

15 September 2011

To: The Representatives of the Middle East Quartet (UN Secretary-General Ban Ki-moon, EU High Representative Catherine Ashton, Russian Foreign Minister Sergey Lavrov, US Secretary of State Hillary Clinton) and European Union foreign ministers

Re. Palmer report and the continued closure of Gaza

Dear Foreign Minister,

As international humanitarian, development, human rights and peace-building organisations, we are writing to you in response to the report of the Panel of Inquiry led by Sir Geoffrey Palmer and established by the UN Secretary-General. Given the common misconceptions about the Palmer report's findings, we ask you to ensure that its claim that the naval blockade of the Gaza Strip is lawful is not misunderstood to mean that the entire closure regime imposed on Gaza is legal. We also ask you to step up efforts to ensure an immediate and unconditional lifting of the closure.

According to the International Committee of the Red Cross, the guardian of international humanitarian law, the closure of Gaza "constitutes a collective punishment imposed in clear violation of Israel's obligations under international humanitarian law". In contrast, the Palmer report only focuses on the naval blockade of Gaza and explicitly does not address the legality of the overall closure regime which includes sweeping restrictions on the movement of goods and persons via land crossings.

Many of the undersigned organisations have humanitarian and development programmes in Gaza and continue to witness the unnecessary daily suffering of the civilian population, over half of whom are children, due to the closure policy. The steps taken by Israel to ease some restrictions have not resulted in meaningful improvements in the lives of Gaza's 1.6 million residents.

Since January 2011, exports from Gaza have amounted to around one per cent of pre-2007 levels, despite Israel's promises to increase them. Imports of construction materials have remained below 20 per cent of pre-2007 levels, impeding the reconstruction of schools, hospitals, homes and businesses that were damaged and destroyed in Israel's 2008-2009 military operation Cast Lead. The number of Palestinians allowed to leave Gaza through the Israeli crossings remains below one per cent of pre-2000 levels and even patients in need of urgent treatment outside Gaza are often still denied exit. According to the World Food Programme, three quarters of Gaza's population continue to rely on humanitarian aid, while 54 per cent are food insecure.

The Palmer report does note that the humanitarian and human rights situation in Gaza is "unsustainable, unacceptable and not in the interests of any of those concerned", but merely calls on Israel to "continue with its efforts to ease its restrictions on movement of goods and persons to and from Gaza".

Instead of only easing the restrictions, Israel should be required to comply with its international legal obligations and lift its closure on Gaza fully and immediately. This means allowing exports as well as imports, subject only to legitimate and proportionate security checks, and allowing Palestinians to travel between Gaza and the West Bank, which are internationally recognised as a single territorial unit. It also means ensuring Palestinians' access to arable land currently located inside the "buffer zone" imposed by Israel within Gaza's perimeter and allowing Palestinian fishermen access to their coastal waters.

Sincerely,



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