef4f534.html>, paras 3, 25.

⁶³ “Years of socioeconomic decline, conflict and closure have left the health sector across the Gaza Strip lacking in adequate physical infrastructure and sufficient medical training opportunities for health staff. Facilities are overstretched, and service is frequently interrupted by power cuts. These challenges further threaten the health of the population, which is already at increasing risk”; UNRWA, *Gaza Situation Report 208*, 17 October 2017, <http://bit.ly/2kWUF05>. See also, The Guardian, *Gaza's Health System Close to Collapse as Electricity Crisis Threatens Total Blackout*, 3 January 2018, <http://bit.ly/2ITN94k>; International Middle East Media Centre, *Gaza Health Services to Collapse Due to Siege*, 3 January 2017, <http://bit.ly/2D24Yom>; The Guardian, *Bitter Palestinian Rivalry Adds to the Agony of Gaza's Vulnerable*, 22 July 2017, <http://bit.ly/2yya3Dg>; Al Jazeera, *A Decade under Siege: Gaza Health Sector Nears Collapse*, 25 June 2017, <http://bit.ly/2wdRse3>; Al-Haq / Al Mezan / Palestinian Centre for Human Rights/Aldameer Association for Human Rights, *Palestinian Human Rights Organizations & Victims' Communication to the International Criminal Court Pursuant to Article 15 of the Rome Statute Requesting Investigation and Prosecution of The Illegal Closure of the Gaza Strip: Persecution and Other Inhumane Acts Perpetrated against the Civilian Population as Crimes against Humanity – Situation of Palestine: Closure of Gaza*, November 2016, <http://bit.ly/2zgspl1> (hereafter: Al-Haq et al., *Situation of Palestine: Closure of Gaza*, November 2016, <http://bit.ly/2zgspl1>), paras 151-155.

⁶⁴ “Compounding the electricity crisis is the shortage in drugs, medical disposables, basic laboratory reagents and other medical supplies in addition to the shortages of health staff, all of which has affected negatively the availability, accessibility and quality of healthcare”; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 30. “As a result, while the population has doubled since 2000, the number of functioning primary health care clinics has decreased from 56 to 49 (note UNRWA currently runs an additional 22 health centers), resulting in crowded conditions, decreased doctor-patient time and further reduced quality of services.” And further: “At the same time, the rising burden of non-communicable diseases has resulted in increased and unmet needs for prevention and treatment measures, while tertiary health care services in Gaza lag behind the standard expected in the region, including for mental health care, metabolic diseases, cancer treatment and trauma rehabilitation”; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 22. See also above Section I (“Introduction”).

⁶⁵ “The limited main electricity supply from the grid and depleted fuel for back-up generators is severely disrupting the delivery of basic services such as health, water, and waste management. The situation was further exacerbated in February 2018, when the health, water and sanitation services were on the brink of collapse from the shortage of electricity. (...) In total, over 1.27 million people will be directly affected by the closure of health facilities”; WHO, *WHO Gaza Crisis Donor Alert (February 2018)*, 22 February 2018, <http://bit.ly/2F7yvka>. See also, The Guardian, *Gaza's Health System Close to Collapse as Electricity Crisis Threatens Total Blackout*, 3 January 2018, <http://bit.ly/2ITN94k>; WHO, *Factsheet: Health Impact of the Fuel/Electricity Crisis in Gaza and WHO Actions*, 14 December 2017, <http://bit.ly/2muwnYU>; OCHA, *Gaza: People with Disabilities Disproportionately Affected by the Energy and Salary Crisis*, 11 October 2017, <http://bit.ly/2yuhA8O>; WHO, *Power Outages, Restrictions on Movement and Imports Bringing Gaza Health Sector 'to Its Knees', Warns WHO*, 17 July 2017, <http://bit.ly/2uyRvTR>. See also below Section II.6 (“Electricity, Water and Sanitation”).

⁶⁶ “Hospitals in Gaza are already over-stretched, with a bed occupancy rate of more than 90%. These temporary closures further impact key services in the remaining 11 hospitals – including surgery, general medical wards and diagnostic services”; WHO, *WHO Gaza Crisis Donor Alert (February 2018)*, 22 February 2018, <http://bit.ly/2F7yvka>. See also, OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 30; WHO, *WHO Special Situation Report - Gaza, Occupied Palestine Territory (July to August 2017)*, 10 December 2017, <http://bit.ly/2iZ35An>, p. 2; OCHA, *The Monthly Humanitarian Bulletin – July 2017*, July 2017, <http://bit.ly/2AkwcOG>, p. 5; OCHA, *Gaza: People with Disabilities Disproportionately Affected by the Energy and Salary Crisis*, 11 October 2017, <http://bit.ly/2yuhA8O>; OCHA, *Protection of Civilians Report | 18 - 31 July 2017*, 3 August 2017, <http://bit.ly/2yngozU>.

⁶⁷ WHO, *WHO Gaza Crisis Donor Alert (February 2018)*, 22 February 2018, <http://bit.ly/2F7yvka>. See also, Reuters, *UAE, Qatar Donate Funds to Stave Off Gaza Health Crisis*, 9 February 2018, <https://reut.rs/2BQfYZ1>; WHO, *WHO Special Situation Report – Gaza, Occupied Palestine Territory (December 2017 to January 2018)*, 4 February 2018, <http://bit.ly/2FjD5tL>, pp. 1, 2; The New Arab, *Gaza Hospital Shutters after Israeli Blockade Causes Fuel Shortages*, 29 January 2018, <http://bit.ly/2F2Bdbb>; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 30.

the continuous power cuts.⁶⁸ According to the WHO, any further disruption in the power supply would be immediately life-threatening for patients relying on electrical devices.⁶⁹

Medical needs among the population in the Gaza Strip are reportedly overwhelming,⁷⁰ with new-borns, children under the age of five, pregnant women, survivors of gender-based violence (GBV), patients with chronic illnesses, the elderly and people with disabilities particularly affected by the lack of adequate healthcare services.⁷¹ As a result of the extremely difficult living conditions in the Gaza Strip, including effects of the blockade and exposure to successive cycles of conflict, and in particular the 2014 hostilities, levels of trauma and mental health needs are reportedly particularly high,⁷² especially among children⁷³ and youth.⁷⁴ The abuse of drugs, such as the opioid Tramadol,⁷⁵ as well as suicide rates are reported to be on the rise.⁷⁶

As a result of persistent shortages of drugs,⁷⁷ medical supplies,⁷⁸ equipment and staff, as well as the lack of specialized health services,⁷⁹ patients have to rely on a complicated mechanism for medical referrals outside the

⁶⁸ OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 30.

⁶⁹ WHO, *WHO Gaza Crisis Donor Alert (February 2018)*, 22 February 2018, <http://bit.ly/2F7yvkA>.

⁷⁰ Over 1.3 million Palestinians in the Gaza Strip are estimated to be in need of humanitarian health interventions; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 30.

⁷¹ OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, pp. 30-33. According to WHO, “[t]he most vulnerable patients are particularly at risk; this includes adults and children suffering from cancer, phenylketonuria, cystic fibrosis, haemophilia, kidney failure, and hepatitis B and C”; WHO, *Power Outages, Restrictions on Movement and Imports Bringing Gaza Health Sector ‘to Its Knees’*, Warns WHO, 17 July 2017, <http://bit.ly/2uyRvTR>. See also, Mondoweiss, *Six Premature Infants Have Died in Gaza this Year due to Lack of Medication*, 21 February 2018, <https://shar.es/1LXonF>; The National, *Premature Babies and Sick Children at Risk from Gaza’s Constant Blackouts*, 15 July 2017, <http://bit.ly/2j3uZuU>.

⁷² “Mental health concerns and psychosocial difficulties feature prominently across the population, as manifested in stress-related symptoms, depression, anxiety, and difficulties at school and within homes”; UNRWA, *Occupied Palestinian Territory – Emergency Appeal 2018*, 30 January 2018, <http://bit.ly/2GTByeo>, p. 3. See also, WHO, *Country Cooperation Strategy for WHO and the Occupied Palestinian Territory 2017–2020*, 31 December 2017, <http://bit.ly/2EZmSw0>, p. 15.

⁷³ “Psychosocial services are also struggling to cope with the nearly 300,000 children who require some form of mental health support or psychosocial intervention.” And further: “High levels of psychosocial distress are reported in Gaza, particularly among children, who are growing up in a society permeated with restrictions, hardship, and the on-going threat of a new escalation”; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, pp. 7, 23. See also, Al Jazeera, *Gaza: Children Suffer from War Trauma Three Years On*, 26 September 2017, <http://bit.ly/2hyeE0q>; Open Democracy, *Mental Help: The Story of Gaza’s Trauma Unit*, 16 June 2017, <http://bit.ly/2yHKPE9>; The New Arab, *Mental Health in Palestine among World’s Worst*, 12 May 2017, <http://bit.ly/2rX9Dv>.

⁷⁴ “Young people affected by poverty and unemployment lack autonomy and decision-making power and are particularly vulnerable to deteriorating standards of living, if they are hit by new or recurrent shocks or stresses. Together, these factors are seen as a leading cause of mental health deterioration amongst Palestinian youth, and negative coping mechanisms among young people have been documented, including substance abuse and rising internal radicalization. There are reportedly high rates of anxiety, depression, and post-traumatic stress disorder (PTSD), especially in Gaza”; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 15.

⁷⁵ Al Jazeera, *Israel ‘Turns a Blind Eye’ to Gaza’s Drug Influx*, 30 May 2017, <http://aje.io/56jj>; USA Today, *Divorced In Gaza Because of Reality*, 22 May 2017, <http://bit.ly/2CjXlgn>; Reuters, *As Drugs Flood into Gaza, Hamas to Get Tougher on Smugglers*, 7 March 2017, <http://reut.rs/2ITnENG>.

⁷⁶ “Suicides have always been a rare occurrence in Palestinian society, amounting to about one suicide a year at most, but health officials say it has become an increasingly prevalent phenomenon in Gaza today. At least 95 people tried to commit suicide in the Gaza Strip in the first quarter of 2016, a nearly 40 percent increase from previous years, according to the Euro-Mediterranean Human Rights Monitor. In recent years, there have been many cases or attempts of self-immolation by youth in both Gaza and the occupied West Bank”; Al Jazeera, *Gaza: ‘It’s not a War of Guns, but a War on Minds’*, 9 September 2017, <http://bit.ly/2yYrRhP>. See also, Qantara.de, *Politics and the Humanitarian Situation in Gaza: ‘War Is Always Possible here’*, 11 December 2017, <http://bit.ly/2AY7HyM>; The Electronic Intifada, *A Life Worth Living?*, 9 November 2017, <http://bit.ly/2ATkEtj>; Middle East Monitor, *‘Unliveable’: Gaza’s Rising Suicide Rates*, 20 September 2017, <http://bit.ly/2yzwGXU>; Foreign Policy Journal, *Pushing Gaza to Suicide: The Politics of Humiliation*, 30 June 2017, <http://bit.ly/2ysVNyj>; TRT World, *Despair Drives Increased Suicide Rate in Gaza*, 21 June 2017, <http://bit.ly/2yua4dL>.

⁷⁷ In January 2018, out of 516 essential drugs, 40 per cent were reportedly completely depleted. These include drugs used in emergency departments and other critical units; WHO, *WHO Special Situation Report – Gaza, Occupied Palestine Territory (December 2017 to January 2018)*, 4 February 2018, <http://bit.ly/2FjD5tL>, pp. 1, 4. For vulnerable groups particularly affected by the lack of essential life-saving drugs (including patients suffering from haemophilia, leukaemia, thalassaemia, Crohn’s Disease and ulcerative colitis), see WHO, *WHO Special Situation Report – Gaza, Occupied Palestine Territory (July to August 2017)*, 10 December 2017, <http://bit.ly/2iZ35An>, pp. 1, 7-8. See also, Mondoweiss, *Six Premature Infants Have Died in Gaza this Year due to Lack of Medication*, 21 February 2018, <http://bit.ly/2oqvusO>; The Palestine Chronicle, *Shortage of Medicines in Gaza Is Hurting Psychiatric Patients*, 23 January 2018, <http://bit.ly/2rw03dU>; PCHR, *PCHR is Concerned that Health Sector Would Collapse Due to Shortage of Medicines in the Gaza Strip Hospitals*, 4 January 2018, <http://bit.ly/2HM8KF9>; UNSCO, *Nickolay Mladenov, Special Coordinator for the Middle East Peace Process: Briefing to the Security Council on the Situation in the Middle East – Report on UNSCR 2334 (2016)*, 18 December 2017, <http://bit.ly/2CRt1Wy>.

⁷⁸ Out of the 853 items on the essential medical disposables list considered by the Ministry of Health as necessary for the provision of essential health care, 26 per cent have been reported at less than one month’s supply; WHO, *WHO Special Situation Report - Gaza, Occupied Palestine Territory (December 2017 to January 2018)*, 4 February 2018, <http://bit.ly/2FjD5tL>, pp. 1, 4.

⁷⁹ “As a result of the poor quality of healthcare and the lack of many services, many patients look for medical assistance and treatment in West Bank and beyond, which is challenging due to limitations in movement and obtaining permits.”; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 23.

Gaza Strip, requiring access approvals from either Israel or Egypt.⁸⁰ However, approval rates for referrals through the Israeli-controlled Erez Crossing have reportedly declined significantly,⁸¹ while the Rafah Crossing remains mostly closed.⁸² As of mid-November 2017, patients applying to access health care in Israel, the West Bank or in other countries need to submit their permit applications 23 business days prior to their hospital appointment, with the exception of medical emergencies, which can be processed immediately.⁸³ Delays in processing applications can lead to patients missing medical appointments and delaying critical care.⁸⁴ According to the World Health Organization (WHO), a total of 54 Palestinians died in 2017 while waiting for an Israeli permit to leave the Gaza Strip for medical treatment.⁸⁵ Palestinian authorities in the West Bank have reportedly also been responsible for significant delays in processing requests for funds to cover the cost of patients' medical treatment outside the Gaza Strip. Obtaining financial approval from the West Bank-based Ministry of Health is essential for Gazans wishing to apply for a permit to access medical treatment in Israel or the West Bank.⁸⁶

- ⁸⁰ On the required steps for medical referrals, see Al Mezan, *Medical Care Under Siege – Israel's Systematic Violation of Gaza's Patient Rights*, February 2018, <http://bit.ly/2GYr3Xk>, p. 13.
- ⁸¹ "In 2017, Palestinian authorities sent 25,812 travel permit requests on behalf of patients to the Israeli authorities, and only 53% were granted access to healthcare outside of Gaza. (...) It is important to note that an approved application does not always translate into successful arrival to the hospital, because patients and/or their companions may face questioning, delays, harassment, arrest and detention at Erez crossing on the way to the hospital"; Al Mezan, *Medical Care Under Siege – Israel's Systematic Violation of Gaza's Patient Rights*, February 2018, <http://bit.ly/2GYr3Xk>, pp. 14-15. "2017 the lowest rate for approvals since WHO began active monitoring in 2008: 54% of patient applications to exit Gaza via Erez were successful. There has been a continuous decline in approval rates since 2012, when approximately 93% of patient applications were successful. (...) 54 patients died while awaiting security permits from Israel to exit Gaza for health care. 85 % of patients who died had been referred for cancer treatment and investigations"; WHO, *Monthly Report: Health Access for Referral Patients from the Gaza Strip, December 2017*, 7 February 2018, <http://bit.ly/2GUR8GH>, pp. 1, 2. According to WHO, men aged 18 to 40 have the lowest approval rate overall: less than one third is reportedly successful in obtaining a security permit to exit Gaza via Erez for health care. It is of note that all male patients and patient companions aged 16 to 55 years old and female patients and patient companions aged 16 to 45 years old must undergo a supplementary security clearance process when applying for security permits from Israeli services to exit via Erez. This can result in additional delays in processing applications; WHO, *Monthly Report: Health Access for Referral Patients from the Gaza Strip, November 2017*, 10 January 2018, <http://bit.ly/2mDO34f>. See also, OCHA, *Humanitarian Bulletin Occupied Palestinian Territory – December 2017*, 15 January 2018, <http://bit.ly/2mRl4uJ>, p. 4 and monthly reports from WHO at: <http://bit.ly/2keVvF4>.
- ⁸² "In 2017, only 1,222 patients exited via Rafah for medical treatment. Prior to the closure of the crossing in 2014, a monthly average of 4,000 people crossed Rafah for health-related reasons"; OCHA, *Humanitarian Bulletin Occupied Palestinian Territory – December 2017*, 15 January 2018, <http://bit.ly/2mRl4uJ>, p. 8. "Long periods of closure make Rafah terminal unreliable for patients seeking healthcare outside Gaza"; WHO, *Monthly Report: Health Access for Referral Patients from the Gaza Strip, November 2017*, 10 January 2018, <http://bit.ly/2mDO34f>, p. 4. "Compounding the health concerns raised by the electricity crisis are the increasing difficulties faced by patients seeking to travel through the Erez crossing out of Gaza for medical treatment"; UN Secretary-General, *Situation of Human Rights in the Palestinian Territories Occupied since 1967*, 23 October 2017, <http://bit.ly/2BAHhtF>, para. 10. See also Section IV.1 (*Restrictions on Exit from and Return to the Gaza Strip*).
- ⁸³ COGAT, *Processing Permit Applications by Palestinian Residents of the Gaza Strip*, unofficial translation by Gisha, October 2017, <http://bit.ly/2DnTPkW>, p. 2. According to HRW, "The Israeli authorities state that they can process priority permits in one day, although the typical waiting time averages two weeks, while 'regular' cases require 23 days, and often fail to meet this timetable"; HRW et.al., *Israel: Record-Low in Gaza Medical Permits*, 13 February 2018, <http://www.refworld.org/docid/5a8fe5604.html>. See also, The Electronic Intifada, *Slow Death for Gaza Cancer Patients Cut Off from Care*, 31 January 2018, <http://bit.ly/2sddnUP>; OCHA, *Humanitarian Bulletin Occupied Palestinian Territory – December 2017*, 15 January 2018, <http://bit.ly/2mRl4uJ>, p. 6.
- ⁸⁴ "Figures obtained from the Coordination and Liaison Directorate show a steady increase in the rate of delayed permit applications in recent years: 2014 (14%), 2015 (17%), 2016 (31%). This trend continued in 2017, which exhibited a sharp rise averaging 44% delayed applications of the total permit requests submitted. Despite the thorough examination of the patients' medical files by specialized Palestinian medical committees, followed by the prompt transfer of qualified applicants, the Israeli authorities are increasingly stalling patients and withholding responses. (...) When the patient has no response from the authorities, they are at that point forced to seek another appointment at the hospital. If a new appointment is confirmed, the patient is then asked to reapply for an exit permit. This sequence could be repeated several times, with appointments expiring, new appointments acquired, and permit requests resubmitted, without an exit permit being granted"; Al Mezan, *Medical Care Under Siege – Israel's Systematic Violation of Gaza's Patient Rights*, February 2018, <http://bit.ly/2GYr3Xk>, p. 16. "Patients who are delayed received no definitive acceptance or rejection to travel for health care by the time of their hospital appointment. This results in delayed access to care, as patients must reapply for new hospital appointments. Many patients are receiving care for conditions that risk serious deterioration with successive delays"; WHO, *Monthly Report: Health Access for Referral Patients from the Gaza Strip, November 2017*, 10 January 2018, <http://bit.ly/2mDO34f>, p. 3. See also, OCHA, *Humanitarian Bulletin Occupied Palestinian Territory – December 2017*, 15 January 2018, <http://bit.ly/2mRl4uJ>, p. 4; UN Secretary-General, *Situation of Human Rights in the Palestinian Territories Occupied since 1967*, 23 October 2017, <http://bit.ly/2BAHhtF>, para. 10; Amnesty International, *Lives of Gaza's Critically Ill Hanging in the Balance*, 13 July 2017, <http://www.refworld.org/docid/59677f5d4.html>.
- ⁸⁵ Most of them (85 per cent) had been referred for cancer treatment; WHO, *Monthly Report: Health Access for Referral Patients from the Gaza Strip, December 2017*, 7 February 2018, <http://bit.ly/2GUR8GH>, p. 1. See also, HRW et.al., *Israel: Record-Low in Gaza Medical Permits*, 13 February 2018, <http://www.refworld.org/docid/5a8fe5604.html>.
- ⁸⁶ Between January and May 2017, the average processing time was reportedly one week. It has since reportedly increased significantly for most requests (in November 2017, 35 per cent of requests took between 8 and 31 days to process, and 33 per cent of requests took more than one month); WHO, *Monthly Report: Health Access for Referral Patients from the Gaza Strip, November 2017*, 10 January 2018, <http://bit.ly/2mDO34f>. See also, Mondoweiss, *Six Premature Infants Have Died in Gaza this Year due to Lack of Medication*, 21 February 2018, <https://shar.es/1LXonF>; The Electronic Intifada, *Slow Death for Gaza Cancer Patients Cut Off from Care*, 31 January 2018,

5) Education

The education sector reportedly faces chronic challenges as a result of the ongoing blockade as well as the effects of the 2014 hostilities.⁸⁷ While most schools that had sustained damage in 2014 had reportedly been repaired by mid-2017, numerous kindergartens and higher education institutions have not yet been repaired for lack of funds.⁸⁸ Although literacy rates among men and women remain high,⁸⁹ the quality of education has reportedly deteriorated over the past decade due to a lack of teachers, overcrowded classrooms and limited hours of instruction.⁹⁰ Restrictions related to the blockade have also negatively affected the availability of education materials in schools, according to reports.⁹¹ The severe electricity crisis has reportedly further impacted students' performance and well-being.⁹² As in other sectors, the already weak education infrastructure is under mounting pressure due to population growth.⁹³ Over 5,000 children attending school in the "access restricted areas" (ARAs) also face the risk of Israeli military incursions, crossfire and activities by armed Palestinian groups.⁹⁴

<http://bit.ly/2sddnUP>; OCHA, *Humanitarian Bulletin Occupied Palestinian Territory – December 2017*, 15 January 2018, <http://bit.ly/2mRl4uJ>, pp. 3, 6; Coordination of Government Activities in the Territories (COGAT), *Authorizations of Entry into Israel, their Passage between Judea and Samaria and the Gaza Strip and their Travel Abroad*, unofficial translation by Gisha, updated 18 September 2017, <http://bit.ly/1K1DWZD>, p. 9.

⁸⁷ "In the Gaza Strip, ten years of blockade, combined with three escalations of hostilities, have resulted in repeated damage and destruction to an already fragile education infrastructure"; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 38. "The closure impacts upon both the accessibility and quality of education available within the Gaza Strip, as well as the ability of Gaza's civilian population to pursue educational opportunities elsewhere, whether in other parts of Palestine or abroad"; Al-Haq et al., *Situation of Palestine: Closure of Gaza*, November 2016, <http://bit.ly/2zgspl1>, para. 217.

⁸⁸ As at mid-2017, 181 kindergartens and 11 higher education institutions had not been repaired due to funding shortages; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 24.

⁸⁹ "Over the past decade, the literacy rate in Gaza increased from 94% in 2006 to 97% in 2016"; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 7. See also, State of Palestine / PCBS, *Press Release on Women's International Day 2017*, 7 March 2017, <http://bit.ly/2gzgb60>.

⁹⁰ "Some 70 per cent of UNRWA schools and over 63 per cent of Ministry of Education schools operate on a double or triple shift system which has reduced instruction time to about four hours a day, and limited the time available to reinforce learning, support slow learners, and offer remedial education and extracurricular activities"; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 7. "In the education sector, the de facto Ministry of Education and Higher Education (MoEHE) in Gaza is facing difficulties recruiting new teachers and covering their salaries. As a result, it faces a shortage of 800 teachers and administrative staff and a deficit of \$300,000 each month for salaries, resulting in overcrowded schools and limited hours of instruction, with the average daily class room time per student as low as four hours"; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, pp. 7, 24. According to UNRWA's head of operations in Gaza, "The school situation is especially precarious. Because of the lack of space, we've introduced a shift system: some children are taught in the mornings and others in the afternoons – in some schools there are even three shifts"; Qantara.de, *Politics and the Humanitarian Situation in Gaza: "War Is Always Possible here"*, 11 December 2017, <http://bit.ly/2AY7HyM>.

⁹¹ Freedom House, *Freedom in the World 2017 – Gaza Strip*, 2 June 2017, <http://www.refworld.org/docid/5936a469f.html>; Al-Haq et al., *Situation of Palestine: Closure of Gaza*, November 2016, <http://bit.ly/2zgspl1>, para. 219.

⁹² "Severe shortages in electricity restrict students' study time and ability to concentrate and learn and negatively impacts their right and ability to access education at school and at home"; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 38. See also, OCHA, *Right of Education for 1 Million Palestinian Children at Risk*, 11 September 2017, <http://bit.ly/2w76Qc3>; Al Jazeera, *A Guide to the Gaza Strip*, 26 June 2017, <http://aje.io/898j>. See below Section II.6 ("Electricity, Water and Sanitation").

⁹³ "Keeping pace with the growth of pupils and students in the Gaza strip will be one of the major challenges for the sector of education in the coming years as at least 900 new schools will be required in Gaza Strip by 2030. In the Gaza 2020 report, it was projected that 250 additional schools were needed immediately, and another 190 schools would be needed by 2020 to meet the demands of a rapidly expanding population. However, between 2012 and the end of 2016, only 33 governmental schools and 24 UNRWA schools were built, i.e. well below the actual need"; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 24. UNRWA expressed concern that the growing number of students, together with an overall increase in need of assistance, puts the agency under growing pressure to deliver services and programmes; UNRWA, *Gaza Situation Report 205*, 10 September 2017, <http://bit.ly/2gkCGLU>.

⁹⁴ OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 38.

Higher education institutions outside the Gaza Strip are reportedly almost inaccessible due to restrictions imposed by Israel.⁹⁵ The Hamas authorities also reportedly disrupt some educational, cultural and international exchange programmes by tightly controlling, and at times, denying, exit.⁹⁶

The Hamas authorities reportedly exert considerable influence on the public education sector, including by enforcing gender segregation in classrooms and school-related activities, imposing curricula reflecting Hamas' political, militant and conservative religious views, and hiring teachers with Hamas affiliation.⁹⁷

6) Electricity, Water and Sanitation

Since April 2017, the Gaza Strip has been facing a severe electricity crisis as a result of the dispute between the Palestinian Authority and Hamas about how the payment for fuel for the Gaza Power Plant, leaving the Gaza Strip's population with only a few hours of electricity per day and undermining the provision of basic services.⁹⁸ In early January 2018, this measure has reportedly been relaxed as the Palestinian Authority reinstated payments for electricity to Israel, which led Israel to resume power supply to the Gaza Strip, allowing for six to eight hours of electricity per day.⁹⁹ Nevertheless, the Gaza Strip continues to suffer from extensive power cuts, which are exacerbated by the lack of fuel to run back-up generators needed to operate hospital equipment, schools, water and sanitation services as well as desalination plants.¹⁰⁰

The unprecedented shortfall in power supply in 2017 reportedly has a devastating effect all aspects of life, including critical sectors such as wastewater treatment, waste disposal, health services, agriculture and other livelihoods, education, and re-construction.¹⁰¹

⁹⁵ "During the year the Israeli Supreme Court continued to uphold with few exceptions the 2000 Israeli ban on students from the Gaza Strip attending West Bank universities. Students in the Gaza Strip generally did not apply to West Bank universities because they understood Israeli authorities would deny permit requests"; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 106. "Students in the Gaza Strip are systematically deprived of their right to enroll in or continue their education beyond Gaza's borders, whether in other parts of Palestine, neighboring Arab countries, or elsewhere abroad. As a direct result of the closure, hundreds if not thousands of students have remained trapped in the Gaza Strip, unable to embark on or rejoin their educational institutions abroad"; Al-Haq et al., *Situation of Palestine: Closure of Gaza*, November 2016, <http://bit.ly/2zgspl1>, para. 220. "Israel's high court upheld the military's blanket ban on all registered Gaza residents studying in West Bank universities because 'it is not unreasonable to assume' that replacing the ban with a system of individually-screening applicants 'will likely lead to an increase in terrorist activity'"; HRW, "Forget About Him, He's not Here" – Israel's Control of Palestinian Residency in the West Bank and Gaza, 5 February 2012, <http://www.refworld.org/docid/4f3374972.html>, p. 5. See also, Al Jazeera, *The Colour-Coded Israeli ID System for Palestinians*, 18 November 2017, <http://aje.io/8753s> and below Section IV ("Restrictions on Exit from and Return to the Gaza Strip").

⁹⁶ US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 104. See also below Section IV ("Restrictions on Exit from and Return to the Gaza Strip").

⁹⁷ Freedom House, *Freedom in the World 2017 – Gaza Strip*, 2 June 2017, <http://www.refworld.org/docid/5936a469f.html>; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 104. In April 2013, the Ministry of Education in Gaza reportedly issued new rules forbidding men from teaching at girls' schools and assigning girls and boys to separate classes at the age of nine; The New York Times, *To Shape Young Palestinians, Hamas Creates Its Own Textbooks*, 3 November 2013, <http://nyti.ms/2xOyCuR>; The Atlantic, *Under Hamas, No more Coed Classes in Gaza*, 23 May 2013, <http://theatlantic.com/2xdLxdm>.

⁹⁸ The Washington Post, *Who Is Responsible for Solving Gaza's Massive Electricity Crisis?*, 5 February 2018, <http://wapo.st/2E88KRG>; UN Secretary-General, *Situation of Human Rights in the Palestinian Territories Occupied since 1967*, 23 October 2017, <http://bit.ly/2BAHHtF>, para. 8; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 18; OCHA, *Gaza's Energy Crisis*, 4 July 2017, <http://bit.ly/2irF7AL>; OCHA, *Occupied Palestinian Territory: Humanitarian Dashboard (January - June 2017)*, 30 June 2017, <http://bit.ly/2iIzWwh>, p. 1; OCHA, *Gaza Plunges into Darkness: Severe Deterioration in the Energy Situation*, 25 May 2017, <http://bit.ly/2yH9qrd>. See also above Sections II. 4 ("Health") and II.5 ("Education").

⁹⁹ UNSCO, *Nickolay Mladenov, Special Coordinator for the Middle East Peace Process: Briefing to the Security Council on the Situation in the Middle East – 25 January 2018*, 25 January 2018, <http://bit.ly/2nlqWg6>; UN Human Rights Council, *UN Human Rights Experts Welcome Resumption of Power Supplies to Gaza, Caution more Needs to Be Done*, 10 January 2018, <http://bit.ly/2B45TTY>; Gisha, *Six Months of Needless Suffering later: Electricity Supply from Israel to Be Restored*, updated 8 January 2018, <http://gisha.org/updates/8480>.

¹⁰⁰ "Continuing power cuts of up to 20 hours per day severely undermine the provision of basic services. Without additional immediate fuel deliveries, the situation could deteriorate with dramatic consequences"; UNSCO, *Security Council Briefing on the Situation in the Middle East*, UN Special Coordinator Nickolay Mladenov, 20 February 2018, <http://bit.ly/2HDLAAS>. See also, WHO, *WHO Gaza Crisis Donor Alert (February 2018)*, 22 February 2018, <http://bit.ly/2F7yvka>; Al Jazeera, *UN Warns Gaza Has just 10 Days of Emergency Fuel Left*, 7 February 2018, <http://aje.io/5zwvk>; OCHA, *UN: Electricity Crisis Brings Gaza to Verge of Disaster*, 6 February 2018, <http://bit.ly/2EnWCez>.

¹⁰¹ OCHA, *2017: Energy Crisis Worsens; Fatality Toll Declines*, 28 December 2017, <http://bit.ly/2AbofKX>; OCHA, *Energy Crisis Takes Its Toll on Palestinian Farmers in Gaza*, 11 September 2017, <http://bit.ly/2zwEx7V>; Associated Press, *Gaza's Electricity Shortage at Crisis Level*, 13 July 2017, <http://bit.ly/2tkwvvB>; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 2; Al-Monitor, *Gaza's Power Crisis Cripples Farmers*, 28 June 2017, <http://almon.co/2vs6>; Amnesty International, *Gaza: Looming Humanitarian Catastrophe Highlights Need to Lift Israel's 10-Year Illegal Blockade*, 14 June 2017, <http://www.refworld.org/docid/59422e974.html>; International Committee of the Red Cross (ICRC), *Electricity Shortages Affect All Aspects of Life in Gaza*, 15 May 2017, <http://bit.ly/2jEHVKO>. See also above Section I ("Introduction").

Access to safe water is of critical concern in the Gaza Strip. Due to persistent power shortages, most households receive piped water for only three to five hours every day.¹⁰² The Gaza Strip's population relies on coastal aquifers as its main source of freshwater, yet 96 per cent of this water is considered unfit for human consumption.¹⁰³ Due to the poor quality of piped water, the vast majority (90 per cent) of the population reportedly have to turn to unregulated private operators to access desalinated water for drinking and cooking at higher costs, thus increasing the financial burden for poor families.¹⁰⁴ In the eastern parts of the Gaza Strip, some 100,000 people reportedly remain without access to any water network.¹⁰⁵ Due to the precarious state of infrastructure, over 560,000 persons in 60 communities in low-lying locations across the Gaza Strip are reportedly at risk of flooding, even from light rainfall.¹⁰⁶

The already limited capacity of wastewater treatment facilities has reportedly further declined and on 20 February 2018, municipalities across the Gaza Strip announced that raw sewage will be pumped directly into the Mediterranean Sea due to electricity and fuel shortages required to run the plants.¹⁰⁷ As a result of untreated or insufficiently treated wastewater being discharged into the Mediterranean Sea, the Gaza Strip is faced by a growing environmental and health crisis.¹⁰⁸

III. Human Rights Situation

The human rights situation in the Gaza Strip is reported to be deteriorating.¹⁰⁹ Residents of the Gaza Strip reportedly face a range of human rights violations and abuses,¹¹⁰ overwhelmingly as a result of Israeli practices

- ¹⁰² WHO, *WHO Gaza Crisis Donor Alert (February 2018)*, 22 February 2018, <http://bit.ly/2F7yvkA>. See also, OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, pp. 3, 27-28. The monthly average in 2017 stood at 66.5 litres per capita per day (with regional variations). Despite the reported increase in September 2017, it remains well below the internationally recommended standard of 100 litres per capita per day; OCHA, *Gaza Crisis: Early Warning Indicators – December 2017*, 24 January 2018, <http://bit.ly/2BBVTkq>; OCHA, *Gaza Energy Crisis: Limited Improvement in Water and Sanitation Indicators; Concerns over Waterborne Diseases Remain*, 10 November 2017, <http://bit.ly/2yskMO4>.
- ¹⁰³ WHO, *WHO Gaza Crisis Donor Alert (February 2018)*, 22 February 2018, <http://bit.ly/2F7yvkA>; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, pp. 3, 7-8. The UN projects that coastal aquifers will be irreversibly damaged by 2020 leading to catastrophic consequences for the population and the environment; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, pp. 20-21.
- ¹⁰⁴ “Water piped through the municipal network is used mostly for domestic purposes other than drinking and cooking as it has high salinity due to over-extraction from the Gaza aquifer, which is the only available source of natural water. Currently, less than 5 per cent of all water extracted from the Gaza aquifer meets internationally recognized drinking standards. As a result, about 90 per cent of people in Gaza have little choice but to purchase desalinated water for drinking and cooking, primarily from private water providers”; OCHA, *Gaza Energy Crisis: Limited Improvement in Water and Sanitation Indicators; Concerns over Waterborne Diseases Remain*, 10 November 2017, <http://bit.ly/2yskMO4>. See also, OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, pp. 8, 28.
- ¹⁰⁵ UNCT in Palestine, *Common Country Analysis 2016: Leave No One Behind: A Perspective on Vulnerability and Structural Disadvantage in Palestine*, 24 November 2016, <http://bit.ly/2ERH7MV> (hereafter: UNCT Palestine, *Common Country Analysis 2016*, 24 November 2016, <http://bit.ly/2ERH7MV>), p. 46.
- ¹⁰⁶ OCHA, *Humanitarian Bulletin Occupied Palestinian Territory – November 2017*, 30 November 2017, <http://bit.ly/2kVi5Qf>, pp. 3, 4, 7.
- ¹⁰⁷ Palestine News Network, *Gaza Authorities to Pump Sewage Straight into the Sea as Crisis Worsens*, 21 February 2018, <http://bit.ly/2sMkUKP>.
- ¹⁰⁸ The UN reported that over 108 million litres of waste water flow into the Mediterranean Sea on a daily basis; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, pp. 8, 28; OCHA, *Gaza Energy Crisis: Limited Improvement in Water and Sanitation Indicators; Concerns over Waterborne Diseases Remain*, 10 November 2017, <http://bit.ly/2yskMO4>. See also, Al Jazeera, *How Gaza's only Escape Turned Deadly*, 22 September 2017, <http://bit.ly/2xYIVQp>; The Guardian, *'The Worst It's Been': Children Continue to Swim as Raw Sewage Floods Gaza Beach*, 31 July 2017, <http://bit.ly/2eZM4Ht>; Gisha, *Gaza's Sewage Is Overflowing*, 11 July 2017, <http://bit.ly/2lbBsIc>; Al-Monitor, *Gaza's Ticking Sewage Bomb*, 16 June 2017, <http://bit.ly/2yIdtVF>.
- ¹⁰⁹ “OHCHR has observed a deterioration of the human rights situation in the Occupied Palestinian Territory over the past few years”; UN Human Rights Council, *Implementation of Human Rights Council Resolutions S-9/1 and S-12/1*, 25 January 2017, <http://www.refworld.org/docid/58ad8c054.html>, para. 78.
- ¹¹⁰ “Israel, the State of Palestine and the authorities in Gaza are not meeting their obligations to promote and protect the rights of the residents of Gaza”; OHCHR, *Press Briefing Notes on Gaza*, 11 August 2017, <https://shar.es/1LoTH6>. “Over the past seven years, OHCHR has documented and reported repeated serious human rights violations by all duty bearers in the Occupied Palestinian Territory, particularly by Israeli authorities”; UN Human Rights Council, *Implementation of Human Rights Council Resolutions S-9/1 and S-12/1*, 25 January 2017, <http://www.refworld.org/docid/58ad8c054.html>, para. 78. See also, HRW, *World Report 2018 – Israel and Palestine*, 18 January 2018, <http://www.refworld.org/docid/5a61ee62a.html>.

affecting the Gaza Strip¹¹¹ and violations at the hands of the Hamas authorities.¹¹² According to reports, human rights violations and abuses take place mostly in a climate of impunity.¹¹³

This chapter focuses on human rights abuses committed by the Hamas authorities and to some extent other non-state actors in the Gaza Strip against Palestinian inhabitants of the Gaza Strip. It does not cover violations of International Humanitarian Law (IHL) by these actors, nor violations of IHL and human rights law by the State of Israel. However, it should be noted that the UN have referred to the continued blockade and restrictions imposed by Israel on movement of people and goods in and out of the Gaza Strip as amounting to the “*collective punishment*” of the entire population. In addition, Israeli security forces reportedly continue to use excessive force, killing and injuring civilians on the border fence between the Gaza Strip and Israel as well as at sea.¹¹⁴

The Hamas authorities reportedly subject civilians to a wide range of human rights violations, including harassment; arbitrary arrests and detentions, including *incommunicado* detentions and pro-longed pre-trial detention;¹¹⁵ torture and other forms of ill-treatment;¹¹⁶ and trials that fall short of international fair trial standards.¹¹⁷ Furthermore, the UN and human rights organizations have expressed concern over the use of the death penalty and the fact that trials, particularly those in military courts, did not appear to meet minimum fair trial standards. Executions are reportedly regularly carried out in violation of applicable international and

¹¹¹ HRW, *World Report 2018 – Israel and Palestine*, 18 January 2018, <http://www.refworld.org/docid/5a61ee62a.html>; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 26, 27; Amnesty International, *Lives of Gaza's Critically Ill Hanging in the Balance*, 13 July 2017, <http://www.refworld.org/docid/59677f5d4.html>; HRW, *Submission for the Universal Periodic Review of Israel – 29th Session of the Universal Periodic Review, January 2018*, 29 June 2017, <http://bit.ly/2E3uWJp>; UN Human Rights Council, *Human Rights Situation in the Occupied Palestinian Territory, Including East Jerusalem*, 16 March 2017, A/HRC/34/38, <http://www.refworld.org/docid/59d4dd704.html> (hereafter: UN Human Rights Council, *Human Rights Situation in the Occupied Palestinian Territory*, 16 March 2017, <http://www.refworld.org/docid/59d4dd704.html>), paras 29, 30, 66; UNGA, *Israeli Practices Affecting the Human Rights of the Palestinian People in the Occupied Palestinian Territory, Including East Jerusalem*, 30 August 2016, A/71/364, <http://www.refworld.org/docid/57ed08984.html>, para. 28. See also above Section I (“Introduction”).

¹¹² “Substantial human rights violations are also taking place in Gaza under Hamas’s control. These occur not only during times of heightened tensions or when hostilities escalate but have also become a feature of daily life”; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 25. For more background information on Hamas, see, US Department of State, *Country Reports on Terrorism 2016 – Foreign Terrorist Organizations: Hamas*, 19 July 2017, <http://www.refworld.org/docid/5981e3e0a.html>; Council on Foreign Relations (CFR), *Hamas*, last updated 1 August 2014, <http://on.cfr.org/2hzACQm>.

¹¹³ “Although the scale of violations is lower [compared to those committed by the Israeli government], impunity is also a major concern with regard to actions by Palestinian authorities both in Gaza and the West Bank”; UN Human Rights Council, *Implementation of Human Rights Council Resolutions S-9/1 and S-12/1*, 25 January 2017, <http://www.refworld.org/docid/58ad8c054.html>, para. 79. See also, US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, pp. 71, 82.

¹¹⁴ Due to the continued and extensive blockade and restrictions on movement of people and goods on the Gaza Strip by the Israeli Government, Palestinians’ civil, economic, social and cultural rights are reportedly severely restricted. The UN have referred to this practice as amounting to the “*collective punishment*” of the entire population. In addition, Israeli security forces reportedly continue to use excessive force, killing and injuring civilians on the border fence between the Gaza Strip and Israel as well as at sea; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 7-12, 26, 27. See also, HRW, *World Report 2018 – Israel and Palestine*, 18 January 2018, <http://www.refworld.org/docid/5a61ee62a.html>. See also above Section I (“Introduction”).

¹¹⁵ “[I]n the Gaza Strip, Hamas reportedly detained a large number of persons during the year, primarily without recourse to legal counsel, judicial review, or bail. There also were instances in which authorities retroactively issued arrest warrants and used military warrants to arrest civilians”; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 85.

¹¹⁶ “Torture and other ill-treatment of detainees remained common and was committed with impunity by Palestinian police and security forces in the West Bank, and by Hamas police and security forces in Gaza. The Independent Commission for Human Rights (ICHR), Palestine’s national human rights institution, received hundreds of allegations of torture and other ill-treatment of detainees held in the West Bank and Gaza” (emphasis added); Amnesty International, *Annual Report 2017/18 – Israel and the Occupied Palestinian Territories*, 22 February 2018, <http://bit.ly/1vz6eK3>. See also, HRW, *World Report 2018 – Israel and Palestine*, 18 January 2018, <http://www.refworld.org/docid/5a61ee62a.html>.

¹¹⁷ “[I]n the Gaza Strip, Hamas reportedly detained a large number of persons during the year, primarily without recourse to legal counsel, judicial review, or bail. There also were instances in which authorities retroactively issued arrest warrants and used military warrants to arrest civilians”; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 85. See also, Al-Monitor, *Gaza Activists Decry Rise in Torture Within Prisons*, 1 October 2017, <http://bit.ly/2z2K9dZ>; UN Human Rights Council, *Human Rights Situation in the Occupied Palestinian Territory*, 16 March 2017, <http://www.refworld.org/docid/59d4dd704.html>, para. 51; UN Human Rights Council, *Implementation of Human Rights Council Resolutions S-9/1 and S-12/1*, 25 January 2017, <http://www.refworld.org/docid/58ad8c054.html>, paras 70-73.

Palestinian laws.¹¹⁸ Detention centres are reported to be overcrowded and with poor conditions,¹¹⁹ and in some instances the use of torture and ill-treatment reportedly resulted in deaths.¹²⁰ (Perceived) critics and opponents of the Hamas authorities, including activists,¹²¹ (perceived) affiliates or sympathizers of rival political organizations,¹²² suspected collaborators,¹²³ human rights defenders,¹²⁴ and journalists,¹²⁵ are reportedly

- ¹¹⁸ “Six people were executed [in 2017] after civil and military courts sentenced them to death after convicting them of ‘collaboration with Israel or other offences’”; Amnesty International, *Annual Report 2017/18 – Israel and the Occupied Palestinian Territories*, 22 February 2018, <http://bit.ly/1vz6eK3>. “The conviction and sentence of a ‘field military court’ are final, allowing no possibility of appeal or plea for clemency, in violation of international law. International law sets very stringent conditions for the application of the death penalty, including meticulous compliance with international fair trial standards. These trials do not appear to meet these minimum standards”; OHCHR, *Gaza Death Sentences Illegal*, 23 May 2017, <https://shar.es/1P2ghR>. “(...) the executions were carried out without the ratification of the death sentences by the Palestinian President, contrary to the Palestinian Basic Law of 2003 and the 2001 Penal Procedure Law”; Amnesty International, *Death Sentences and Executions 2016*, 11 April 2017, <http://www.refworld.org/docid/58ece1324.html>, pp. 5, 33, 40-41. See also, HRW, *World Report 2018 – Israel and Palestine*, 18 January 2018, <http://www.refworld.org/docid/5a61ee62a.html>; PCHR, *Death Penalty Should Immediately Stop: 3 New Death Sentences Issued in Gaza*, 26 September 2017, <http://bit.ly/2iuD7Yn>; UN Human Rights Council, *Human Rights Situation in the Occupied Palestinian Territory*, 16 March 2017, <http://www.refworld.org/docid/59d4dd704.html>, para. 60.
- ¹¹⁹ US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 77.
- ¹²⁰ “The Office of the United Nations High Commissioner for Human Rights has also consistently received and documented reliable allegations of torture and ill-treatment of Palestinian detainees in the West Bank and in Gaza, including cases that led to death” (emphasis added); UNGA, *Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People*, 5 September 2017, <http://www.refworld.org/docid/59d228984.html>, para. 44. See also, Amnesty International, *Annual Report 2017/18 – Israel and the Occupied Palestinian Territories*, 22 February 2018, <http://bit.ly/1vz6eK3>; Al-Monitor, *Gaza Activists Decry Rise in Torture Within Prisons*, 1 October 2017, <http://almon.co/2xgn>; PCHR, *Third Case During This Month in Gaza, PCHR Calls upon Attorney General to Investigate into Death of Prisoner in Al-Shuja'iya Police Station*, 26 September 2017, <http://bit.ly/2C0bGuc>; UN Human Rights Council, *Human Rights Situation in the Occupied Palestinian Territory*, 16 March 2017, <http://www.refworld.org/docid/59d4dd704.html>, para. 51.
- ¹²¹ “Media practitioners accused of publicly criticizing Hamas, including civil society and youth activists, social media advocates, and journalists, faced punitive measures, including raids on their facilities and residences, arbitrary detention, and denial of permission to travel outside Gaza” (emphasis added); US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 96. See also, PCHR, *Freedom of Expression and Political Participation are Rights: PCHR Condemns Arrest Campaign against Activists in Gaza*, 4 January 2018, <http://bit.ly/2rl3nbf>; Amnesty International, *State of Palestine: Alarming Attack on Freedom of Expression*, 23 August 2017, <http://www.refworld.org/docid/59afdaae4.html>; HRW, *Palestine: Crackdown on Journalists, Activists*, 29 August 2016, <http://www.refworld.org/docid/57c57a104.html>.
- ¹²² “The United Nations has also documented a growing use of (...) arbitrary detention by Hamas against perceived political opponents, including members of Fatah and former personnel of the Palestinian Authority in the Gaza Strip”; UNGA, *Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People*, 5 September 2017, <http://www.refworld.org/docid/59d228984.html>, para. 44. “Human rights abuses under Hamas included security forces killing, torturing, arbitrarily detaining, and harassing opponents, including Fatah members and other Palestinians with impunity.” And further: “Fatah officials claimed to media that Hamas abducted, threatened, and arrested several Fatah members working on municipal elections in the Gaza Strip prior to the election's indefinite postponement”; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, pp. 70, 80. See also, UN Human Rights Council, *Human Rights Situation in the Occupied Palestinian Territory*, 16 March 2017, <http://www.refworld.org/docid/59d4dd704.html>, para. 53; UN Human Rights Council, *Implementation of Human Rights Council Resolutions S-9/1 and S-12/1*, 25 January 2017, <http://www.refworld.org/docid/58ad8c054.html>, para. 76.
- ¹²³ “In recent years violations by the de facto authorities in Gaza have continued, albeit at lower-scale, including restrictions on the freedom of expression and assembly, arbitrary detention and ill-treatment targeting in particular dissenting voices (...) and political opponents considered as ‘collaborating’ with Israel or the Palestinian Authority”; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 25. “The ICHR [Independent Commission for Human Rights] received complaints of arbitrary arrests by Hamas in the Gaza Strip. Many of these arrests and detentions appeared to be politically motivated, targeting political opponents and those suspected of ties to Israel”; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 88. Hamas-controlled military courts reportedly handed down death sentences against several persons suspected of having collaborated with the Israeli authorities. “Death sentences continue to be pronounced by Gaza courts. According to the Palestinian Centre for Human Rights, 19 individuals were sentenced to death during the reporting period for offences including murder and collaboration with hostile Parties”; UN Human Rights Council, *Implementation of Human Rights Council Resolutions S-9/1 and S-12/1*, 25 January 2017, <http://www.refworld.org/docid/58ad8c054.html>, para. 67. See also, Amnesty International, *‘Strangling Necks’ – Abductions, Torture and Summary Killings of Palestinians by Hamas Forces During the 2014 Gaza/Israel Conflict*, 27 May 2015, <http://www.refworld.org/docid/55686c4b4.html>. In January 2018, a man suspected of having collaborated with Israel was reportedly killed by a member of his family; AFP, *Gaza Family Kills Member who Allegedly Acted as Israeli Informant*, 19 January 2018, <http://bit.ly/2BqkJjI>; Times of Israel/Agencies, *UN Voices ‘Deep Concern’ over Killing of Gaza Man by His Own Family*, 23 January 2018, <http://bit.ly/2DCEfCI>.
- ¹²⁴ “The Protection Cluster continues to identify increasing pressure from both Israeli and Palestinian authorities in Gaza and the West Bank on human rights defenders and other civil society actors, including arrests, detentions, harassment and legislation aimed at constricting civic space”; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 24.
- ¹²⁵ “As political in-fighting continued, authorities in the West Bank and Gaza used threats and intimidation against activists and journalists to suppress peaceful expression, including reporting and criticism. According to the NGO Palestinian Centre for Development and Media Freedoms, the Palestinian authorities in the West Bank were responsible for 147 attacks on media freedom during the year. These included arbitrary arrests, ill-treatment during interrogations, confiscation of equipment, physical assaults, bans on reporting and the banning of 29 websites critical of the West Bank authorities. **Hamas authorities in Gaza were responsible for 35 such attacks**” (emphasis added); Amnesty International, *Annual Report 2017/18 – Israel and the Occupied Palestinian Territories*, 22 February 2018, <http://bit.ly/1vz6eK3>. In the Gaza Strip, Reporters Without Borders (RSF) observed that “The common feature of the journalists who have been threatened or prosecuted is that

particularly singled out for arbitrary arrest, detention and other violations.¹²⁶ In some instances, individuals have reportedly also been targeted on account of their family members' actions.¹²⁷

The Hamas authorities reportedly also restrict the rights to freedom of speech (including on the internet)¹²⁸ and assembly, and have at times resorted to excessive force to disperse protests¹²⁹ and arrested protesters and organizers.¹³⁰ Organizations affiliated with Fatah as well as women's rights groups reportedly face difficulties operating.¹³¹

Women and girls reportedly face a high risk of legal¹³² and societal discrimination and violence, including domestic violence, forced/early marriage,¹³³ sexual violence (including rape) and "honour killings".¹³⁴ GBV is

their reporting has draw [sic] attention to governmental responsibility in political or humanitarian crises"; RSF, *Journalists Fall Victim to Palestinian Political Rivalry*, 26 July 2017, <http://www.refworld.org/docid/5979ee314.html>. See also, Committee to Protect Journalists (CPJ), *Hamas Detains Palestinian Journalist in Gaza*, 14 June 2017, <http://www.refworld.org/docid/596f4bdda.html>; Freedom House, *Freedom in the World 2017 – Gaza Strip*, 2 June 2017, <http://www.refworld.org/docid/5936a469f.html>; UN Human Rights Council, *Human Rights Situation in the Occupied Palestinian Territory*, 16 March 2017, <http://www.refworld.org/docid/59d4dd704.html>, para. 70; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, pp. 96, 99, 103; UN Human Rights Council, *Implementation of Human Rights Council Resolutions S-9/1 and S-12/1*, 25 January 2017, <http://www.refworld.org/docid/58ad8c054.html>, para. 75.

¹²⁶ "In both the West Bank and in Gaza, there appears to be a crackdown by the Palestinian authorities on human rights defenders, particularly on journalists and news websites – including legislative measures, arrests and harassment of individuals and bans on websites"; OHCHR, *Darker and more Dangerous: High Commissioner Updates the Human Rights Council on Human Rights Issues in 40 Countries*, 11 September 2017, <https://shar.es/1Ppu7C>. "Hamas reportedly practiced widespread arbitrary detention in the Gaza Strip, particularly of Fatah members, civil society activists, journalists, and others accused of publicly criticizing Hamas." And further: "Hamas detained an estimated several hundred persons, allegedly because of their political affiliation, public criticism of Hamas, or suspected collaboration with Israel, and held them for varying periods. Observers associated numerous allegations of denial of due process with these detentions"; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, pp. 80, 92. See also, HRW, *World Report 2018 – Israel and Palestine*, 18 January 2018, <http://www.refworld.org/docid/5a61ee62a.html>; Freedom House, *Freedom in the World 2017 – Gaza Strip*, 2 June 2017, <http://www.refworld.org/docid/5936a469f.html>; UN Human Rights Council, *Human Rights Situation in the Occupied Palestinian Territory*, 16 March 2017, <http://www.refworld.org/docid/59d4dd704.html>, para. 69.

¹²⁷ "In several instances Hamas detained individuals for interrogation and harassment, particularly prodemocracy youth activists, based on the purported actions of their family members"; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 93.

¹²⁸ "Hamas forces monitored private communications systems, including telephones, e-mail, and social media sites." And further: "Gaza-based Palestinian civil society organizations and social media practitioners stated Hamas authorities monitored the internet activities of Gaza Strip residents and took action to intimidate or harass them"; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, pp. 93, 103.

¹²⁹ Amnesty International, *Annual Report 2017/18 – Israel and the Occupied Palestinian Territories*, 22 February 2018, <http://bit.ly/1vz6eK3>; Freedom House, *Freedom in the World 2017 – Gaza Strip*, 2 June 2017, <http://www.refworld.org/docid/5936a469f.html>; UN Human Rights Council, *Human Rights Situation in the Occupied Palestinian Territory*, 16 March 2017, <http://www.refworld.org/docid/59d4dd704.html>, para. 70; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 107.

¹³⁰ Amnesty International, *Annual Report 2017/18 – Israel and the Occupied Palestinian Territories*, 22 February 2018, <http://bit.ly/1vz6eK3>; HRW, *World Report 2018 – Israel and Palestine*, 18 January 2018, <http://www.refworld.org/docid/5a61ee62a.html>.

¹³¹ US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 109.

¹³² "Under Hamas' form of religious law, only a man can file for divorce, says Amal Siyam, director of the Women's Affairs Center in Gaza City. (A woman, under very specific cases, can apply for a marital separation.) In practice that means women are left without a say about divorce. Gaza law also favors fathers for custody of children. Some women will try to stay in abusive marriages to remain with their children"; USA Today, *Divorced In Gaza Because of Reality*, 22 May 2017, <http://bit.ly/2CJxLgn>.

¹³³ UNRWA, *Girls Not Brides: Ending Child Marriage in Gaza*, 20 July 2017, <http://bit.ly/2u7uCUe>; NRC, *If You Are 10-Year-Old Living in Gaza*, 7 June 2017, <http://bit.ly/2se8N7o>; USA Today, *Divorced In Gaza Because of Reality*, 22 May 2017, <http://bit.ly/2CJxLgn>; Protection Cluster, *Child Marriage in the Occupied Palestinian Territory*, December 2016, <http://bit.ly/2y0Mki4>.

¹³⁴ "Women and girls continued to face discrimination in law and in practice, and were inadequately protected against sexual and other gender-based violence, including so-called 'honour' killings"; Amnesty International, *Annual Report 2017/18 – Israel and the Occupied Palestinian Territories*, 22 February 2018, <http://bit.ly/1vz6eK3>. "Domestic violence often goes unreported. Particularly worrying is the recurrence of honor-related murder crimes. Since the beginning of 2008, Al Mezan has documented 23 cases of honor related killings in Gaza"; Al Mezan, *It Is Time to End Violence Against Women!*, 26 November 2017, <http://bit.ly/2AZG1cW>. "Women in the Occupied Palestinian Territory face multiple layers of violence and discrimination. In September 2016, the Special Rapporteur on violence against women, following her country visit, highlighted the prevalence of deeply embedded forms of violence against women – including domestic violence, early marriage, sexual violence (including rape and incest) and 'honour killings' – which, she noted, were 'petrified in a context of prolonged occupation'"; UN Human Rights Council, *Implementation of Human Rights Council Resolutions S-9/1 and S-12/1*, 25 January 2017, <http://www.refworld.org/docid/58ad8c054.html>, para. 63. See also, News Deeply, *In Gaza, Marriage Comes with a Host of Dangers for Women*, 5 June 2017, <http://bit.ly/2i1upRa>; UN Human Rights Council, *Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences, on Her Mission to the Occupied Palestinian Territory/State of Palestine*, 8 June 2017, A/HRC/35/30/Add.2, <http://www.refworld.org/docid/59dca83b4.html>, paras 23-57; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, pp. 124-126; UNCT Palestine, *Common Country Analysis 2016*, 24 November 2016, <http://bit.ly/2ERH7MV>, pp. 50, 72.

reportedly widespread and on the rise.¹³⁵ However, societal norms reportedly lead to significant underreporting of incidents of GBV.¹³⁶ Many youth, particularly boys, have reportedly been exposed to psychological and/or physical violence.¹³⁷ Disputes and conflicts in the Gaza Strip are reportedly regularly resolved through tribal conflict resolution mechanisms rather than through recourse to the formal justice system. In instances where tribes fail to resolve disputes between them through peaceful means, disputes can turn into blood feuds, resulting in injuries and killings.¹³⁸

The Hamas authorities reportedly harass, fine and punish women and men for perceived infractions of traditional and Islamic norms and other behaviours considered “un-Islamic”. They reportedly also enforce gender segregation and conservative dress codes in public.¹³⁹ These restrictions are reported to have a particularly negative impact on women’s freedom of movement, their participation in public life and access to education and employment.¹⁴⁰

Children in the Gaza Strip are reportedly exposed to serious human rights violations and abuses, including different manifestations of GBV such as domestic violence and early and forced marriage, and child labour.¹⁴¹ Reports also speak of instances in which children have been subjected to arbitrary arrest, detention, torture and ill-treatment.¹⁴² Hamas and its military wing, the *Izz Al-Din Al-Qassam Brigades*, reportedly recruited children,

¹³⁵ “The deterioration of the humanitarian crisis in the oPt and especially in Gaza has exacerbated GBV in all its forms, including sexual violence, domestic violence and forced marriage”; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 24. “Gender Based Violence (GBV) is a key protection concern in Palestine. According to Palestinian Central Bureau of Statistics (PCBS) 2011 Violence Survey, an average of 37% of women are victims of GBV in Palestine; in the Gaza Strip, this percentage increases to 51%.” And further: “The protracted humanitarian crisis, and its impact on gender and family dynamics, has exacerbated GBV in all its forms, including sexual violence, intimate partner violence and child marriage”; UNFPA, *Gender-Based Violence*, accessed 23 February 2018, <http://bit.ly/2xkc44R>. UNFPA estimates that more than 148,000 women in the Gaza Strip are exposed to GBV. According to 2016 data, more than 35 per cent of GBV survivors were exposed to physiological abuse, 31 per cent to physical abuse and 17 per cent resource denial; UNFPA, *The Humanitarian Impact of Gaza’s Electricity and Fuel Crisis on Gender-Based Violence and Services*, 29 May 2017, <http://bit.ly/2yV1iC9>, p. 1. See also, OHCHR, *Press Briefing Notes on Gaza*, 11 August 2017, <http://bit.ly/2hAsk17>; UN, *Gaza – 10 Years Later*, July 2017, <http://www.refworld.org/docid/5965d0f24.html>, p. 27; UN Human Rights Council, *Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences, on Her Mission to the Occupied Palestinian Territory/State of Palestine*, 8 June 2017, A/HRC/35/30/Add.2, <http://www.refworld.org/docid/59dca83b4.html>; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 124; UNCT Palestine, *Common Country Analysis 2016*, 24 November 2016, <http://bit.ly/2ERH7MV>, pp. 71-72.

¹³⁶ US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 124.

¹³⁷ “Palestinian youth are exposed to several other forms of violence in their homes and communities, including domestic violence, GBV, and community violence from their peers or supervisors at universities or in their work environment. Data from PCBS has shown that over one-fifth of students in Gaza aged 12-17 were exposed to psychological violence, and over 20 per cent experience physical violence. In general, boys were more likely to be exposed to violence than girls, at 28 per cent versus 16 per cent”; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 15.

¹³⁸ Al Mezan, *One Child Killed in Family Feud in Deir Al Balah*, 9 January 2018, <http://bit.ly/2ovBORw>; Associated Press, *\$50,000 Payments Help Grieving Gaza Families End Blood Feuds*, 20 October 2017, <http://bit.ly/2ouf6Ri>; Al-Monitor, *Inside Gaza’s Traditional Tribal Courts*, 9 August 2016, <http://bit.ly/2r4bMAo>.

¹³⁹ “Authorities in Gaza harassed women for ‘un-Islamic’ behavior, including being in public after dark and walking with an unrelated man.” And further: “Hamas enforced a conservative interpretation of Islam on the Gaza Strip’s Muslim population that particularly discriminated against women. Authorities generally prohibited public mixing of the sexes. Plainclothes officers routinely stopped, separated, and questioned couples to determine if they were married; premarital sex is a crime punishable by imprisonment. Hamas’s ‘morality police’ also punished women for riding motorcycles, smoking cigarettes or water pipes, leaving their hair uncovered, and dressing ‘inappropriately’ (that is, in Western-style or close-fitting clothing, such as jeans or T-shirts)”; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, pp. 125-126. See also, AFP, *Gaza Police Block Women from Attending Football Match*, 28 January 2018, <http://bit.ly/2njZSxS>; Freedom House, *Freedom in the World 2017 – Gaza Strip*, 2 June 2017, <http://www.refworld.org/docid/5936a469f.html>.

¹⁴⁰ “Increased pressure to conform to Hamas’s interpretation of Islamic norms generally restricted movement by women.” And further, “According to press and NGO reports, in some instances teachers in Gaza sent girls home for not wearing conservative attire in Hamas-run schools, although enforcement was not systematic”; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, pp. 112, 127. “In recent years, Gaza has become increasingly conservative, which has had a further negative impact on women’s freedom of movement and possibilities to take action”; Kvinna till Kvinna, *Palestine – Women’s Situation*, last updated 4 July 2016, <http://bit.ly/2kGAoeD>. “(...) the imposition of more conservative moral codes that directly affect women’s day-to-day lives has been a visible manifestation of Hamas’ rule (...). With the socio-political environment significantly narrowing women and girls’ access to the public sphere, it has become more difficult for women to secure incomes, services and their rights”; Overseas Development Institute, *Women and Power – How Women Leaders Negotiate Gaza’s Political Reality*, February 2016, <http://bit.ly/2xJMpGH>, p. 14. See also, NPR, *Hamas: Gaza Women Learning to Drive Must Have a Chaperone*, 1 June 2016, <https://n.pr/1TXm7Tc>.

¹⁴¹ See above footnotes 133 and 134. See also Section II.2 (“Livelihoods”).

¹⁴² “Children detained in Gaza under the Hamas-led government are at severe risk of violations and abuses according to a Palestinian rights group. Cases of torture used as an interrogation method were reported, as well as other cases of physical abuse of children aged 15-17”; International

including for hard labour and training as combatants,¹⁴³ although these combat training programmes were reportedly suspended following international criticism.¹⁴⁴

Persons of diverse sexual orientations or gender identities are reportedly particularly vulnerable to abuse and discrimination from a range of actors, including from the Hamas authorities, armed groups, as well as members of their families and wider society.¹⁴⁵ According to applicable laws, consensual same-sex sexual acts between men are treated as a criminal offence, punishable with up to 10 years in prison.¹⁴⁶ Hamas authorities reportedly subject persons of diverse sexual orientations or gender identities to internet surveillance, harassment, arbitrary arrest and detention on account of their sexual orientation or gender identity.¹⁴⁷

Persons living with disabilities¹⁴⁸ as well as those with HIV/AIDS reportedly face familial and societal discrimination in the Gaza Strip.¹⁴⁹ Women and girls with disabilities are reportedly particularly at risk of GBV.¹⁵⁰

Middle East Media Center (IMEMC), *Detained Teens in Gaza Highly Vulnerable to Abuse*, 6 October 2017, <http://bit.ly/2yfnIAC>. See also, Amnesty International, *Amnesty International Report 2016/17 – Palestine (State of)*, 22 February 2017, <http://www.refworld.org/docid/58b033c5a.html>.

¹⁴³ “Hamas reportedly did not enforce child labor laws in Gaza. Hamas reportedly encouraged children to work gathering gravel and scrap metal from bombsites to sell to recycling merchants and increased recruitment of youth for tunnel digging activities. There were also reports Hamas trained children as combatants”; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 128. While the UN did not document any incidents of child recruitment in the Gaza Strip in 2016, the UN Secretary-General in August 2017 expressed his “preoccupation regarding the potential recruitment and use of children in Gaza”; UN Secretary-General, *Children and Armed Conflict*, 24 August 2017, A/72/361–S/2017/821, <http://www.refworld.org/docid/59db4a194.html>, para. 96. See also, Defense for Children International Palestine, *Child Recruitment*, accessed 23 February 2018, <http://bit.ly/1RNDQxG>; Christian Science Monitor, *A Window into Gaza’s Future – Through Summer Camps*, 9 August 2016, <http://bit.ly/2GN6U5D>.

¹⁴⁴ IMEMC, *Changes to Gaza’s Futuwwa Program Reduce Child Protection Risks*, 10 March 2017, <http://bit.ly/2yCidgx>.

¹⁴⁵ “Societal discrimination based on cultural and religious traditions was commonplace, making the West Bank, East Jerusalem, and Gaza challenging environments for lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons. Some Palestinians claimed PA security officers and neighbors harassed, abused, and sometimes arrested LGBTI individuals because of their sexual orientation or gender identity. NGOs reported Hamas also harassed and detained persons due to their sexual orientation or gender identity” (emphasis added); US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 131. See also, HRW, *World Report 2018 – Israel and Palestine*, 18 January 2018, <http://www.refworld.org/docid/5a61ee62a.html>.

¹⁴⁶ Section 152(2) of the British Mandate Criminal Code Ordinance, No. 74 of 1936, which reportedly remains in force in the Gaza Strip at the time of writing, criminalizes consensual sexual acts between men with a penalty of up to 10 years (consensual same-sex acts are not criminalized in the West Bank). According to the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), “[s]ince the 2007 governance of Gaza by Hamas, the Gazan legislative body has attempted to amend or replace the British Mandatory Penal Code. The proposal from 2013 purported to be ‘Islamic based’, and included flogging for adultery and cutting off an offender’s right hand for theft. While a complete draft of the proposal was never published, it is highly likely its treatment of same-sex acts would have been far more severe than even the current law. The code failed to pass the Gazan legislature”; ILGA, *State Sponsored Homophobia 2017: A World Survey of Sexual Orientation Laws: Criminalisation, Protection and Recognition*, May 2017, 12th Edition, <http://www.refworld.org/docid/59e615f64.html>, p. 124. See also, HRW, *World Report 2018 – Israel and Palestine*, 18 January 2018, <http://www.refworld.org/docid/5a61ee62a.html>.

¹⁴⁷ In one documented case in 2016, Hamas reportedly executed one of its fighters accused of same-sex relations; HRW, *World Report 2017 – Israel/Palestine*, 12 January 2017, <http://www.refworld.org/docid/587b583c3.html>. See also, Haaretz, *What It’s Like to Be Gay in Gaza: Meeting Israelis on Dating Apps, Evading Hamas and Plotting Escape*, 21 February 2018, <http://bit.ly/2F3z5QC>; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 131; The New York Times, *Hamas Commander, Accused of Theft and Gay Sex, Is Killed by His Own*, 1 March 2016, <http://nyti.ms/1OLK7CX>; UN Human Rights Council, *Implementation of Human Rights Council Resolutions S-9/1 and S-12/1*, 25 January 2017, <http://www.refworld.org/docid/58ad8c054.html>, para. 66.

¹⁴⁸ “The Palestinian Ministry of Social Development estimates there are over 49,000 persons with disabilities in Gaza (2.4 per cent of the population), a third of them children”; UNRWA, *Occupied Palestinian Territory – Emergency Appeal 2018*, 30 January 2018, <http://bit.ly/2GTByeo>, p. 10.

¹⁴⁹ “People with disabilities have to contend with discrimination at every level of society, in particular in the areas of education and employment. This situation is especially problematic for women with disabilities and the mothers of children with disabilities”; Handicap International, *Palestine*, accessed 23 February 2018, <http://bit.ly/2ysywtK>. “Persons with disabilities in Palestine face geographical, institutional and attitudinal barriers that hinder the enjoyment of their rights. (...) Persons with disabilities are more likely than the general population to experience violations of their rights, poor physical and mental health conditions, poverty, and social isolation. Women with disabilities are more likely to face discrimination than other women, or men with disabilities”; UNCT Palestine, *Common Country Analysis 2016*, 24 November 2016, <http://bit.ly/2ERH7MV>, p. 48. See also, US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, pp. 70, 130-131; Turkish Journal of Public Health, *A Survey on the Knowledge and Attitudes among the Students of Al-Azhar University to HIV/AIDS, the Gaza Strip-Palestine*, Vol. 13, No. 3 (2015), 2015, <http://bit.ly/2CVwHGA>; Al-Monitor, *AIDS Patients in Gaza Face Isolation, Humiliation*, 1 May 2014, <http://bit.ly/2xLxwiq>.

¹⁵⁰ OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 13.

Various armed groups present in the Gaza Strip, ranging from groups connected to Hamas to extremist Islamist groups that pledged allegiance to the Islamic State in Iraq and Syria (ISIS), reportedly also commit human rights abuses, including abduction, torture and ill-treatment, as well as extra-judicial executions.¹⁵¹

IV. Restrictions on Exit from and Return to the Gaza Strip

Travel to and from the Gaza Strip is subject to severe restrictions and is only possible via the territory's two land crossing points, namely the Erez Crossing and the Rafah Crossing.¹⁵² As a result, very few Gazans are able to travel outside of the Gaza Strip.¹⁵³ Most Palestinians in the Gaza Strip remain unable to access the remainder of the occupied Palestinian territory (oPt) and other parts of the world, with only a minority eligible for exit permits via Israel.¹⁵⁴

The "Erez" Crossing (*Beit Hanoun* in Arabic), controlled by Israel, is located between Israel and the Gaza Strip on the northern border of the Strip and serves mainly as a point of passage for people travelling between the Gaza Strip and Israel as well as those seeking to reach the West Bank or third countries.¹⁵⁵ The "Rafah" Crossing is located at the southern end of the Gaza Strip bordering Egypt and controlled by Egyptian authorities.¹⁵⁶ While it is the Israeli and Egyptian authorities who are primarily controlling movements at their respective border crossings, the Hamas administration in the Gaza Strip reportedly also restricted travel to and from the territory in some cases.¹⁵⁷

Movement restrictions from the Gaza Strip to enter Israel, including to pass to other parts of the occupied Palestinian territory, have been in place since the early 1990s;¹⁵⁸ however, following Hamas' takeover of the Gaza Strip in June 2007, Israeli authorities reportedly intensified measures to restrict the movement of Palestinians to and from the Gaza Strip via the Erez Crossing.¹⁵⁹ The situation has reportedly been compounded by the restrictions imposed since June 2013 by the Egyptian authorities at the Rafah Crossing, which, due to the

¹⁵¹ HRW, *World Report 2018 – Israel and Palestine*, 18 January 2018, <http://www.refworld.org/docid/5a61ee62a.html>; UN Human Rights Council, *Human Rights Situation in the Occupied Palestinian Territory*, 16 March 2017, <http://www.refworld.org/docid/59d4dd704.html>, para. 51; UN Human Rights Council, *Implementation of Human Rights Council Resolutions S-9/1 and S-12/1*, 25 January 2017, <http://www.refworld.org/docid/58ad8c054.html>, para. 73; Amnesty International, *Hamas Must Stop Planned Judicial Executions in the Gaza Strip*, 27 May 2016, <http://bit.ly/1P5UOqS>.

¹⁵² Israel reportedly maintains full control of the Gaza Strip's airspace and maintains a *de facto* blockade of access by sea. A third border crossing, the Kerem Shalom crossing, which is controlled by the Israeli authorities, allows for the movement of authorized goods only; OCHA, *Locked In: Movement of People to and from Gaza Back to Pre-2014 Conflict Levels*, 11 October 2017, <http://bit.ly/2z2jn5E>; HRW, *Unwilling or Unable: Israeli Restrictions on Access to and from Gaza for Human Rights Workers*, 2 April 2017, <http://www.refworld.org/docid/58e2112c4.html>, p. 1; Al-Haq et al., *Situation of Palestine: Closure of Gaza*, November 2016, <http://bit.ly/2zgspp1>, paras 82-88; Gisha, *The Gaza Cheat Sheet – Real Data on the Gaza Closure*, 10 August 2016, <http://bit.ly/1wnMmn9>.

¹⁵³ "Palestinians from Gaza remained virtually confined to Gaza"; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 107. See also, UNGA, *Situation of Human Rights in the Palestinian Territories Occupied since 1967*, 19 October 2016, A/71/554, <http://www.refworld.org/docid/5829c1054.html>, para. 48.

¹⁵⁴ OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 7; HRW, *Submission for the Universal Periodic Review of Israel – 29th Session of the Universal Periodic Review, January 2018*, 29 June 2017, <http://bit.ly/2E3uWJp>.

¹⁵⁵ "Erez Crossing is the only land crossing for the movement of people between the Gaza Strip and Israel and the West Bank, as well as third countries when Rafah Crossing is closed"; Gisha, *Exits of Palestinians to Israel and the West Bank via Erez Crossing*, updated March 2017, <http://gisha.org/graph/2392>. See also, Gisha, *Graphing 10 Years of Closure*, September 2017, <http://bit.ly/2x8DH4H>, p. 2. On the requirement to obtain a "No Objection Letter" from the Jordanian authorities in order to transit through Jordan, see The New Arab, *Jordan and Egypt Join Israel in Imprisoning Gaza*, 25 July 2016, <http://bit.ly/2a6nO4q>; HRW, *Jordan: Ease Travel for Gaza Palestinians*, 16 May 2016, <http://www.refworld.org/docid/5a8fe1164.html>. See also, Washington Report on Middle East Affairs, *Egypt, Israel and Jordan Combine to Make Travel Nearly Impossible for Gaza Students*, January/February 2018, <http://bit.ly/2HDLdwa>.

¹⁵⁶ "Rafah Crossing is the only crossing between the Gaza Strip and Egypt. Because of the closure Israel imposes on Gaza's land crossings, and the ban on air and sea travel to and from Gaza, Rafah Crossing has become a vital route to the outside world for Gaza's residents over the years"; Gisha, *Movement of People via Rafah Crossing*, updated March 2017, <http://gisha.org/graph/2399>.

¹⁵⁷ US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 109. See also, Haaretz, *Endless Waiting, Suffocating Heat, Filthy Prison Cells and Blackmail: What Palestinians Face when They Leave Gaza*, 11 November 2017, <http://bit.ly/2Ca3xY9>. See also above Section II.5 ("Humanitarian Situation – Education").

¹⁵⁸ For an overview, see Al-Haq et al., *Situation of Palestine: Closure of Gaza*, November 2016, <http://bit.ly/2zgspp1>, paras 40-68.

¹⁵⁹ "Many of the current restrictions, originally imposed by Israel in the early 1990s, were intensified after June 2007, following the Hamas takeover of Gaza and the imposition of a blockade"; OCHA, *Gaza Crossings' Operations Status: Monthly Update – January 2017*, 15 February 2018, <http://bit.ly/2HzpNKg>, p. 1. "(...) the Israeli authorities implemented a policy of total closure, restricting all passage of goods and people through Gaza's land crossings other than tightly circumscribed exceptional cases. These heightened restrictions compound the existing Israeli restrictions in place on Gaza since the early 1990s"; Al-Haq et al., *Situation of Palestine: Closure of Gaza*, November 2016, <http://bit.ly/2zgspp1>, para. 70.

restrictions on the Israeli-controlled Erez Crossing, had become the primary crossing point used by Palestinians in the Gaza Strip.¹⁶⁰

On 1 November 2017, and in line with the Palestinian reconciliation agreement reached on 12 October, the Hamas authorities handed over control of the Gaza Strip's side of the Erez, Kerem Shalom and Rafah crossings to the Palestinian Authority.¹⁶¹ However, at the time of writing, the reconciliation agreement has not yet had a positive impact on Palestinians' ability to exit/enter the Gaza Strip via Erez and Rafah Crossings.¹⁶²

1) Erez Crossing

Only pre-determined categories of Gaza Strip residents¹⁶³ such as persons with urgent medical needs¹⁶⁴ and their companions, businesspeople, employees of international organizations and individuals with specific humanitarian needs are eligible to receive permits to temporarily¹⁶⁵ enter Israel via the Erez Crossing, subject to security checks.¹⁶⁶ Israeli authorities are reported to have increasingly limited the movement of Palestinians out of the Gaza Strip.¹⁶⁷ In recent years, an increasing number of applications has reportedly either been delayed

- ¹⁶⁰ "Egypt continued to enforce an almost total closure of the Rafah border crossing with Gaza, compounding the impact of the Israeli blockade"; Amnesty International, *Annual Report 2017/18 – Israel and the Occupied Palestinian Territories*, 22 February 2018, <http://bit.ly/1vz6eK3>. See also, OCHA, *Gaza Crossings' Operations Status: Monthly Update – January 2017*, 15 February 2018, <http://bit.ly/2HzpNKq>, p. 1; HRW, *Unwilling or Unable: Israeli Restrictions on Access to and from Gaza for Human Rights Workers*, 2 April 2017, <http://www.refworld.org/docid/58e2112c4.html>, pp. 10-11.
- ¹⁶¹ OCHA, *Gaza Crossings' Operations Status: Monthly Update – January 2017*, 15 February 2018, <http://bit.ly/2HzpNKq>, p. 1; The Guardian, *Hamas Hands Control of Gaza Crossings to Palestinian Authority*, 1 November 2017, <http://bit.ly/2kwx7vD>.
- ¹⁶² OCHA, *Humanitarian Bulletin Occupied Palestinian Territory – December 2017*, 15 January 2018, <http://bit.ly/2mR14uJ>, p. 2.
- ¹⁶³ Permits are generally only given to Palestinians registered as Gaza residents in the Israeli-controlled population registry. The registry is based on a population census of Palestinians that Israel conducted in September 1967, shortly after capturing the Gaza Strip and the West Bank. The census counted close to 955,000 Palestinians physically present in the West Bank and the Gaza Strip at the time, but excluded at least 270,000 Palestinians who were absent, either because they had fled during the conflict or were abroad for study, work, or other reasons. Restrictions put in place by Israel regarding the inclusion of foreign-born spouses and their children, the registration of Palestinians born abroad and the loss of residency as a result of time spent abroad, have reportedly added to the numbers of Palestinians not included in the population registry. According to HRW, "Israel has also arbitrarily excluded hundreds of thousands of Palestinians from its population registry, restricting their ability to live in and travel from or to the West Bank and Gaza. Israeli authorities have justified these actions by citing general security concerns, but have not conducted individual screenings or claimed that those excluded posed a threat themselves"; HRW, *Submission for the Universal Periodic Review of Israel – 29th Session of the Universal Periodic Review*, January 2018, 29 June 2017, <http://bit.ly/2E3uWJp>; HRW, "Forget About Him, He's not Here" – Israel's Control of Palestinian Residency in the West Bank and Gaza, 5 February 2012, <http://www.refworld.org/docid/4f3374972.html>, pp. 2-4, 7, 17-18. See also, NRC, *Undocumented and Stateless: The Palestinian Population Registry and Access to Residency and Identity Documents in the Gaza Strip*, 1 January 2012, <http://bit.ly/2xgud2l>.
- ¹⁶⁴ "Entry to Israel is allowed, including for passage to the Judea and Samaria area or travel abroad, for the purpose of life-saving or life changing medical treatment, provided the requested treatment is unavailable in the Gaza Strip"; COGAT, *Authorizations of Entry into Israel, their Passage between Judea and Samaria and the Gaza Strip and their Travel Abroad*, unofficial translation by Gisha, updated 18 September 2017, <http://bit.ly/1K1DWZD>, p. 9.
- ¹⁶⁵ Palestinians registered as residents of the Gaza Strip can only exceptionally take up residency in the West Bank; Gisha, *Separating Land, Separating People: Legal Analysis of Access Restrictions between Gaza and the West Bank*, June 2015, <http://bit.ly/2zfKxBs>; B'Tselem, *New Report Documents Harm to Palestinian Families Divided between Gaza and the West Bank*, 19 January 2014, <http://bit.ly/2kZ0qav>; HRW, "Forget About Him, He's not Here" – Israel's Control of Palestinian Residency in the West Bank and Gaza, 5 February 2012, <http://www.refworld.org/docid/4f3374972.html>, pp. 4, 7-9, 27-46; Gisha, *New Procedure – Israel Bars Palestinians in Gaza from Moving to West Bank*, June 2009, <http://bit.ly/2CYw7YV>.
- ¹⁶⁶ "Currently, Israel permits Palestinian residents to travel via Erez in 'exceptional humanitarian cases, with an emphasis on urgent medical cases', and in practice also allows travel of traders and other exceptional cases like students traveling abroad or Palestinian national athletic teams"; Gisha, *Exits of Palestinians to Israel and the West Bank via Erez Crossing*, updated March 2017, <http://gisha.org/graph/2392>. "Individuals permitted to enter or exit the Gaza Strip at the Erez Crossing were largely limited to humanitarian cases (...); US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>. See also, OCHA, *Locked In: Movement of People to and from Gaza Back to Pre-2014 Conflict Levels*, 11 October 2017, <http://bit.ly/2z2jn5E>; OCHA, *Overview of Access of Palestinians from Gaza in 2016*, 10 February 2017, <http://bit.ly/2xgulnk>.
- ¹⁶⁷ "The exit of Palestinians from Gaza through the Israeli-controlled Erez crossing declined by almost 50 per cent in 2017 compared with 2016: on average, there were about 7,000 exits per month (as of 30 November), down from 13,200 exits per month in 2016"; OCHA, *Humanitarian Bulletin Occupied Palestinian Territory – December 2017*, 15 January 2018, <http://bit.ly/2mR14uJ>, p. 3. "Since the start of the year, Israel has also placed even more stringent limits on the number of permits provided to Palestinians from Gaza wishing to cross into Israel and is particularly reluctant to grant permits to young men"; Amnesty International, *Lives of Gaza's Critically Ill Hanging in the Balance*, 13 July 2017, <http://www.refworld.org/docid/59677f5d4.html>. See also, Gisha, *2017: Tightening of the Closure – a Round-Up of 10 Recent Measures Imposed by Israel Further Limiting Movement of People to and from Gaza*, January 2018, <http://bit.ly/2r8UpOM> (hereafter: Gisha, 2017: *Tightening of the Closure*, January 2018, <http://bit.ly/2r8UpOM>); HRW, *World Report 2018 – Israel and Palestine*, 18 January 2018, <http://www.refworld.org/docid/5a61ee62a.html>; OCHA, *Locked In: Movement of People to and from Gaza Back to Pre-2014 Conflict Levels*, 11 October 2017, <http://bit.ly/2z2jn5E>; Gisha, *New Directive at Erez Crossing: Palestinians Cannot Exit with Food, Toiletries or Electronic Devices*, 2 August 2017, <http://gisha.org/updates/8044>; HRW, *Submission for the Universal Periodic Review of Israel – 29th Session of the Universal Periodic Review*, January 2018, 29 June 2017, <http://bit.ly/2E3uWJp>; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 106.

or rejected,¹⁶⁸ including for medical patients,¹⁶⁹ patient companions,¹⁷⁰ and those travelling for business reasons.¹⁷¹ Furthermore, employees of international humanitarian and human rights organizations are reportedly subjected to increasing restrictions on their movement, with significant negative implications for these organizations' ability to operate and implement vital projects.¹⁷² Permits are reportedly frequently rejected without reasons or with reference only to security grounds. Observers consider the practice arbitrary and have called for individualized assessments and opportunities to appeal negative decisions.¹⁷³ Since mid-May 2017, and based on new regulations, which came into effect in mid-November 2017, the processing time for applications to enter Israel (including for travel to the West Bank and abroad) has been extended to up to 70 working days, depending on the reasons for travel.¹⁷⁴ Starting in 2017, individuals who have received the approval to travel abroad or to return from abroad must use a shuttle service between Erez and Allenby Bridge

- ¹⁶⁸ “In addition to an increase in applications being rejected on security grounds (...), thousands of applications are simply left pending due to rising rates of no-response by COGAT. In fact, as of September 2017 over 16,000 requests were pending, according to information Gisha received from COGAT. Many of Gisha’s clients, including those with time-sensitive travel requests, did not receive any response from Israeli authorities to their permit applications or received a response too late”; Gisha, 2017: *Tightening of the Closure*, January 2018, <http://bit.ly/2r8UpOM>, p. 3. “Although the number of Palestinian exits increased after the 2014 hostilities, figures have declined significantly again since the second half of 2016, with the figure for November 2017 some 47 per cent below the 2016 average”; OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 7.
- ¹⁶⁹ For monthly details on numbers of patient applications and granting/delay/denial of permits to exit the Gaza Strip through the Erez Crossing, see WHO, *Monthly Reports on Referral of Patients from the Gaza Strip*, available at: <http://bit.ly/2keVvF4>. See also above Section II.4 (“Humanitarian Situation – Health”).
- ¹⁷⁰ Only one first-degree relative is allowed to accompany a patient and permits are conditional on security clearance. In October 2017, 43 per cent of those applications were approved, three per cent were denied and 54 per cent were pending by the date of the patient’s medical appointment; WHO, *Monthly Report: Health Access for Referral Patients from the Gaza Strip*, December 2017, 7 February 2018, <http://bit.ly/2GUR8GH>, p. 4.
- ¹⁷¹ “This year’s [2017] downward trend was particularly pronounced for businesspeople, for whom permit rejections have increased dramatically since mid-2016. According to the Palestinian Civil Affairs Committee, as of December 2017, there were only 551 valid trader permits, a decline of 85 per cent compared with an average of 3,600 permits in late 2015”; OCHA, *Humanitarian Bulletin Occupied Palestinian Territory – 2017*, 15 January 2018, <http://bit.ly/2mRl4uJ>, p. 6. “Israel’s large-scale revocations and refusals of permits have an immediate ripple effect, impacting those who are reliant on the economic activity generated by the permit carriers and undermining what little economic activity exists in the first place”; Gisha, 2017: *Tightening of the Closure*, January 2018, <http://bit.ly/2r8UpOM>, pp. 1-2. See also, PCHR, *State of the Gaza Strip Border Crossings 01-31 August 2017*, 25 September 2017, <http://bit.ly/2hKWhVX>, p. 7; OCHA, *Overview of Access of Palestinians from Gaza in 2016*, 10 February 2017, <http://bit.ly/2xgulk>; UN Human Rights Council, *Implementation of Human Rights Council Resolutions S-9/1 and S-12/1*, 25 January 2017, <http://www.refworld.org/docid/58ad8c054.html>, para. 40.
- ¹⁷² OCHA, *Humanitarian Bulletin Occupied Palestinian Territory – December 2017*, 15 January 2018, <http://bit.ly/2mRl4uJ>, pp. 3, 6. See also, OCHA, *Humanitarian Needs Overview 2018*, 20 December 2017, <http://bit.ly/2BLdM29>, p. 7; UN Secretary-General, *Situation of Human Rights in the Palestinian Territories Occupied since 1967*, 23 October 2017, <http://bit.ly/2BAHHtE>, para. 6; HRW, *Submission for the Universal Periodic Review of Israel – 29th Session of the Universal Periodic Review, January 2018*, 29 June 2017, <http://bit.ly/2E3uWJp>; UNGA, *Report of the Commissioner-General*, 22 May 2017, <http://www.refworld.org/docid/59ef4f534.html>, paras 4, 38; HRW, *Unwilling or Unable: Israeli Restrictions on Access to and from Gaza for Human Rights Workers*, 2 April 2017, <http://www.refworld.org/docid/58e2112c4.html>.
- ¹⁷³ “Gisha began tracking an inexplicable uptick in the use of ‘security blocks’ as early as 2015, which has only increased since. Israel blocks individuals from traveling on the claim of undisclosed ‘security considerations,’ which, given the lack of evidence provided to the individual or her lawyers, makes it difficult to challenge the accusations”; Gisha, 2017: *Tightening of the Closure*, January 2018, <http://bit.ly/2r8UpOM>, p. 1. “When rejecting requests by Palestinians from Gaza for permits to enter Israel, Israeli authorities tend to provide only general explanations, usually claiming that the request falls outside the criteria defined in the closure policy or that it was denied on security grounds”; UNGA, *Economic and Social Repercussions of the Israeli Occupation on the Living Conditions of the Palestinian People in the Occupied Palestinian Territory, Including East Jerusalem, and of the Arab Population in the Occupied Syrian Golan*, 23 May 2017, A/72/90–E/2017/71, <http://www.refworld.org/docid/594127484.html>, para. 40. “Israeli authorities tend not to provide reasons to justify the refusals. In rare cases, applicants are informed that refusals were made on ‘security grounds’”; UN Human Rights Council, *Implementation of Human Rights Council Resolutions S-9/1 and S-12/1*, 25 January 2017, <http://www.refworld.org/docid/58ad8c054.html>, para. 39. See also, HRW, *Unwilling or Unable: Israeli Restrictions on Access to and from Gaza for Human Rights Workers*, 2 April 2017, <http://www.refworld.org/docid/58e2112c4.html>, pp. 2, 4, 22, 40.
- ¹⁷⁴ “Permit application processing times:
- Permits for medical treatment (including people accompanying patients and travel abroad for medical treatment): 23 business days. Applications in cases involving an immediate medical emergency (life-saving) will be processed immediately.
 - Visiting a sick relative (in the West Bank or Israel): 50 business days.
 - Wedding in Israel/West Bank: 50 business days.
 - Business meetings, attending conferences in Israel/West Bank: 50 business days.
 - Entry for meetings at embassies and consulates in Israel/West Bank: 50 business days.
 - Medical seminars and internships: 70 business days.
 - Trade in Israel: 70 business days.
 - Travel abroad for other purposes (subject to permissions status): 70 business days.
 - Funeral in Israel: immediate processing.”
- COGAT, *Processing Permit Applications by Palestinian Residents of the Gaza Strip*, unofficial translation by Gisha, October 2017, <http://bit.ly/2DnTPkW>, p. 2. See also, OCHA, *Humanitarian Bulletin Occupied Palestinian Territory – December 2017*, 15 January 2018, <http://bit.ly/2mRl4uJ>, p. 3.

Crossings, accompanied by a representative of the Palestinian Civil Affairs Committee. The bus service is reportedly only available once a week.¹⁷⁵

In February 2016, Israel reportedly instated a practice whereby any resident of the Gaza Strip is eligible to receive a permit to travel abroad via Erez and Allenby Bridge crossings if he/she signs a written commitment not to return for a period of one year.¹⁷⁶ Those who return after the passing of one year will reportedly be issued a single, one-way permit to return to the Gaza Strip.¹⁷⁷ A return before the end of the one-year period is only possible for humanitarian reasons and is at the discretion of the concerned Israeli authorities.¹⁷⁸ Gaza Strip residents who did not intend to be away for one year have reportedly also been made to sign the commitment as a condition for receiving their permit, even if they had already been approved for a permit of a temporary nature.¹⁷⁹

According to reports, Palestinians travelling via Erez Crossing have to undergo routine security interviews. According to reports, the frequency and intensity of such interviews have increased over the past years and regularly result in the detention for alleged security reasons.¹⁸⁰ Instances of ill-treatment and pressure to collaborate and/or disclose information about the security situation in the Gaza Strip, their relatives and friends in exchange for permits have been reported by human rights organizations. Refusal to cooperate reportedly often results in the denial of the permit.¹⁸¹ Israeli authorities have also been reported to revoke permits to enter Israel *en masse* in response to attacks on Israelis involving Palestinians; such measures have been referred to by the UN as amounting to “collective punishment”.¹⁸²

2) Rafah Crossing

Since mid-2013, severe restrictions on the movement of people have reportedly been imposed by Egyptian authorities on the Rafah Crossing.¹⁸³ Following a deterioration of the security situation in the northern Sinai

¹⁷⁵ Gisha, 2017: *Tightening of the Closure*, January 2018, <http://bit.ly/2r8UpOM>, pp. 2-3.

¹⁷⁶ “The [Israeli] authorities are thus essentially conditioning exit on signing the waiver. Our casework reveals that residents are being made to sign even when they do not intend to stay away one year nor have paperwork to allow them to reside in third countries and that minors were made to sign without guardians’ consent. The practice is a violation of one of the most fundamental rights – to leave and enter one’s place of residence”; Gisha, 2017: *Tightening of the Closure*, January 2018, <http://bit.ly/2r8UpOM>, p. 2. See also, COGAT, *Authorizations of Entry into Israel, their Passage between Judea and Samaria and the Gaza Strip and their Travel Abroad*, unofficial translation by Gisha, updated 18 September 2017, <http://bit.ly/1K1DWZD>, pp. 12-13.

¹⁷⁷ COGAT, *Authorizations of Entry into Israel, their Passage between Judea and Samaria and the Gaza Strip and their Travel Abroad*, unofficial translation by Gisha, updated 18 September 2017, <http://bit.ly/1K1DWZD>, pp. 13-14.

¹⁷⁸ “If a resident of the Gaza Strip who travelled abroad for an extended stay applies to return to the Gaza Strip (via Israel and the Judea and Samaria area) for humanitarian reasons, before a year has elapsed – the decision in the matter will be at the discretion of the approving authority (COGAT/head of Coordination and Liaison Administration), based on the individual circumstances of each case”; COGAT, *Authorizations of Entry into Israel, their Passage between Judea and Samaria and the Gaza Strip and their Travel Abroad*, unofficial translation by Gisha, updated 18 September 2017, <http://bit.ly/1K1DWZD>, p. 13.

¹⁷⁹ Information from Gisha, 22 February 2018 (e-mail on file with UNHCR).

¹⁸⁰ “Palestinians report that during these interrogations their cellphones and other personal items are examined. They are asked to identify and state their connections to people and places in Gaza. If they do not answer, or answer incorrectly, they know that their ability to travel, now or in the future, could be jeopardized. Receiving a permit to travel is conditional on satisfactory conduct during these security interviews and at times, willingness to collaborate”; Gisha, 2017: *Tightening of the Closure*, January 2018, <http://bit.ly/2r8UpOM>, p. 4. “Israeli border officials increased the detention and interrogation of Palestinians from Gaza seeking business permits”; US Department of State, 2016 *Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, pp. 106-107.

¹⁸¹ Al Mezan, *Medical Care Under Siege – Israel’s Systematic Violation of Gaza’s Patient Rights*, February 2018, <http://bit.ly/2GYr3Xk>, pp. 16-17. See also, Gisha, 2017: *Tightening of the Closure*, January 2018, <http://bit.ly/2r8UpOM>, p. 4; Al Mezan, *Another Patient Detained at Erez Crossing*, 14 September 2017, <http://bit.ly/2xe2hw3>; Al Jazeera, *I’d Rather Die in Gaza than Bring My Sons to Erez*, 1 July 2017, <http://aje.io/3yc2>; Middle East Eye, *Sick Gazan Boy Dies after Being Denied Entry into Israel*, 11 February 2017, <https://shar.es/1VEWVY>; UN Human Rights Council, *Implementation of Human Rights Council Resolutions S-9/1 and S-12/1*, 25 January 2017, <http://www.refworld.org/docid/58ad8c054.html>, para. 20; Al Mezan, *Fact Sheet: Torture and Cruel, Inhuman and Degrading Treatment*, 14 December 2016, <http://bit.ly/2zverTJ>, p. 5.

¹⁸² “(...) their sweeping nature and significant impact on the entire Palestinian population of various towns and cities make them not only a violation of the right to freedom of movement, but in many cases also a form of collective punishment”; UNGA, *Situation of Human Rights in the Palestinian Territories Occupied since 1967*, 19 October 2016, A/71/554, <http://www.refworld.org/docid/5829c1054.html>, para. 29. See also, UN Human Rights Council, *Human Rights Situation in the Occupied Palestinian Territory*, 16 March 2017, <http://www.refworld.org/docid/59d4dd704.html>, para. 31.

¹⁸³ HRW, *World Report 2018 – Israel and Palestine*, 18 January 2018, <http://www.refworld.org/docid/5a61ee62a.html>; OCHA, *Gaza Crossings’ Operations Status: Monthly Update – January 2017*, 15 February 2018, <http://bit.ly/2HzpNKq>, p. 1. See also, OCHA, *Locked In: Movement of People to and from Gaza Back to Pre-2014 Conflict Levels*, 11 October 2017, <http://bit.ly/2z2jn5E>; HRW, *Unwilling or Unable: Israeli Restrictions on Access to and from Gaza for Human Rights Workers*, 2 April 2017, <http://www.refworld.org/docid/58e2112c4.html>, pp. 1, 12-13; Gisha, *Movement of People via Rafah Crossing*, updated March 2017, <http://bit.ly/2yrrpBU>.

since October 2014, the border has reportedly remained mostly closed.¹⁸⁴ As with Erez, only people of specific categories, including medical patients, religious pilgrims, foreign residents and foreign visa holders, including students, can register on a waiting list held by the authorities in the Gaza Strip pending reopening of the crossing.¹⁸⁵ Individuals seeking to be prioritized to leave the Gaza Strip to Egypt during one of the rare openings of the border have reportedly been asked to pay large sums to brokers and border officials.¹⁸⁶ Gaza Strip residents approved for travel by the authorities in Gaza do not require a visa to enter Egypt.¹⁸⁷

Between April and July 2017, the border crossing was reportedly completely closed for exit from the Gaza Strip, representing the longest period of complete closure for those wishing to leave the Strip since 2007.¹⁸⁸ In 2017, the border crossing opened on only 36 days, representing the lowest number after 2015, when the Rafah Crossing opened for only 32 days.¹⁸⁹ Since the handover of control from Hamas to the Palestinian Authority on 1 November 2017, the crossing has reportedly only been temporarily opened on a few occasions and limited to urgent humanitarian cases.¹⁹⁰

Palestinians reportedly do not require a visa in order to return to the Gaza Strip via Egypt.¹⁹¹ However, in order to avoid liabilities, airlines reportedly only allow Palestinians from the Gaza Strip to board a plane to Egypt if there is a scheduled opening of the Rafah Crossing.¹⁹² Palestinians who arrive in Egypt from a third country *en route* back to the Gaza Strip reportedly risk being held at Cairo Airport until the Rafah Crossing is opened.¹⁹³ Palestinians travelling via Egypt to/from the Gaza Strip are reportedly escorted from Cairo Airport to the Rafah Crossing and vice versa.¹⁹⁴ Egypt reportedly denies entry to the Gaza Strip for Palestinians who do not hold a

¹⁸⁴ See OCHA, *Gaza Crossings Operations Status – Monthly*, available at: <http://bit.ly/2fZdAT1>. See also, Gisha, *Graphing 10 Years of Closure*, September 2017, <http://bit.ly/2x8DH4H>, p. 2.

¹⁸⁵ “On the few days when the crossing is open, only people meeting stringent travel criteria are permitted to travel and preference is given to people appearing on lists produced by Egypt”; Gisha, *Gaza in Numbers*, 31 August 2017, <http://bit.ly/2lwXTY2>, p. 5. See also, OCHA, *Humanitarian Bulletin Occupied Palestinian Territory – December 2017*, 15 January 2018, <http://bit.ly/2mRl4uJ>, p. 8.

¹⁸⁶ Mondoweiss, *Palestinians Try to Travel from Gaza to Egypt During Rare 3-Day Border Opening*, 14 February 2017, <http://bit.ly/2190qo1>; Al Jazeera, *Palestinians Paying Thousands in Bribes to Leave Gaza*, 5 September 2016, <http://bit.ly/2yNfofF>.

¹⁸⁷ Information from Gisha, 22 February 2018 (e-mail on file with UNHCR).

¹⁸⁸ During the same period, the crossing was also closed for the entry of people on most days; OCHA, *Rafah Crossing: Movement of People into and out of Gaza*, accessed 23 February 2018, <http://bit.ly/2fmmw7o>. See also, OCHA, *Locked In: Movement of People to and from Gaza Back to Pre-2014 Conflict Levels*, 11 October 2017, <http://bit.ly/2z2jn5E>; Gisha, *Rafah Crossing Has Been Closed for Five Months; Longest Period in the Last Decade*, 8 August 2017, <http://bit.ly/2i4gHNm>.

¹⁸⁹ OCHA, *Gaza Crossings’ Operations Status: Monthly Update – January 2017*, 15 February 2018, <http://bit.ly/2HzpNKq>, p. 1. “Palestinian access via Rafah, the Egyptian-controlled crossing also declined during the year [2017], from an already extremely low level”; OCHA, *Humanitarian Bulletin Occupied Palestinian Territory – December 2017*, 15 January 2018, <http://bit.ly/2mRl4uJ>, p. 2. “In 2017, the Egyptian-controlled Rafah crossing opened only on exceptional occasions for a total of 36 days compared with 44 days in 2016: 17,000 exits were recorded compared with 26,000 in 2016 and 151,000 in 2013”; OCHA, *Humanitarian Bulletin Occupied Palestinian Territory – December 2017*, 15 January 2018, <http://bit.ly/2mRl4uJ>, p. 8.

¹⁹⁰ Including from 18 to 20 November 2017; 16 to 20 December 2017; 7 to 9 February 2018; and on 21 February 2018 (although the Egyptian authorities had announced that the border crossing would be opened for four days, the crossing was unexpectedly closed after only one day, leaving many people stranded on the Egyptian side of the border); see OCHA, *Gaza Crossings Operations Status – Monthly*, available at: <http://bit.ly/2fZdAT1>. See also, Arutz Sheva, *Egypt Closes Rafah Crossing Hours after Opening it*, 22 February 2018, [http://ch7.io/c8js\\$Fw](http://ch7.io/c8js$Fw); The Guardian, *Thousands of Gazans Rush to Border as Egypt Opens Crossing*, 22 February 2018, <http://bit.ly/2GBm79L>; Asharq Al-Awsat, *Rafah Crossing Closed due to Security Operation in Sinai*, 10 February 2018, <http://bit.ly/2Fqlctv>; Associated Press, *Egypt Opens Border with Gaza Temporarily, First Time in 2018*, 7 February 2018, <http://bit.ly/2FWmr2D>; AFP, *Egypt Opens Gaza Border for Four Days*, 16 December 2017, <http://bit.ly/2Bb5dAk>; Gisha, *For the First Time since June 2007, Rafah Crossing Opens for Three Days under PA Supervision*, 23 November 2017, <http://bit.ly/2yS9ff5>; Deutsche Welle, *Rafah Crossing to Egypt Opens for (some) Gaza Palestinians*, 18 November 2017, <http://bit.ly/2Fqv2eS>. Following the initial opening of the Rafah border crossing in November 2017, Egyptian authorities reportedly delayed the re-opening of the border due to concerns over security following the 24 November 2017 attack in the northern Sinai, which killed more than 300 people; The National, *Sinai Mosque Attack Derails Gazan Hopes of Rafah Crossing Being Opened*, 27 November 2017, <http://bit.ly/2zucu9v>.

¹⁹¹ Palestinian men between 18 and 40 years of age intending to enter Egypt for reasons other than transiting to the Gaza Strip, require pre-approval from the competent authorities and an entry visa. Boys, men over the age of 40, and women do not require an entry visa; Olympic Air, *Travel Documents – Passport, Visa & Health*, accessed 23 February 2018, <http://bit.ly/2CBT0Re>.

¹⁹² Information from Gisha, 22 February 2018 (e-mail on file with UNHCR). According to the Content Management System for Travel Companies (CMS) and the International Air Transport Association (IATA), Palestinian men holding a travel document issued by the Palestinian Authority and seeking to transit to the Gaza Strip are exempted from holding an entry visa for Egypt “if the accepting carrier obtains confirmation that the Rafah border is open, prior to boarding”; Olympic Air, *Travel Documents – Country Information*, accessed 23 February 2018, <http://bit.ly/2CBT0Re>; IATA, *Travel Centre*, accessed 23 February 2018, <http://bit.ly/2EJpTxI>. See also, The Electronic Intifada, *Egypt Deporting Palestinians Trying to Return to Gaza*, 8 July 2013, <http://bit.ly/2sHlidn>.

¹⁹³ Al Jazeera, *Palestinians Stranded in Egypt Leave for Rafah Crossing*, 19 February 2018, <http://aje.io/ts2fz>; Euromed, *Euro-Med Warns of Distressing Humanitarian Situation of Palestinians Trapped at Gaza-Egypt Crossing*, 12 February 2018, <http://bit.ly/2on1to7>. Holders of Palestinian travel documents are reportedly not permitted to leave the airport transit area; Olympic Air, *Travel Documents – Country Information*, accessed 23 February 2018, <http://bit.ly/2CBT0Re>.

¹⁹⁴ Information from Gisha, 22 February 2018 (e-mail on file with UNHCR).

Palestinian identity card or passport indicating his/her residency in the Gaza Strip, which requires the individual's inclusion in the Israeli-administered population registry.¹⁹⁵

As a result of the sustained near-closure of the Rafah Crossing, significant numbers of Palestinians reportedly remain stranded on both sides of the border, including many with urgent medical needs seeking medical care outside the Gaza Strip.¹⁹⁶

Some residents of the Gaza Strip reportedly use tunnels to exit and enter the Gaza Strip. Both the Israeli and Egyptian authorities are engaged in locating and destroying the tunnel system.¹⁹⁷

According to reports, the security situation in Egypt's Northern Sinai, including in and around Rafah, has deteriorated over the past years due to a growing insurgency.¹⁹⁸ Civilians have reportedly been caught up in violence from both sides, including in attacks by extremist groups (such as suicide, car bomb and mortar attacks, abductions and assassinations) and counterinsurgency operations conducted by the Egyptian security forces, which reportedly entail the use of artillery and airstrikes, arrest campaigns, extrajudicial killings, and the razing of homes along the border with the Gaza Strip.¹⁹⁹ ISIS is suspected of having staged one of the deadliest attacks in the peninsula's history, when at least 305 people were killed and over 120 were wounded in a Sufi mosque during Friday prayers in northern Sinai on 24 November 2017.²⁰⁰ Traveling to/from the Gaza Strip through the North Sinai is reportedly also hampered by curfews, road closures and frequent checkpoints run by Egyptian security forces or non-state armed actors.²⁰¹ Attacks by armed groups on civilians travelling in the northern

¹⁹⁵ "(...) Israeli authorities still exert indirect control over the [Rafah] crossing through Israel's continued control over the Palestinian population registration, which determines the issuing of Palestinian passports needed for travel through Rafah"; Al-Haq et al., *Situation of Palestine: Closure of Gaza*, November 2016, <http://bit.ly/2zgspl1>, para. 114. "While it is true that the Rafah crossing is governed by Egypt, Israel still exercises a large degree of control, as only Palestinians holding passports are allowed to cross, and passports can only be issued to people featuring on the Israeli generated population registry"; UN Human Rights Council, *Report of the Detailed Findings of the Independent Commission of Inquiry Established Pursuant to Human Rights Council Resolution S-21/1*, 22 June 2015, A/HRC/29/CRP.4, <http://www.refworld.org/docid/5589521f4.html>. See also, Al Jazeera, *The Colour-Coded Israeli ID System for Palestinians*, 18 November 2017, <http://aje.io/8753s>; US Department of State, *2016 Country Reports on Human Rights Practices – The Occupied Territories*, 3 March 2017, <http://www.refworld.org/docid/58ec89b9af.html>, p. 119; Canada: Immigration and Refugee Board of Canada, *Egypt and Palestine: The Status of a Palestinian with an Egyptian Travel Document for Palestinian Refugees in Egypt, Including Rights to Residency, Employment and Education; Ability to Travel Between Gaza and Egypt with this Document (2009-2014)*, 11 September 2014, ZZZ104959.E, <http://www.refworld.org/docid/55dec5094.html>; Amnesty International, *Q&A on Gaza*, 4 August 2014, <http://bit.ly/2kNdPIQ>; HRW, "Forget About Him, He's not Here" – *Israel's Control of Palestinian Residency in the West Bank and Gaza*, 5 February 2012, <http://www.refworld.org/docid/4f3374972.html>, pp. 8, 15, 54-55; NRC, *Undocumented and Stateless: The Palestinian Population Registry and Access to Residency and Identity Documents in the Gaza Strip*, 1 January 2012, <http://bit.ly/2xgud2l>, pp. 41, 67.

¹⁹⁶ According to local authorities in Gaza, at least 23,000 persons, including humanitarian cases, are registered and waiting to cross into Egypt; OCHA, *Protection of Civilians Report | 30 January - 12 February 2018*, 15 February 2018, <http://bit.ly/2CAWseY>. See also, Gisha, *For the First Time since June 2007, Rafah Crossing Opens for Three Days under PA Supervision*, 23 November 2017, <http://bit.ly/2yS9f15>. See also above Section II.4 ("Humanitarian Situation – Health").

¹⁹⁷ Middle East Monitor, *Egyptian Army Destroys Tunnel under Gaza Border*, 3 February 2018, <http://bit.ly/2FwNN0c>; UNSCO, *Nickolay Mladenov, Special Coordinator for the Middle East Peace Process: Briefing to the Security Council on the Situation in the Middle East – Report on UNSCR 2334 (2016)*, 18 December 2017, <http://bit.ly/2CRt1Wy>; The New Arab, *Egypt's Army Destroys Sinai Homes to Expand Gaza Buffer*, 11 October 2017, <http://bit.ly/2EVGvCb>; BBC, *Israel to Speed Up Gaza Tunnel Barrier*, 10 August 2017, <http://bbc.in/2lcO2a7>.

¹⁹⁸ "Since the ouster of President Muhammad Morsi in July 2013, nearly a thousand security personnel have been killed in more than 1,700 terror attacks across Egypt's restive Sinai Peninsula, with more than 200 security personnel killed this year alone. *Wilayat Sinai—the most active terror group in Egypt—has claimed more than 800 attacks across the country since it pledged allegiance to the Islamic State in November 2014*"; The Tahrir Institute for Middle East Policy, *Special Briefing: Attacks Against Security Forces Continue in Egypt's North Sinai*, 11 September 2017, <http://bit.ly/2yrBYqh>. See also, Financial Times, *Egypt Launches Offensive Against Armed Sinai Militants*, 9 February 2018, <http://on.ft.com/2Fm0E5j>; The Citizen, *Rafah Crossing: How Islamic State Holds Gaza Hostage*, 26 December 2017, <http://bit.ly/2EJZIGr>; Carnegie Middle East Centre, *The Bleeding Sinai*, 1 December 2017, <http://ceip.org/2yY0vA9>.

¹⁹⁹ HRW, *World Report 2018 – Egypt*, 18 January 2018, <http://www.refworld.org/docid/5a61ee7d4.html>; The New York Times, *In Egypt, Furious Retaliation but Failing Strategy in Sinai*, 25 November 2017, <http://nyti.ms/2AglobT>; UN News Service, *UN Condemns Terrorist Attack in Rafah, Egypt*, 8 July 2017, <http://bit.ly/2yCwztx>; Carnegie Endowment for International Peace, *The Heavy Civilian Toll in Sinai*, 16 March 2017, <http://ceip.org/2ndMsE1>.

²⁰⁰ The Guardian, *Sinai Mosque Death Toll Raised to 305 as Reports Claim Gunmen Carried ISIS Flags*, 26 November 2017, <http://bit.ly/2B1y5qY>; CNN, *Why the Sinai Peninsula Is so Dangerous*, 25 November 2017, <http://cnn.it/2kjPxjX>; HRW, *Egypt: Sinai Attack Inflicts Horrendous Civilian Toll*, 24 November 2017, <http://www.refworld.org/docid/5a1bd05b4.html>.

²⁰¹ "A state of emergency has been declared and a curfew is in place between 7pm and 6am along the coast between al-Arish and Rafah extending around 40km inland"; UK Government, *Foreign Travel Advice – Egypt*, last updated on 21 December 2017, <http://bit.ly/1uD1w7J>. "The military has closed main roads and checkpoints now pervade the road between el-Arish, the capital of the North Sinai governorate, and Rafah, making the 35-minute ride a three to four hour trek"; Brookings, *De-Securitizing Counterterrorism in the Sinai Peninsula*, 30 April 2017, <http://brook.gs/2DSkLk6>. "The militants [affiliated with ISIS] have set up their own checkpoints especially on the roads around the city of Rafah, which borders the Gaza Strip. Passengers are forced to recite from the Quran before being allowed to pass, according to area residents and tribal leaders"; Associated Press, *IS Militants in North Sinai Showing Their Strength*, 27 February 2017, <http://bit.ly/2ym7NBE>. See also, Government of Canada, *Safety and Security – Egypt*, last updated 20 February 2018, <http://bit.ly/2nbSA13>; Reuters, *Egypt to Impose Curfew on*

Sinai have also been reported.²⁰² On some occasions, women have reportedly been harassed and threatened with punishment by extremist armed groups for travelling without the company of a male relative and for not complying with Islamic dress codes.²⁰³

Parts of North Sinai: Official Gazette, 12 January 2018, <https://reut.rs/2CX7ufk>; *The Citizen, Rafah Crossing: How Islamic State Holds Gaza Hostage*, 26 December 2017, <http://bit.ly/2EJZIGr>; Mada Masr, *Militants Target Armed Forces' Projects in Sinai, Civilians Pay the Price*, 4 October 2017, <http://bit.ly/2F3Qgl4>.

²⁰² For example, “[A] teacher was killed and another one sustained injuries when unknown assailants opened fire on their bus along the Arish-Rafah International Road, while a police officer was injured when an armored vehicle was targeted by a roadside bomb on the Arish-Qantara International Road, detonating an improvised explosive device”; Mada Masr, *Teacher Killed, 2 Injured in Separate North Sinai Attacks*, 17 December 2017, <http://bit.ly/2Djh6EU>. See also, Reuters, *Gunmen Target Egypt Truck Convoy, Nine Killed: Medical, Security Sources*, 10 November 2017, <https://reut.rs/2Azqnrw>.

²⁰³ HRW, *World Report 2018 – Egypt*, 18 January 2018, <http://www.refworld.org/docid/5a61ee7d4.html>; Reuters, *ISIS Affiliate Seeks to Impose Hardline Islam in Egypt's North Sinai*, 2 May 2017, <http://reut.rs/2veHGZn>; Mada Masr, *No Safe Routes to Schools: Sinai Teachers Intercepted by Islamic State Loyalists*, 5 March 2017, <http://bit.ly/2FvhHSp>.