

Dr. Luís Filipe Marques Amado
President of the
Council of Ministers of the European Union

Brussels, 6 September 2006
Our ref. B696

Dear Mr. Amado,

**Subject: The human rights implications of the isolation of Gaza
(Gymnich, 7-8 September 2007)**

In light of the forthcoming discussions on the Middle East peace process at the informal Foreign Ministers' meeting (Gymnich) on 7-8 September 2007, Amnesty International would like to draw to your attention the deteriorating human rights situation in the Gaza strip.

Since June 2007, when Hamas wrested control of security installations and other institutions in the Gaza Strip, following months of inter-factional clashes, there has been a range of new international initiatives to revive the peace process. The EU has also now resumed financial aid to the new emergency government set up by President Abbas in the West Bank, whilst tightening sanctions on Hamas, which is now the de facto administration in the Gaza Strip. Since Israel closed the Rafah crossing between Gaza and Egypt on 9 June 2007, the Gaza Strip has effectively been sealed off, leaving 1.5 million Palestinians isolated and unable to leave. This crossing has been supervised by the EU Border Assistance Mission since 2005.

The isolation of Gaza has serious implications for the Palestinian population, notably for those who live in Gaza in increasingly desperate conditions. The blockade on exports from Gaza has resulted in a decrease of up to 80 percent of production, and in some cases the closure of Gaza's factories – a disastrous development for a community in which two thirds of the population is already dependent on aid and lives below the poverty line. On 9 August, the United Nations Relief and Works Agency (UNRWA), warned: "Gaza risks becoming virtually one hundred per cent aid dependent", and urged that the crossings in and out of Gaza be re-opened to allow for imports and exports which are crucial for the survival of the Palestinian economy.

The flow of basic foodstuff and medical and humanitarian aid into Gaza has been significantly reduced, and hundreds of inhabitants of the Gaza Strip are currently prevented from going abroad to receive necessary medical treatment. Those affected include patients in need of medical treatment that is not available in Gaza's hospitals, which lack the specialised personnel and equipment to treat a range of conditions such as cancer, cardio-vascular illnesses, complex surgeries and other emergencies. Hospitals and medical facilities are also increasingly suffering from a shortage of drugs and disposable supplies. This has further reduced their already limited resources. Whereas leaving the Gaza Strip was previously difficult most of the time, it is now totally impossible, and a growing number of patients are missing potentially life-saving medical treatment abroad.

Prior to the closure of the Rafah crossing every month several hundreds of Palestinian inhabitants of the Gaza Strip used to receive medical care or undergo treatment in Egyptian hospitals/medical facilities. A smaller number of patients were sent to other countries, via Egypt, or to Israel. Since 9 June, only the most urgent medical cases have been allowed to leave the Gaza Strip to go to hospitals in Israel, often only after legal battles and threat of court proceedings by Israeli and Palestinian human rights organisations. In some cases, the patients have died before receiving the necessary treatment.

In addition to those in need of medical care, many of Gaza's residents need to leave Gaza to undertake activities linked to their work or study abroad, or to visit relatives. Thousands of students and others who are temporarily living abroad and who were intending to visit their families in Gaza have been unable to do so. Some 6,000 people who were outside Gaza when the Rafah crossing was closed were stranded on the Egyptian side of the crossing for up to two months. Dozens of people are still stranded in Egypt, unable to return home. Among them are sick and disabled people, who had travelled abroad for medical care and who are now finding it increasingly difficult to cope with the poor living conditions and without assistance from their families.

Amnesty International calls on the EU to ensure that the sanctions imposed on Hamas in Gaza do not adversely impact on the fundamental rights of the population there. Emergency assistance essential to fulfilling fundamental human rights must never be used as a bargaining tool to further political goals. To this end, Amnesty International also calls for the EU to pressure Israel to relax border controls at least to the extent that the emergency needs of the civilian population and some semblance of economic movement can be accommodated.

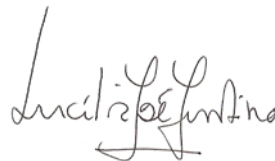
The sealing of the Gaza Strip negatively affects the right to health, work and education of many and the right to movement of the entire population. All concerned parties need to spare no effort to facilitate the passage of persons – especially those in need of medical care - and goods into and out of the Gaza Strip, on an efficient and permanent basis, prioritising the human rights of the Palestinian residents of Gaza. Without such action to respect fundamental human rights in a concrete and meaningful sense, any resumption of the peace process would lack an essential ingredient and ultimately be doomed to failure.

We look forward to hearing from you as to the outcome of your deliberations.

With best regards,



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