

ONE YEAR ON FROM WAR

A report on the humanitarian and political situation in Gaza



**Britain Palestine
All Party Parliamentary
Group**

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About the delegation

The delegation entered Gaza via the Rafah crossing on 5th March and stayed until 8th March 2010. The visit was coordinated by the Council for Arab-British Understanding (CAABU), which acts as the Secretariat of the Britain Palestine All Party Parliamentary Group (BPAPPG), and the delegation hosted in Gaza by the United Nations Relief and Works Agency (UNRWA). The delegates were the Rt Hon Lord David Steel, Andy Slaughter MP, Karen Buck MP, Stephen Williams MP, Andrew Baldwin (Office of Colin Breed MP) and Graham Bambrough (Parliamentary Officer at CAABU).

The programme included a visit to some of the 1,200 tunnels that are used to smuggle food, fuel and construction materials under the border with Egypt, and which have become the main source of supply for the people of the territory.

The delegation also visited a stalled UNRWA housing project, which despite pledges of funding from many European countries has been suspended for three years due to a lack of construction materials.

Meetings were held with the Gaza Community Mental Health Project, the Palestinian Centre for Human Rights and the Palestinian Federation of Industries.

The delegates visited two United Nations schools, Al-Quds Hospital in Gaza City, and numerous sites which were destroyed during Operation Cast Lead, such as the American International School in north Gaza and the Al Meer biscuit and ice cream factory.

The delegation visited a UN food distribution centre in Jabalya, one of eleven such centres that feed 700,000 people in the territory.

In addition to their programme with UNRWA, the delegates also held a number of political meetings, with both the Hamas Justice Minister Faraj al-Goul and Deputy Foreign Minister Dr Ahmed Yousef, as well as with Fatah Members of Parliament.



***Delegation L-R:
Karen Buck MP, Andy Slaughter MP,
Stephen Williams MP & Rt Hon Lord Steel***



A copy of last year's Fact Finding report from the Britain Palestine APPG is available at:

<http://www.caabu.org/pdf/BPAPG.pdf>

*Front cover picture taken at the Jabalya UNRWA food distribution centre.

Executive Summary

Israel's total siege of Gaza has now held in place for over 1,000 days, denying the people of the territory freedom of movement, access to food, fuel and medical supplies, and crucially the ability to reconstruct their homes, schools and factories one year on from a major military conflict. Access to Gaza remains a key issue. The Agreement on Movement and Access stipulates that 15,500 trucks per month should be allowed to enter Gaza via the crossing points with Israel. However, since June 2007 the total number of trucks entering the territory has been only a fraction of this, typically representing around 20% of previous levels.

The siege has led to the emergence of large scale smuggling operations. At present Israel permits the importation of only 73 items into Gaza, and yet over 4,000 products are currently available in the shops of the territory. The business class of Gaza are leaving for Lebanon, Jordan and Egypt, and are being replaced by a mafia-like elite that control the smuggling operations, estimated to be worth \$30-40 million per month. Hamas have also been enriched by the tunnels; charging for permits to operate a smuggling route and applying a levy upon imports.

The delegation visited numerous sites that continue to lie in ruin, a year since the previous visit of the Group. Israel's refusal to allow cement and steel to enter Gaza has prevented reconstruction work, leaving many Palestinians living in temporary shelters and the United Nations Relief and Works Agency unable to spend the money that it has been pledged for construction projects.

The effect of the conflict and the siege upon public health in Gaza has been devastating. Whilst the war had a shattering impact upon the population of the territory, the siege has in fact had a more corrosive impact upon health care facilities. The necessary drugs are available in hospitals for most emergency procedures, but supplies for the treatment of chronic conditions are in short supply. The lack of safe drinking water threatens the entire population; thousands of homes are without access to running water, whilst municipal wells break down regularly without the spare parts that are needed to keep them operational. UNRWA estimates that 60% of the population are without access to a regular water supply.

Reconciliation between Hamas and Fatah remains elusive and elections due to be held by January 2010 are unlikely to take place anytime soon. Both Hamas and Fatah claim to support reconciliation, but seem unwilling to make the necessary compromises to bring this about.

In the 14 months that have elapsed between Israel's invasion and the return of the Britain Palestine APPG to Gaza, there has sadly been little accountability, on either side, for the crimes committed during the conflict. It is clear that impunity is at crisis point in the region. Atrocities that go unpunished encourage only further transgressions, and the lack of accountability following Operation Cast Lead and with regards to the on-going siege are a stark example of this.

Background

On 27th December 2008 Israel launched a wide-scale military offensive against the infrastructure and population of the Gaza Strip. Operation Cast Lead lasted for 22 days and represented the most devastating military assault against Gaza in nearly 42 years of Israeli occupation.

After unrelenting aerial attacks coupled with an intensive ground invasion that began on 3rd January, the final death toll exceeded 1,400 Palestinians, the majority of them civilians and 352 of them children. Over 5,000 more were wounded during the offensive and much of the civilian infrastructure of the territory was obliterated, with hospitals, schools, mosques, civilian homes and even the United Nations' Gaza Headquarters severely damaged or destroyed.



An investigation by a UN fact finding mission concluded that Israel had used both "disproportionate force" and "collective punishment" against the population of Gaza, and stated that during the invasion it had committed "actions amounting to war crimes and possibly crimes against humanity." The report from Judge Richard Goldstone also concluded that the firing of rockets against Israeli towns by Palestinian militant groups constituted a war crime.¹

Reconstruction efforts in the aftermath of the conflict have been prevented due to Israel's blockade of Gaza, which after two decades of restricting access was stepped up to a full blown siege of the territory in June 2007. The borders of Gaza have since been sealed shut and all but the most basic of humanitarian products prevented from entering. Nearly three years later and this collective punishment of 1.5million people continues unabated. The economy of the territory has imploded, public health has been severely damaged and attempts at reconstruction in the aftermath of Operation Cast Lead nullified. Gaza has, in effect, become the world's largest open air prison camp.

A delegation from the Britain Palestine APPG visited the region in the immediate aftermath of the conflict, and a group from BPAPPG subsequently returned to Gaza to assess the impact of the siege and the legacy of Israel's invasion, a year on from the conflict.

Access

Access to Gaza remains a key issue. Israel has imposed restrictions upon imports and exports, as well as movement to and from Gaza, for over two decades, but it is since June 2007 and inter-factional violence that saw Hamas consolidate its power that Israel has enforced an all out siege on the territory.

The Agreement on Movement and Access (AMA), signed by Israel, Egypt and the Palestinian Authority, stipulates that 15,500 trucks per month should be allowed to enter Gaza via the crossing points with Israel. However, since June 2007 the total number of trucks entering the territory has been only a fraction of this, typically representing around 20% of previous levels. In January 2010 for example, 2,062 trucks entered Gaza, down slightly on the 2,597 that entered in December 2009.ⁱⁱ



Al Meer Factory, February 2009

Exports have also ground to a halt. Israel allowed the limited transfer out of Gaza of cut flowers in February, but this represented the first significant export since April 2009.ⁱⁱⁱ This has destroyed the private sector in the Gaza Strip, with 95% of businesses closing down since the start of the siege.



Al Meer Factory, March 2010

The economic sector also came under sustained attack during Operation Cast Lead. The 2009 delegation visited an industrial zone in northern Gaza, which had been obliterated during the war. At the time the parliamentarians spoke with Palestinian businessmen who informed them of an Israeli attack upon the Al-Meer biscuit and ice cream factory, that resulted in its complete devastation. The Al-Meer businesses used to employ 276 people, but following the destruction of both enterprises all but 28 people had lost their jobs.^{iv} When the delegation returned in March 2010, the factories continued to lie in ruin, contributing further to the economic inactivity endured by so many Palestinians.

Smuggling operations

The delegation visited some of the 1,200 tunnels that currently navigate the Gaza/Egypt border, around the town of Rafah. The tunnels are the main source of the food, fuel and construction materials currently available in the territory.

The group was shown around a number of the tents that cover the entrances to the

tunnels, which typically are around eight metres deep, two metres wide and half a kilometre in length. In many cases however tunnels have been constructed on a much larger scale, wide enough to drive a car through for example. Whilst the technical side of the smuggling operation is undoubtedly well designed, with electric pulleys, lighting and oxygen supply, the conditions within which tunnel workers must operate is appalling. Delegates who entered the tunnels noted the cramped conditions, poor air quality and precarious level of safety. It is little surprise that Palestinian workers are regularly killed by roof collapses, as well as Israeli air strikes.

"The current policy of the Israeli Government is a mixture of gross inhumanity and sheer stupidity. Inhumanity because the blockade is causing unemployment to rise with hundreds of thousands dependent on meagre food-aid, and stupidity because they are stoking up hatred of Israel among future generations of Palestinians which cannot be in the long-term interests of the security and peace of Israel."
Rt Hon Lord David Steel

The approach of the Egyptian government to the tunnels has been marked by indecision. On the one hand Cairo has announced plans to build a subterranean barrier to cut off the smuggling route, but conversely the Egyptians appear to turn a blind eye to much of the physical evidence of the tunnels. Whilst the delegation was unable to visit the tunnels on the Egyptian side of the border, the blatancy of the operation in Gaza would suggest there is clear evidence of the operation south of the Philadelphia Line. This is presumably ignored. The delegation were repeatedly told by Palestinians that the Egyptians would not stop the smuggling – in part due to a moral obligation felt towards the people of Gaza, but also due to vast enrichment of many Egyptians connected to the smuggling trade.

The extent to which the tunnels keep Gaza supplied was highlighted during a meeting with the Palestinian Federation of Industries (PFI). The delegation were informed that at present Israel permits the importation of only 73 items into Gaza, and yet over 4,000 products are currently available in the shops of the territory. The PFI reported that where possible the business elite of Gaza are leaving for Lebanon, Jordan and Egypt, stripping the Palestinians of the entrepreneurial class that would prove crucial to any economic recovery in the wake of the siege.

This business class has instead been replaced by a criminal element that controls the smuggling operation. The majority of the profits from the tunnels enrich only a small section of Palestinian society – a mafia-like elite referred to by as locals as the "new millionaires."

Hamas have also profited massively from the smuggling network, charging for a permit to construct a tunnel, as well as a 20% levy on all fuel that is smuggled in. Remittances are often invested in property.

Economist Oman Shaban estimates that in total the tunnel economy is worth US\$30-40 million per month.^v It was evident to the delegation that Israel's blockade is not weakening Hamas, but rather has created a system from which the organisation can draw vast financial reserves.



"The lack of reconstruction in Gaza fourteen months after Operation Cast Lead is truly astounding. We have seen the homes, schools and hospitals that continue to lie in ruin, because Israel refuses to allow access for the concrete, steel and glass that are so desperately required to rebuild Israel must allow the necessary materials in."
Karen Buck MP

Reconstruction

Operation Cast Lead obliterated Gaza's already crumbling infrastructure. The war destroyed or damaged 50,000 Palestinian homes, 280 schools and a number of major hospitals and medical facilities. The Group's 2009 delegation saw at first hand the mass devastation, for example in the town of Izbet Abbed Rabbo, where not a single building in the town of five thousand inhabitants had been left standing. Izbet Abbed Rabbo had come under continued aerial bombardment throughout the course of the conflict, before Israeli ground forces moved into the area. Homes were dynamited by Israeli troops before bulldozers flattened any buildings that remained.^{vi}

In the aftermath of a wide scale military conflict reconstruction work is essential in order to alleviate the suffering of those made homeless. However, Israel has prevented cement and steel from entering Gaza, whilst glass was only imported for a short period between December 2009 and January 2010.^{vii} The result has been a complete lack of reconstruction work in Gaza.

Where rebuilding has taken place it has been thanks to materials that are smuggled in through the tunnels under the border with Egypt.

However, UNRWA is unwilling to use any materials brought in via this route, and so major rebuilding projects under the guidance of the UN are unable to begin. UNRWA has repeatedly asked the Israeli authorities for permission to import concrete and steel, but have always had such requests rejected on security grounds. The delegation were informed that Israel has even cited the superior quality of Israeli cement compared with its smuggled Egyptian equivalent, as being more attractive to militant groups.

The delegation visited numerous sites that continue to lie in ruin, over a year since the previous visit of the BPAPPG. The group visited the site of the American International School in north Gaza, which was totally obliterated by four Israeli missiles on 4th January

2009, as well as the parliament building, which was partially destroyed and continues to lie largely in pieces.

Whilst wide scale rubble clearance has taken place, few buildings have sprung up in place of those destroyed.

Population's reliance upon food aid

The delegation visited the UNRWA Jabalya Food Distribution Centre, one of eleven such centres that provide food aid for the 700,000 people in the Gaza Strip registered as refugees. The Jabalya centre caters for 16,000 families, providing recipients with flour, rice, dried milk and sun flower oil. No fruit or vegetables are supplied, and must be purchased in the local markets.

"What we have seen in Gaza is an on-going humanitarian crisis. 700,000 people are reliant upon UN food aid, whilst the smuggled goods in the shops are beyond the reach of many Palestinians who live on less than \$1 per day. It is clear that Israel's siege is not weakening Hamas, it is only attacking the people of Gaza who are struggling to survive in what has become the world's largest prison camp. I am amazed that one year on from my last visit there has been no progress in alleviating the people's suffering"

Andy Slaughter MP

UNRWA also provides refugees with temporary housing, cash assistance and access to a job creation programme. In 2007, 100,000 Palestinians were classified by the UN as being abject poor, with a further 600,000 as absolute poor. Now the figure is closer to 300,000 abject poor and 400,000 absolute poor.^{viii}

UN housing projects

Provision of adequate housing in Gaza was a major issue even before last year's conflict, which served to exacerbate and already grave problem.

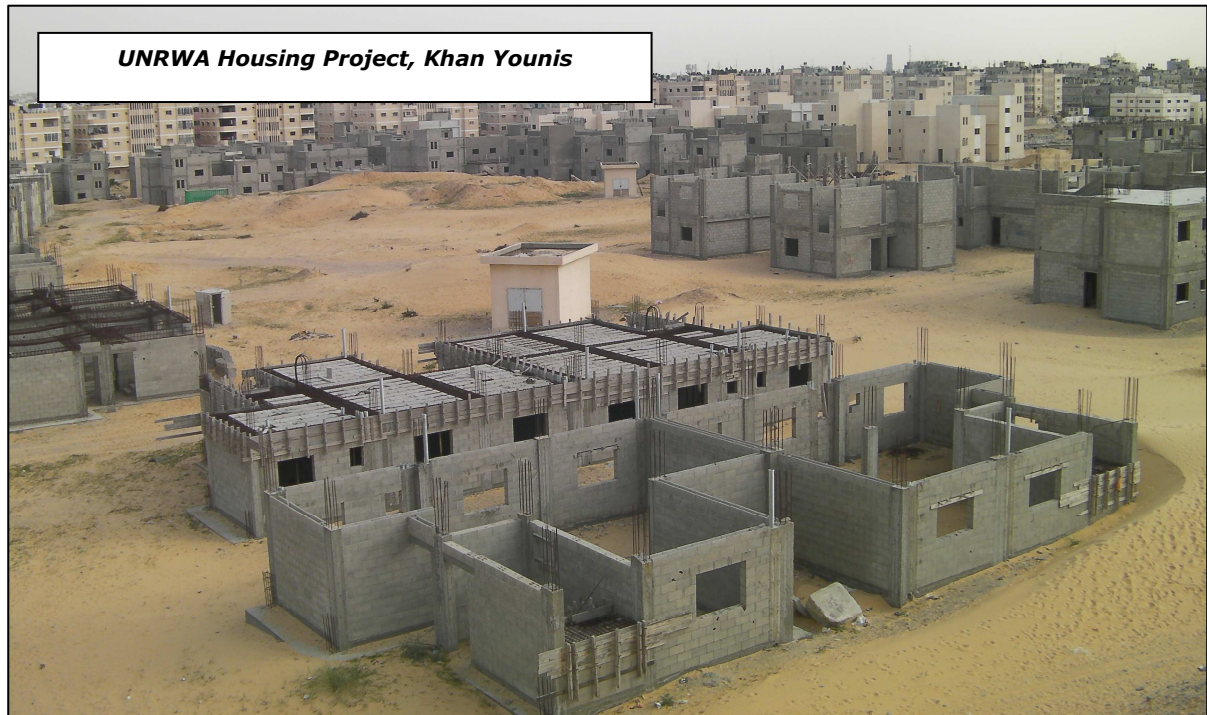
The delegation visited one of UNRWA's stalled housing developments in Khan Younis, intended to provide new accommodation for the numerous

families within Gaza who are currently living in makeshift camps, as a result of the war and repeated Israeli incursions to clear structures near to the border. It is one of 26 schemes, totalling 2,400 housing units, throughout the Gaza Strip that have been suspended due to Israel's refusal to allow UNRWA to import construction materials into the territory, since June 2007.

The project at Khan Younis is over three-quarters complete; however since the implementation of the blockade work has been suspended. Vital materials, from glass to concrete, have been prohibited from crossing the border from Israel, leaving this and other UN projects, in limbo.

Israel claims there is the danger that Hamas could divert building materials for military purposes, such as bunkers and watch towers. However, the UN stresses that every single tile, pipe or bag of cement is tracked from the border crossing to its final use. Aidan O'Leary, UNRWA's Deputy Director in Gaza, informed the delegation that his office had even offered the Israelis the freedom to install a drone over their housing projects, in order to verify that all building materials were being used for their stated purposes.

Despite the continued protests made to the Israeli government and the openness of smuggled concrete making its way through tunnels from Egypt into Gaza, the materials needed to complete the Kahn Younis projects and provide accommodation for many families show no sign of being allowed through. A total of US\$100m has been pledged for the housing projects, from donors such as the European Union, Netherlands, United States, Japan, Saudi Arabia and Canada. This money cannot be utilised due to the blockade.



With Israel's ban on concrete holding, and with UNRWA unwilling to resort to using smuggled materials, the delegation was shown the Compressed Earth Block Shelters that are being constructed in place of anything more substantive. The temporary homes are built by compressing a mixture of sand and soil to make rudimentary bricks that will last for up to twenty years. UNRWA's Head of Construction, Munir Elias Manneh, informed the delegation that three CEB shelters have been constructed in the Al-Atwa area of north Gaza, and a further two hundred are planned at a cost of US\$15,000 each to construct.

Given the projected life span of the materials used the solution however can only be viewed as a temporary one.

Sewage treatment and access to drinking water

The delegation visited the site of the new North Gaza Emergency Treatment Project, ran by the Palestinian Water Authority. In 2007 a sewage lake in Beit Lahiya collapsed, flooding the surrounding area with 2.5million litres of partially treated sewage. Five people were killed in the incident, and 1,000 people continued to live in danger of a further break.

The collapse came two years after a project had begun to drain the lake and transfer the sewage treatment facility 7km east to an area away from a centre of population. The project was completed in summer 2009, behind schedule, again due to restrictions placed upon construction materials.

The next phase of the development, funded at a cost of US\$45m by the French government, is to construct a water treatment facility at the same site. However, added to the lack of building materials, the location of the site, on the edge of the Israeli imposed seam zone, hampers access for engineers and workmen. For nine months after

"One year on from our last visit the deplorable conditions under which people must exist have sadly not improved; if anything they have deteriorated. The rubble that lay strewn across Gaza in February 2009 has been removed, but other than that no substantive reconstruction has taken place and the schools, factories and homes that we saw lying in pieces continue to remain in a state of disrepair. The conditions in which the people of Gaza live are not brought about by nature, but are the result of political decisions. Israel's continued collective punishment of the Palestinian people is both brutal and abhorrent."

Graham Bambrough, Council for Arab British Understanding

the capture of an Israeli soldier in 2006 entry to the site was prevented by the Israeli authorities, who enforce the restricted zone up to 500 metres into Palestinian territory by sniper fire. It is feared that the construction of the plant may take up to ten years, due to various Israeli restrictions on imports and movement.

At present the lack of clean drinking water and the inability to properly treat raw sewage pose a major threat to the health of the population. There has been no real investment since 1997 in the water treatment and supply mechanisms, with the infrastructure around Gaza City originally designed to cope with the needs of 32,000 people, now serving around half million. Every day, 69 million litres of partially treated or completely untreated sewage - the equivalent of 28 Olympic-size

swimming pools - are pumped directly into the Mediterranean because they cannot be managed.^{ix} Thousands of homes are without access to running water, whilst municipal wells break down regularly without the spare parts that are needed to keep them operational. UNRWA estimates that 60% of the population are without access to a regular water supply.

Medical Aid for Palestinians reinforces the evidence that the lack of safe drinking water threatens the health of the entire population of the territory. The most common infectious diseases in Gaza are related to lack of clean water; watery diarrhea, acute bloody diarrhea and viral hepatitis. Groundwater pollution has increased nitrate levels, leading to a risk of methemoglobinaemia, or Blue Baby Syndrome, in children.^x

Effects of the conflict and the siege on health care

The effect of the conflict and the siege upon public health has been devastating.

The delegation visited Al Quds Hospital, Gaza City, which had been attacked on a number of separate occasions by Israeli fighter jets during Operation Cast Lead and was significantly damaged. At Al-Quds, which the previous BPAPPG delegation visited in February 2009, the parliamentarians were informed that the hospital was attacked on both the 15th and 17th January, leading to the evacuation of over five hundred patients by medical personnel. Babies in incubators were moved into the street. On the 17th a missile dropped from an F-16 fighter jet pierced the roof of the building, destroying the Children's Centre on the top floor. No explanation has since been offered to the hospital director as to why the medical facility was attacked.

Reconstruction work, however, has progressed since the February 2009 visit, with the front of the hospital being repaired. However, the roof over the main stair well of the hospital remains constructed of just temporary metal sheeting which is not water proof, whilst large parts of the hospital, such as the pharmacy, remain inoperative due to an inability to rebuild. The Moroccan government has pledged funds for reconstruction work, but this cannot be utilised due to a lack of consistent access to building materials.

Staff at the hospital informed the delegation that whilst the war had a shattering impact upon the hospital and the wider health of the population of Gaza, the siege has in fact been more destructive. The necessary drugs are available for most emergency procedures, but supplies for the treatment of chronic conditions are in short supply.

Similarly advanced medical technologies, for example x-ray machines and cancer treatment equipment, cannot be brought in, affecting the long term health of the population. The patient lifts of the hospital also continue to operate on reduced capacity, due to a lack of spare parts.

Effects upon children and the female population of Gaza

A total of 352 children were killed during Operation Cast Lead, representing a quarter of all fatalities.^{xi} The legacy of psychological problems is equally stark.

The delegation visited the Gaza Community Mental Health Programme (GCMHP), which has been working with victims of trauma since the first intifada. GCMHP has six centres around the Gaza Strip, with forty trained professionals carrying out home visits across the territory.

"The psychological impact of the siege and last year's war is having a devastating effect upon the children of Gaza. Organisations such as the Gaza Community Mental Health Project are carrying out tremendous work, but the scale of the problem is simply overwhelming. The children of Gaza are traumatised; they have suffered from both war and a three year-long blockade. The situation is intolerable." **Stephen Williams MP**

The Director of GCMHP, Dr Eyad Siraj, reported that in the wake of Operation Cast Lead their services have been placed under great strain. Trauma amongst children is at an all

time high, with sleep disturbances, nightmares, hyperactivity and bed-wetting commonly reported.

Inter-factional fighting has also had a significant impact upon the mental health of the population. The civil conflict of summer 2007, during which Hamas and Fatah militia engaged in running gun battles in the streets of Gaza, left 116 Palestinians dead.^{xii} The siege that ensued has denied the children of Gaza access to the normalities of childhood, but has also prevented organisations such as GCMHP from sending staff outside of Gaza to receive training in the latest psychological care methods.

Dr Saraj told the delegation that he feared young Palestinians who had lost their fathers or brothers as a result of violence seek solace in militant groups that can act as a replacement family.

Domestic abuse, of both women and children, has also increased in recent years. GCMHP blame this upon the conditions brought about by the siege, which has left hundreds of thousands of Palestinian males without a job and thus denies them their traditional role as the breadwinner within the family. Frustration at this is often expressed through violence.

UNRWA is running a number of community outreach programmes to encourage greater engagement for the female population of Gaza. The delegation visited the Jabalya Women's Centre which provides education programmes in for example computer literacy, as well as sports activities for a section of society that is often excluded from such initiatives. Around two thousand people use the various UN operated centres around Gaza, which also provide advice on home management, as the number of female headed households has increased in the territory in recent years.

Provision of education in Gaza

The delegation visited two UNRWA operated schools – Rimal UNRWA Prep School for 12 – 15 year olds, and the Gaza Co-Ed A Elementry School for 6 – 11 year olds.

UNRWA operates as the second largest provider of education in Gaza, behind the Palestinian Authority. Around 207,000 children attend 225 UN operated schools. However, due to a lack of space, the schools have to operate on a two shift system, with pupils only attending lessons on either a morning or an afternoon. Students are also provided with a basic meal at the start of the school day, to alleviate hunger which often leads to poor performance amongst the children. The delegates were informed that often the students smuggle the food out of the classroom, in order to share it with family members who are also going hungry.



Human and political rights are taught in all UNRWA schools, with the delegation witnessing an election at the Gaza Co-Ed A Elementary School, for class representatives. Each UNRWA school holds a ballot amongst the students to elect pupils to speak on their peers behalf to governors and staff.

PA operated schools have suffered in recent years due a teacher strike, which saw 7,000 members of staff walk out after Hamas attempts to replace a number of school directors with their own representatives. UNRWA schools tend to perform better than their government operated counterparts, with a 70% pass rate in Arabic and Maths, compared to 20% in PA institutions. In order to attend an UNRWA school, children must be registered as one the 700,000 refugees in Gaza, creating the odd situation where to be a refugee actually gains you access to a higher standard of education than the rest of the population.

However, UNRWA schools have also suffered at the hands of Israel's closure policy. For example the materials to construct 4,000 new school desks were prevented from entering the territory in Autumn 2009.

The delegation was informed that staff within the schools have noticed a deterioration in pupil behaviour in recent years. Reinforcing what was reported during the meeting with the GCMHP, it was stated that violence amongst students has increased, as well as evidence of psychological problems. A parent who spoke to the delegates informed them that his 10 year old daughter takes a strong interest in politics, following developments in Tel Aviv, Ramallah and Cairo in close detail. He believed that this was caused by anxiety over the conflict that ensued last year, as well as the inter factional violence between Hamas and Fatah. In essence, the children of Gaza are being denied the enjoyment of a normal childhood, and are instead forced to confront issues that should not be of concern to young children.

Palestinian reconciliation talks

In June 2007, 18 months after Hamas had won the Palestinian Legislative Council elections, fighting erupted between various militia groups in the Gaza Strip. The result was the total expulsion of the Fatah apparatus from the territory, and the effective severance of Gaza, controlled by Hamas, from the West Bank, controlled by Fatah (alongside the Israeli occupation of both areas). The 2007 conflict was marked by atrocities on both sides, with supporters of both factions summarily executed and thrown from the roof tops of buildings.

Since this date, talks aimed at reconciling both groups have endured various stages of advancement. Elections to the PLC and Presidency, scheduled to be held by January 2010, have not materialised due to the failure of such talks.

In addition to the programme organised by UNRWA, the delegation held a number of political meetings with representatives of both the Hamas Gaza administration and Members of Parliament from Fatah, as well as with representatives from a number of Palestinian NGOs. The progress of reconciliation negotiations between the leading Palestinian factions was discussed in detail.

Both Hamas and Fatah purported to support reconciliation, but blamed the other for the breakdown in talks.

The delegation met with Fatah Members of Parliament. The MPs reported that negotiations on reconciliation had progressed well, but ultimately agreement could not be reached on reform of the security forces, the monitoring of the elections or the voting system that would be used at the polls. Fatah favour a proportional system, and Hamas a simple majority procedure.

A Fatah MP blamed the growth of Hamas upon Israel, for fundamentally weakening the Palestinian Authority in Ramallah through continued settlement growth even during peace negotiations.

The delegation was told on a number of occasions that each side could be accused of acting as a proxy for external influences. The Hamas leadership, critics claim, takes direction from Tehran and Damascus, whilst Fatah receives instructions from Washington and Cairo.

During discussions with Hamas, the delegation was also told that negotiations over the release of an Israeli soldier held in Gaza since 2006 had progressed well, and that an agreement over a prisoner exchange had been agreed at the end of 2009. Hamas accused Israel of pulling out of the deal however, after Israeli negotiators changed their position and declined to accept the list of Palestinians to be released in exchange.

Release from detention of British journalist Paul Martin

During a meeting that included Hamas Justice Minister Faraj al-Goul and Deputy Foreign Minister Dr Ahmed Yousef, the delegation raised the case of Paul Martin, a British journalist who had been detained in Gaza since mid-February after arriving to give evidence in a court case. The delegation pressed the authorities to review his case urgently, and was encouraged by a commitment from the Justice Minister to discuss Martin's detention at a security meeting later in the day.

The group were subsequently informed that as "a gesture of goodwill towards the delegation" Martin would be released on Thursday 11th March – a pledge that was subsequently honoured shortly after the parliamentarians returned to the UK.

The Group believes that journalists must be given uninhibited access to Gaza by Israel in order to report on the situation there; but that conversely they must be allowed to report freely and accurately. The Group was concerned by the detention of Mr Martin, and welcomes his release.

Accountability

In the fourteen months that elapsed between Israel's invasion and the return of the Britain Palestine APPG to Gaza, there has sadly been little accountability, on either side, for the atrocities committed during the conflict. The report by the UN Fact Finding Mission accused both Hamas and Israel of committing actions amounting to war crimes during the conflict. In summary the report found that:

- Israel had employed a policy that involved “the direct targeting and arbitrary killing of Palestinian civilians”
- The Israeli military carried out a “deliberate and sustained” attack upon civilian targets such as private homes, food installations and water treatment works, in order to make life more difficult for the population of the territory
- Israel had used weapons proscribed by international law, and deployed weapons that were unsuitable to the stipulated military aim of various operations
- Grave breaches of international law had occurred, and that the contracting parties of the Geneva Conventions were obliged to pursue those responsible through domestic courts under universal jurisdiction
- The continued blockade of the Gaza Strip constitutes the “collective punishment” of the territory’s population, and constitutes a possible war crime
- The firing of rockets at Israeli towns by Palestinian groups constituted a war crime.^{xiii}



American International School, February 2009



American International School, March 2010

The report demanded that both sides conduct appropriate investigations into the events of the conflict. However, the only investigations launched have so far proved insufficient.

Hamas’ military wing submitted a derisory report to the United Nations General Assembly in which it denied firing rockets at civilians, whilst Israel has similarly failed to address some of the gravest allegations made against its military in the report. Only three Israelis soldiers have been charged over their conduct during the Operation – two relating to the use of a human shield and one over the theft of a credit card.^{xiv}

Sufficient explanations have not been offered, for example, regarding the bombing of the al-Quds Hospital or American International School and the 279 other educational

establishments in Gaza that were attacked. US\$10million compensation has however been paid to the UN for the shelling of the Gaza City Compound.

It is clear that impunity is at crisis point in the region. Atrocities that go unpunished encourage only further transgressions, and the lack of accountability following Operation Cast Lead and the on-going siege is a stark example of this.

In various meetings it was stressed to the delegation the disappointment felt amongst Palestinians at plans in the UK to change the law regarding the issuing of arrest warrants for those suspected of war crimes. It was repeatedly put to the delegation that any change in the law that allowed Israeli leaders to visit the UK free from any threat of prosecution would severely dent the image of Britain within the region.

Conclusion and recommendations

Israel's siege of Gaza has held in place for over 1,000 days, denying the people of the territory freedom of movement, access to food, fuel and medical supplies, and crucially the ability to reconstruct their homes, schools and factories in the wake of a major military conflict. It is clear that over one year on from Israel's invasion of Gaza, the people of the territory and indeed the United Nations organisations charged with supporting them are unable to make substantive efforts at alleviating the gross suffering due to Israel's continuing blockade.

Whilst Operation Cast Lead had a devastating impact upon the population and infrastructure of Gaza, the blockade is an ongoing crime against humanity and a flagrant example of collective punishment. The international community must take concerted action to bring about a change in Israeli policy, and bring an end to this medieval attempt at strangling all life in Gaza.

The delegation from the Britain Palestine APPG makes the following recommendations:

1. Access: The siege must be lifted

As was noted in last year's delegation report, Israel's policy of restricting proper access for food, fuel and construction materials represents the collective punishment of the population of Gaza. Over 1.5million Palestinians are denied access to the basics of life by Israel's siege, which is as misguided as it is inhumane. It is clear to the delegation that the siege is not weakening Hamas, rather it is destroying legitimate Palestinian businesses and harming innocent civilians. Hamas are drawing upon the smuggling tunnels that inevitably emerge as a source of wealth, whilst the scale of the operations in Rafah shows that Israel's claims that the siege denies militant groups access to weapons and materials is simply not credible.

The tunnels only exist because of the siege. For example, it was stressed to the delegation that when Israel briefly allowed glass to be imported legally through the crossings, it stopped coming in through the tunnels. Once however Israel suspended its import in mid-February, the smuggling of glass restarted instantly.

As the group's report stated last year, the Israelis must open the borders of Gaza, abide by the Agreement on Movement and Access and allow goods into the territory. Similarly Egypt must play a greater role in alleviating the suffering of the Palestinians, by allowing the Rafah crossing to operate on a consistent basis in order for the population of Gaza to exit and enter the territory more freely.

2. Palestinian factions: Reconciliation is essential

Reconciliation between Hamas and Fatah remains a long way off. Both sides claim to want a settlement, but neither seems willing to make the concessions that are required to achieve this. It is in the immediate interests of the Palestinian people that both parties agree to hold new elections as a matter of urgency. The 2006 vote was judged free and fair by international observers as well as by those that contested the poll, and both parties must commit to repeat this process in the coming months. Disunity and inter factional violence is hugely damaging for the Palestinian people and their cause.

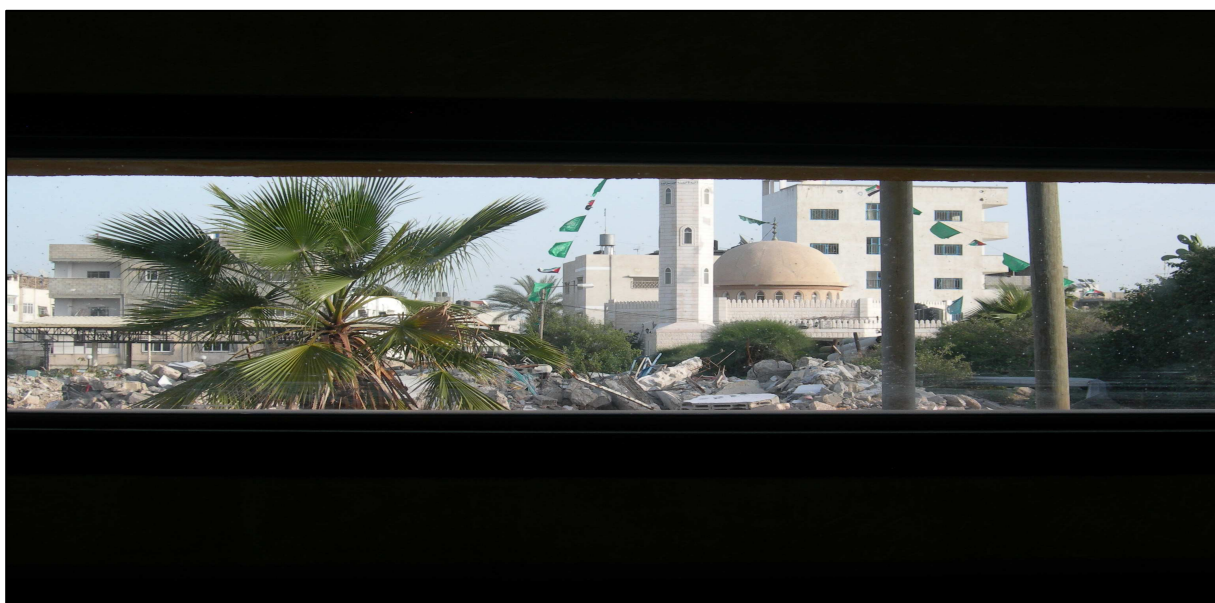
3. Engagement: International community must speak with all Palestinian leaders

The delegation believes that only through engagement with all Palestinian groups will the cause of peace be advanced in the region. Hamas won elections in January 2006, and yet were ostracised by the international community even though they had engaged in the democratic process and a ceasefire was in place. Both the international community and Israel also failed to seize the opportunities for moving the peace process forward which were opened up by the formation of a Unity Government including Hamas and Fatah members in early 2007. Instead of promoting the kind of reconciliation between Palestinian factions that could help achieve this, the actions of Israel and some international players often aggravated hostility between different Palestinian groups. None of this however justified Hamas' military takeover of Gaza in the summer of 2007 which led to the dismissal of the Hamas government by President Abbas; yet it was an important part of the context.

As an organisation, Hamas is a broad movement, encompassing a military wing and a political faction that contains wide ranging views. It is irrational that governments including the UK's engage with Israeli leaders irrespective of their actions or policies, and yet refuse to speak publicly with members of Hamas. Such engagement need not imply recognition of the Hamas administration over the Government appointed by President Abbas. Neither need it imply that the Quartet has abandoned its contention that a lasting settlement must include an end to violence, recognition of the right of two states both Israel and Palestine to exist, and an acceptance of previous agreements. However, isolation has not helped achieve any of these aims. Our experience suggests that dialogue could achieve more.

4. Accountability: Perpetrators of war crimes must be held accountable

A culture of impunity has reigned for too long in the Middle East. Atrocities that go unpunished only serve to encourage further abuses. Both Israel and Hamas must be held accountable for their actions. Should satisfactory investigations by both parties still not



prove forthcoming, the UN General Assembly must refer the findings of the Goldstone Report to the prosecutor of the International Criminal Court.

5. Universal jurisdiction: There must be no change to UK law

The United Kingdom has played a proud role in the development of international law, for example through the establishment of the ICC and the special tribunals for Sierra Leone. It would therefore be a regressive step should the British government make it harder for suspected war criminals to face charges in this country. The government must resist pressure from Israel to change the law regarding universal jurisdiction and the issuing of arrest warrants.

6. European Union trade agreement: EU should suspend agreement whilst siege continues

As its largest trading partner the European Union is in a strong position to hold Israel to account. The existing Trade and Association Agreement states that "relations between the Parties, as well as all the provisions of the Agreement itself, shall be based on respect for human rights and democratic principles, which guides their internal and international policy and constitutes an essential element of this Agreement."^{xv} It is clear that the human rights of the Palestinians are not being respected due to the on-going siege and occupation of Gaza and the West Bank. The agreement should be suspended until a major change in Israel's policies is brought about.

7. Arms embargo: EU should implement ban on arms sales to Israel

Between 1982 and 1994 the European Union placed an arms embargo upon Israel, due to atrocities committed during the invasion of Lebanon. This embargo should be reinstated to prevent ongoing abuses. The delegation is deeply concerned by the recent news that the UK has sold parts for sniper rifles to Israel and believes that Britain should play no role in assisting Israel's military in its acts of aggression.^{xvi}

8. Delegations to Gaza: Senior politicians must visit the territory

The Group is encouraged by the recent visits of EU Foreign Policy High Representative Baroness Cathy Ashton and the UN Secretary General Ban Ki-Moon, but is equally disappointed that since Operation Cast Lead only two European foreign ministers have visited the Gaza Strip.^{xvii} The Irish Foreign Minister was denied entry by the Israelis at the Erez terminal, and was forced to detour and enter via Egypt. As was noted in last year's report, delegations create a greater understanding of the problems affecting the people of Gaza and also apply pressure upon Israel to change its policies towards the territory.

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^x http://www.map-uk.org/files/554_gaza_let_the_aid_in.pdf

^{xi} <http://fakhoora.org/memorial>

^{xii} Based upon figures from the International Committee of the Red Cross 116 Palestinians were killed and 550 injured

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