

Targeted Civilians

APCHR Report on the Israeli Military Offensive against the Gaza strip (27 December 2008 - 18 January 2009)





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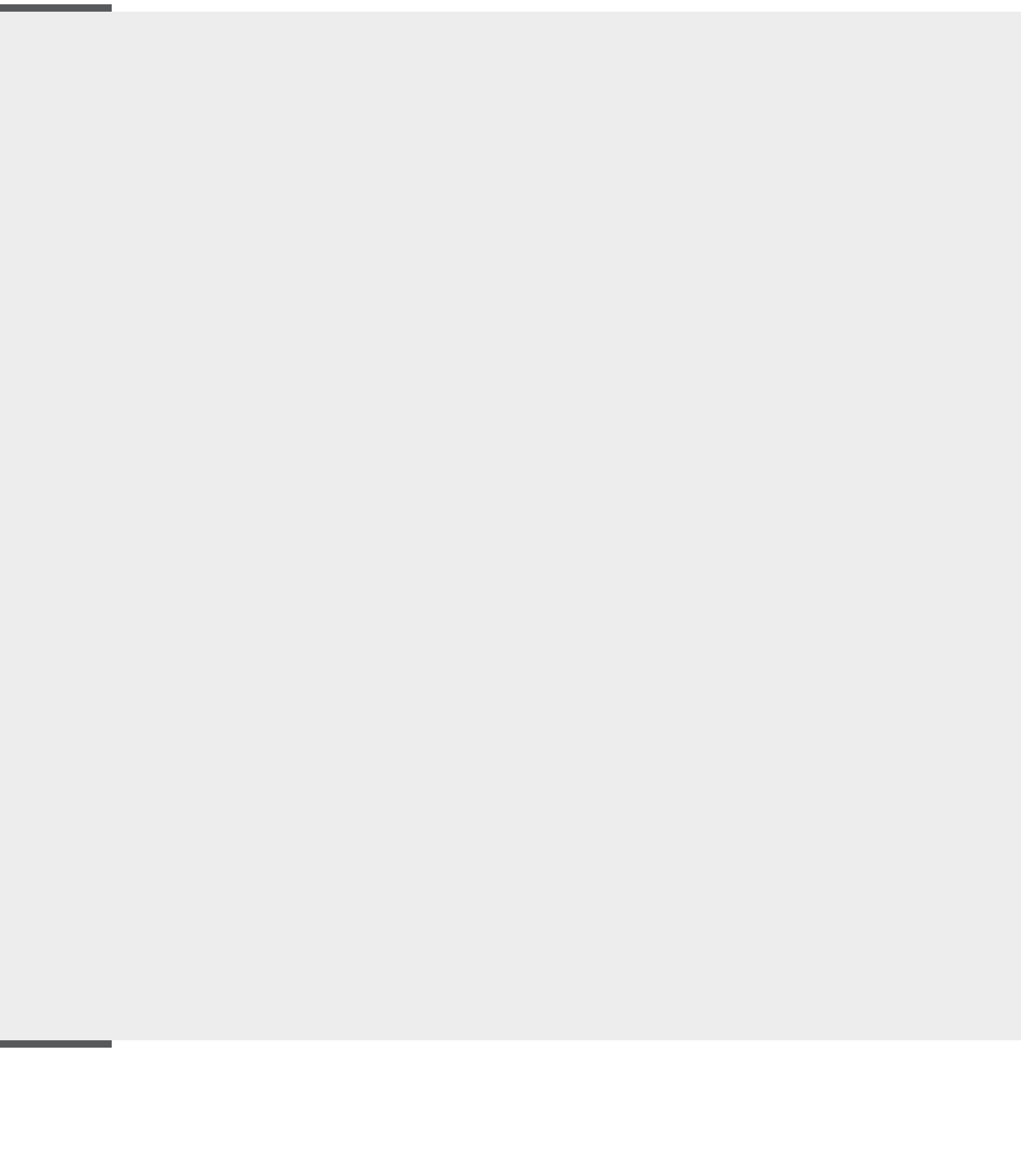
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This Report

In the early hours of Sunday, 18 January 2009, Israeli Occupation Forces (IOF) declared a unilateral ceasefire, calling a halt to their military operations against the Gaza Strip. This declaration marked an end to the 23-day offensive known as «Operation Cast Lead»; the most extensive and brutal offensive in history of Israeli occupation. Over the following days, IOF continued to withdraw from the areas they had invaded and redeployed to areas outside the Gaza Strip leaving in their wake extensive destruction.

In the aftermath of the IOF's redeployment, the shocking and horrifying outcome of the offensive, and its unprecedented impact on the civilian population, were revealed. Despite PCHR's continuous field investigations during the offensive, it was difficult to follow up all details of the offensive and the extensive destruction in real-time due to the massive and wide-scale attacks which targeted the whole Gaza Strip. Moreover, it was difficult to reach many areas in the Gaza Strip, especially those controlled by Israeli troops and thus completely isolated from the rest of the Gaza Strip. However, consequent to the ceasefire, PCHR began to comprehensively and document all crimes committed by IOF against Palestinians and their property.

PCHR's work in relation to the Israeli offensive against the Gaza Strip took place over two phases. The first phase was the offensive itself, which lasted from 27 December 2008 – the beginning of the wide-scale air bombardments – until 18 January 2009, the day on which Israel unilaterally declared the end of military operations in the Gaza Strip. During this period, PCHR worked under very complicated and dangerous conditions that posed threats to the lives and safety of its staff. PCHR's work during that period was essentially focused on observation, reporting and advocacy at local and international levels. The objective of these efforts was to refute Israeli allegations about the nature of «Operation Cast Lead» and claims that IOF did not target civilians and respected international humanitarian law (IHL). During that period, PCHR provided comprehensive data, based solely on the facts; data which conflicted with official Israeli accounts. It became clear that the offensive was a war against civilians and civilian targets. PCHR issued several press releases and detailed reports in both English and Arabic. To meet the requirements of such work, PCHR expanded its Field Work

Unit with highly trained field workers in all areas around the Gaza Strip, thereby decreasing the area of work assigned to field workers in normal circumstances. This led to acceleration of access to information with less risk to the safety of PCHR's staff members. PCHR's work continued in spite of the difficulties faced as a result of losing cell phone communication due to the destruction of Palestinian telecommunication networks, as well as the targeting of ground communication networks in the northern Gaza Strip, which disrupted telephone, fax and internet communications.

The second phase related to PCHR's work after the ceasefire and it had two correlated tracks. The first track was investigation and documentation of all war crimes and violations of IHL perpetrated by IOF against Palestinian civilians and their property. This track was carried out during the three months that followed the ceasefire. The second track is legal assistance for victims and survivors, which includes preparing legal files for the most serious crimes in order to prosecute war criminals in domestic and international

courts. This track may take years of continuous and persistent work. Following IOF's redeployment outside Gaza, PCHR recruited dozens of field workers and qualified lawyers, who were able to cover all areas in Gaza Strip and document hundreds of crimes perpetrated by IOF. PCHR's team made direct personal interviews with civilians who survived killings and hundreds of eyewitness who testified about the killings of their loved ones. A great number of those survivors were targeted and subjected to direct attacks. PCHR's purpose is to make a comprehensive and complete documentation of all war crimes and other serious violations of international humanitarian law and human right law. PCHR also prepared legal files on crimes committed during the latest offensive against the Gaza Strip in order to pursue those Israelis accused of committing war crimes. Over the past few years PCHR have made notable progress in this regard. Now, after the Israeli offensive against the Gaza Strip, PCHR is again preparing dozens of legal files which focus on various crimes perpetrated by IOF against Palestinian civilians. PCHR's work in this regard mainly depends on full and continuous cooperation and coordination with international partners to follow up this issue in the upcoming years; there is no statute of limitations with respect to war crimes.

PCHR has completed the documentation of all incidents which constituted clear and flagrant violations of IHL. Documented information was entered into a special database to make use of it for various purposes. This report is part of the overall process of documentation as it includes a comprehensive and accurate account of all events that took place during the latest offensive against the Gaza Strip. The report is the outcome of efforts made by all units at PCHR at the levels of observation, documentation, investigation and filing. Thus, this report is intended to professionally and objectively express PCHR's account of the latest Israeli offensive against the Gaza Strip.

Summary

The Israeli offensive against the Gaza Strip, was the most brutal and violent offensive in the history of both the occupation, and the Gaza Strip itself. It marked the culmination of a series of penal measures directed against Palestinian civilians. The tightened siege imposed on the Gaza Strip had been in place for nearly 1 ½ years by the time the offensive began. This illegal siege includes restrictions on the movement of civilians and goods in both directions; it completely isolates the Gaza Strip from the world.

PCHR's reports confirmed that the first half of 2008 witnessed a critical tightening of the siege, destroying all aspects of life in the Gaza Strip, and leading to a real humanitarian catastrophe. The Israeli closure was not the sole aspect of crimes committed by IOF against the Palestinian civilians. A series of willful killings, extra-judicial executions, total and partial destruction of civilian property (houses, workshops, and the razing of agricultural land) as well as the destruction of vital facilities (infrastructure and NGOs) all around the OPT, mainly in the Gaza Strip, were occurring in parallel, adding to the devastation caused by the closure.

On 19 June 2008, Egyptian efforts resulted in the declaration of a six month lull between the Palestinian political factions and IOF, with the possibility of renewal. According to the terms of the lull, Palestinian factions were to stop firing home-made rockets towards Israeli towns, while IOF were to halt incursions, bombings, pursuing militants, and then, gradually start reopening the crossings so as to ease the movement of people and goods to and from the Gaza Strip. Despite the lull, Israel, procrastinated with respect to its implementation, delaying the opening of the border crossings, in spite of deteriorating humanitarian conditions, and striving to impose a de-facto situation, under which Palestinians would adapt to the illegal reality imposed by Israel. As the lull agreement approached its renewal date, scheduled for 19 December 2008, IOF systematically violated the lull through a wave of repeated attacks in November and December 2008. In order to create an environment of general local, regional and international support for the Israeli offensive against the Gaza Strip, the Israeli government launched a propaganda campaign to mobilize international public opinion and to justify the offensive under invalid claims and the pretext of

fighting terror. In the meantime, Israel mobilized its arsenal and sent reinforcements to the border of the Gaza Strip; on 27 December 2009, Israel launched its offensive against the Gaza Strip.

The latest offensive against Gaza was the most violent, the most brutal and the bloodiest offensive against Palestinian civilians and their property since the beginning of Israeli occupation in 1967. IOF used various kinds of weapons against Palestinian civilians and their property. IOF's naval, land and air forces launched thousands of missiles and bombs, some of which weighed approximately 1,000 kilograms, targeting civilian communities. This bombardment led to large losses of both lives and property. The most violent attacks were in the first hours of the offensive, in when Israeli warplanes bombarded the headquarters and sites of Palestinian civil police and security services, killing hundreds of police officers and dozens of civilian bystanders.

On the eighth day of the offensive, IOF launched a ground operation, moving forces deep into the Gaza Strip from

several directions under the cover of intensive fire. These forces divided the Gaza Strip into several zones and moved towards civilian-populated areas. IOF stayed inside the Gaza Strip for nearly two weeks, during which time they continued to move closer towards populated areas, especially in Gaza City and Beit Lahia and Jabalya towns. During the offensive, IOF used various kinds of lethal weapons, including white phosphorous and flechettes. PCHR believe that the IOF's conduct of hostilities imply that Israel intended to harm Palestinian civilians; Israel engaged in acts of reprisal, and launched attacks that employed excessive force in violation of international legal standards relating to proportionality and distinction; entire families were killed. Among those weapons which IOF deliberately used in civilian-populated areas, in a clear expression of systematic policy, were white phosphorous and flechettes. The use of these weapons resulted in serious injuries to individuals and property.

PCHR emphasizes that Israeli practices during military operations in the Gaza Strip violate the fundamental principles of IHL. As detailed in this report, IOF directly targeted civilians and civilian property, and launched indiscriminate attacks against densely-populated civilian areas. PCHR affirms that such acts constitute grave breaches of the Fourth Geneva Convention, and war crimes. Additionally, the widespread and apparently systematic nature of these violations of IHL indicates that Israel may have committed crimes against humanity.

According to PCHR's documentation, 1,419 Palestinians were killed during the Israeli military offensive on the Gaza Strip. This number includes 1,167 non-combatants (82.2%) and 252 resistance activists (17.8%). The non-combatants include civilians and civil police officers who were not involved in hostilities, the 'protected persons' of IHL. Investigations

conducted by PCHR indicate that 918 civilians were killed (64.7% of the total number of victims). The civilian victims include 318 children (22.4 % of the total number of victims and 34.7% of the number of civilian victims) and 111 women (7.8% of the total number of victims and 12.1% of the number of civilian victims). Thus, 429 women and children were killed (30.2% of the total number of victims and 46.7% of the total number of civilian victims).

According to sources of the Ministry of Health in Gaza, at least 5,300 Palestinians were wounded during the Israeli military offensive on the Gaza Strip. This number includes at least 1,600 children (30%) and 830 women (15.6%). Thus, at least 2,430 children and women were wounded, which constitutes 45.6% of the total number of the wounded.

According to PCHR's data, 318 children aged under 18 were killed; 22.4% of the total number of all victims and 34.6% of the total number of civilian victims. This figure includes 215 boys (67.6%) and 103 girls (32.4%). Additionally, 1,600 children were wounded, constituting 30% of the total number of the wounded.

Children were killed in different contexts, often while inside homes or while playing outside. In some instances they were targeted directly, in others they were killed when IOF bombarded mosques, public facilities or residential complexes, or extra-judicially-executed Palestinian activists.

According to investigations conducted by PCHR, 111 women were killed (7.8% of the total number of victims and 12% of the total number of civilians). 830 women were wounded (15.6% of the total number of the wounded), dozens of whom sustained permanent disabilities. Some women were directly targeted, murdered by IOF soldiers, others were killed inside

their homes, while seeking refuge, or while hiding inside UNRWA Schools turned into shelters for families forced to flee their homes.

According to investigations conducted by PCHR and field evidence, during the offensive on the Gaza Strip, IOF used different kinds of weapons against Palestinian civilians and their property. IOF fired, whether from land, air or sea, thousands of missiles and guided bombs, some of which weigh around one ton; in many instances civilian-populated areas were directly targeted. Investigations conducted by PCHR indicate that IOF used white phosphorous extensively, often in densely populated civilian areas. Investigations indicate that white phosphorous was used in at least three distinct areas; the entire world watched its use against civilian areas live on television. Israeli artillery and tanks also fired flechette shells which explode in the air and disperse metal fragments over a diameter of between 125 and 250 meters according to the shelling momentum.

PCHR documented a number of crimes committed against Palestinian civilians during the daily ceasefire period declared by IOF. A number of civilians, including complete families, were killed. The attacks against the families of Shurrab and al-Kahlout are vivid examples of such crimes.

PCHR documented many testimonies given by civilians who were used as human shields by IOF. The use of human shields, an explicit violation of IHL, displays the extent of Israeli recklessness with respect to the lives of Palestinian civilians, especially in areas of direct clashes with Palestinian resistance activists. A number of survivors and eyewitnesses, including children and the elderly, narrated their horrific experiences. IOF use of civilians as human shields included forcing civilians to walk before Israeli troops during house

searches, and detaining civilians amidst Israeli troops during armed clashes with Palestinian resistance groups.

IOF also committed war crimes by targeting medical and humanitarian relief personnel. They killed and wounded dozens of medical personnel, who are especially protected under IHL. IOF failed to provide health care for the wounded who were shot by IOF, dozens of whom bled to death, often under the eyes of Israeli soldiers. IOF deliberately obstructed access of Palestinian medical personnel, ambulances and fire fighters to the victims. During the offensive, 8 humanitarian workers were killed (two doctors, 5 paramedics and one humanitarian carrier driver), while they were attempting to provide the wounded with necessary medical and humanitarian services. Another 5 humanitarian workers were wounded while carrying out their humanitarian mission. Dozens of hospitals and medical centers were destroyed or heavily damaged as a result of air, ground and sea operations.

IOF also committed war crimes against journalists and media professionals. Such crimes against were part of the overall war crimes and other violations of international humanitarian law and human rights law perpetrated by IOF against Palestinian civilians. It is clear that IOF's attacks against the press, which included willful killings, endangering journalists' personal safety and bombarding media institutions, are part of a systematic campaign to isolate the OPT from the outside world and to cover up crimes committed against civilians. Two journalists were killed while carrying out their job and two others were killed as a result of indiscriminate bombardment. Nine journalists were also wounded while carrying out their job when IOF bombarded media offices and civilian facilities. Additionally, two media teams were detained and fired at by IOF, but no casualties were reported. Five media offices were also targeted.

The offensive also inflicted heavy damage to the educational sector in the Gaza Strip. During the offensive, the entire educational process was stopped, depriving approximately half a million Palestinian students of access to school for 23 consecutive days. Scores of students, teachers and personnel were killed and scores of others were wounded due to the Israeli bombardment, which destroyed a number of educational institutions either completely or partially, including UNRWA, public and private schools. The sudden and intensive bombardment on the first day during the rush hours contributed to increasing the numbers of deaths of casualties. At least 150 out of 384 public schools in the Gaza Strip, in which around 250,000 students have classes, were attacked by IOF. Most universities and higher educational institutions in the Gaza Strip were damaged during the latest offensive whether by direct targeting, such as the air strikes that targeted the Islamic University, the destruction of facilities in the Faculty of Agriculture in Beit Hanoun, which belongs to al-Azhar University, the tank shelling that targeted the University College for Applied Sciences, al-Aqsa University and Palestine University, or indirectly by bombarding nearby civilian facilities, as was the case with al-Quds Open University and the College of Science and Technology.

Twenty seven NGOs and charitable societies were targeted by IOF during the latest offensive against the Gaza Strip; the number of institutions that were directly targeted was 15, while the number of institutions that were indirectly targeted due to bombarding nearby places was 12.

During the land incursions into Palestinian communities in the Gaza Strip, IOF committed large scale campaigns of arbitrary arrests against Palestinians, mostly in the northern Gaza Strip and Gaza City. In violation of IHL, IOF transferred

those who were arrested to jails and detention centers located inside Israel subjecting them to cruel and degrading treatment jeopardizing their lives. PCHR followed up the cases of 91 individuals detained during the offensive against the Gaza Strip; 67 of them were released later, whereas 14 of them were considered “illegitimate combatants,” (three of whom were subsequently released). IOF claimed that the detainees were resistance activists. However, investigations conducted by PCHR indicate that the majority of those who were arrested were civilians taken from houses stormed by Israeli troops. Those who were arrested, including children less than 18 and elderly men, were used as human shields in the face of resistance activists.

From the first moment of arrest, the detainees were subjected to methods of torture and degrading treatment; including violent beating and verbal harassment. In detention centers, they are subjected to several rounds of torture, under the control of the General Security Services (GSS, or *Shabak*).

Twenty seven national institutions and civil benevolent associations were targeted by IOF during the offensive. 15 institutions and associations were directly targeted by IOF bombardment, destruction, intrusion during the Israeli ground, while 12 institutions or associations were badly damaged as IOF targeted nearby sites.

According to PCHR’s documentations, IOF launched hundreds of air, sea and ground strikes during the offensive. These attacks resulted in the complete destruction of 2114 houses, comprising 2864 apartments; these housing units were home to 3314 families (19592 civilians). IOF also partially destroyed 3242 houses, comprising 5014 apartments; these housing units were home to 5470 families (32250 civilians). Moreover, approximately further 16000 houses

were damaged as a result of bombardment and destruction, including the burning of dozens of houses in different areas in Gaza. As a result of this devastation, approximately 51453 Palestinians were made homeless.

During the offensive, IOF launched military air, sea and ground attacks targeting all governmental facilities and installations including ministries and local bodies. These attacks also targeted property and civil objects including residential buildings, different economic sectors' facilities such as factories, shops, companies, blacksmith and carpentry workshops, national institutions' buildings, tourism facilities, sport clubs, mosques, graveyards, kindergartens, schools, universities, media institutions, medical installations, farmlands (including wells, water and irrigation networks), animal barns (apiaries and bird farms), hunters' port, ships and equipment. Medical installations and humanitarian relief organizations were also systematically damaged as they were the target of frequent shelling and bombardment during the offensive. Military attacks also directly targeted media installations working in the Gaza Strip, forcing the evacuation of these institutions and their staff.

During the IOF's wide-scale military offensive, the Gaza Strip witnessed horrific humanitarian conditions in which all aspects of life deteriorated. The 1.5 million Palestinians living in the Gaza Strip suffered extensive food shortages; many civilians could not obtain even basic food supplies, and food supplies could not reach Gaza's cities, villages and camps. According to various official sources, the flour and grains crisis negatively affected flour mills working in the Gaza Strip. Civilians were forced to place themselves in danger as they left their homes in search of bread and flour. As a result of the closure of the commercial borders, the tightened two-year long blockade and the rationing of goods, hundreds of goods,

especially foodstuffs ran out and were subject to massive price inflation, often doubling in price.

UNRWA's food distribution – the single largest food program in the Gaza Strip – was completely stopped twice during the offensive, for periods lasting four days. UNRWA sources said that the main reason behind this was the targeting of its staff, the closure of Gaza's borders, and the obstruction or strict rationing of food aid. This disastrous situation resulted in serious hardship for the hundreds of thousands of refugees who are distributed across 8 camps in the Gaza Strip, negatively affecting their health and their ability to get the required calories.

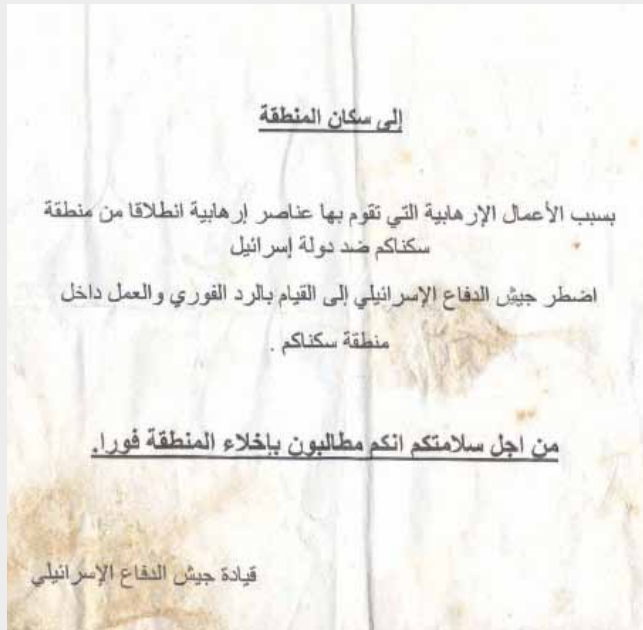
Hundred of thousands of civilians were forced to evacuate their houses during the offensive, as their property was subject to direct or indirect targeting by IOF. Compulsory evacuation increased when IOF began their ground invasion of several areas in the Gaza Strip. PCHR estimated the number of civilians who were obliged to evacuate their houses at nearly 500,000 (half a million) civilians.

In an aggravation of the fear and panic caused by the offensive, IOF launched a psychological war against Palestinian civilians, using different methods to terrify and scare. One of the most notable means was the warning phone calls which thousands of families received around the Gaza Strip asking them to leave and evacuate their houses as IOF may shell or target them or other nearby houses. According to IOF accounts, 70,000 Palestinian families received warning phone calls. This action contributed to the displacement of thousands of families to other areas as they sought to protect themselves and their children.

IOF warplanes also dropped leaflets over cities, villages and

camps in Gaza, warning civilians not to help what IOF called “terrorist groups” (armed resistance). Moreover, IOF radio penetrated the Palestinian local radio waves in Gaza and broadcast newscasts and propaganda releases targeted at Palestinian civilians in an attempt to undermine their morale.

During the offensive, IOF systematically targeted the main facilities providing services to the civilians of the Gaza Strip. Targeted facilities included electricity facilities, wells (including those supplying households), main and secondary water networks, and sewage services including stations’ treatment plants and their supplies.



Recommendations

PCHR strongly condemns all war crimes committed during the Israeli offensive on the Gaza Strip. PCHR also condemns the international community's silence, including the failure of states and governments' political will, through the Security Council, to exert more pressure on Israel to bring an end to the violence and halt the commission of war crimes. PCHR believes that the Member States of the United Nations, should uphold their legal and ethical responsibilities to maintain international peace and security, obligations enshrined in the UN Charter. As a key regional player, the European Union also had a significant role to play.

The Member States of the United Nations also have a responsibility to uphold the numerous Security Council Resolutions relating to the Israeli-Palestinian conflict. For six decades, Palestinians have suffered continuous violations of their fundamental rights, mainly the right of self-determination which is considered to constitute the core component of international human rights law.

In light of IOF war crimes and potential crimes against humanity, civilians and civil objects during the latest offensive against Gaza Strip, PCHR calls upon the Security Council:

- To hold Israel accountable for the reconstruction of the Gaza Strip; Israel must not be allowed to continue acting with impunity; the illegal closure regime must be lifted.
- To effectively investigate all allegations of war crimes and crimes against humanity. This must necessarily include the prosecution of alleged war criminal. In accordance with the principle of command responsibility, all levels of the Israeli political and military administration must be held to account.
- To immediately and effectively intervene to prevent impunity, in all its forms.
- To force all States and companies to halt the supply of all types of weapons and ammunition which were used to commit wide-scale violations of IHL during the offensive against the Gaza Strip.
- To immediately and effectively intervene to force the Israeli authorities to put an end to the extensive and illegal closure of the Gaza Strip that hinders the movement of people and goods. The illegal closure is a form of collective punishment directed against the 1.5 million inhabitants of the Gaza Strip.
- The High Contracting Parties to the Geneva convention should fulfill their obligations according to article 1 of The Fourth Geneva Convention to respect and ensure respect for the convention in all circumstances. High Contracting Parties must also comply with their obligations under articles 146 and 147 of the Fourth Geneva Convention for 1949, which require the prosecution of individuals responsible for committing grave breaches of the Geneva Conventions.
- To exert all pressure to guarantee Israel's commitment, as the Occupying Power in the Occupied Palestinian Territory, to abide by and uphold its legal obligations towards the Palestinian civilians, including guarantee civilians' safety and welfare.

- To widely disseminate the results of the United Nations investigations into the Israeli offensive against the Gaza Strip and to take all recommended actions.
- To exert pressure on the Israeli occupation government to fulfill its legal responsibilities as regards its actions during the latest offensive.
- To exert pressure on the Israeli occupation government to immediately open all Gaza's borders and to cancel all imposed restrictions. These restrictions constitute serious violations of international human rights and humanitarian law.
- To exert pressure on Israel to remove all imposed restrictions on food, medical and humanitarian aid, supervised by international humanitarian organizations, and to facilitate the supply of civilians who are suffering from the offensive.
- To exert pressure on Israel to lift the blockade and to immediately allow the import of all necessary reconstruction materials, especially the raw materials needed for the reconstruction and renovation of property and civilian objects which were widely damaged during the offensive.
- To exert all possible pressure on Israel to uphold its responsibilities to protect Palestinian civilians in all conditions and circumstances, in accordance with its obligations under IHL. Israel must distinguish between civilians and civilian objects and combatants and military objectives in order to ensure the protection of civilian populations and their property.

Events in Focus

This part of the report provides a narrative account of the Israeli offensive, covering the period from the first air strikes on Saturday morning, 27 December 2008, to the Israeli cabinet's declaration of a unilateral ceasefire on Sunday morning, 18 January 2009. This part of the report highlights the most significant crimes and violation of IHL, as well as tracing the general course of the hostilities. The offensive began with aerial bombardment and developed into ground operations.

The opening part of this section reviews the lead-up to the offensive, paying attention to the continuous closure, the deterioration in the humanitarian situation in the Gaza Strip, the *Tahdey'a* (lull) agreement between the Palestinian political factions and the Israeli government and its end, and the Israeli propaganda to mobilize support for the offensive against the Gaza Strip.

Background to the Offensive

The Israeli offensive waged against the Gaza Strip from 27 December 2008 to 18 January 2009, is considered the most violent and brutal offensive in the history of the occupation, and of the Gaza Strip itself. It is part of a long series of war crimes and serious violations of human rights perpetrated by IOF against Palestinian civilians and their property. Israeli crimes escalated from the beginning of 2008, which was the bloodiest year since the beginning of the Israeli occupation in 1967; the human rights situation deteriorated in an unprecedented manner throughout the OPT, particularly in the Gaza Strip. The most distinctive feature of this deterioration was the Israeli renewed closure imposed on the Gaza Strip as a form of collective punishment. Israel has pursued such policies of illegal closure throughout the course of the occupation, in violation of all relevant international human rights instruments.

The year 2008 witnessed an unprecedented tightening of the closure imposed on the Gaza Strip, as a result of the near-continued closure of the Gaza Strip's five commercial crossings as well as Rafah International Crossing Point.

All the Gaza Strip's commercial crossings were closed, except for some limited exceptions, during which IOF reopened the crossings under strict procedures, continuing to prevent normal life and the fulfillment of basic need of the civilian population. According to the PCHR's documentation, during the first half of 2008 there were 130 days of total closure and 34 days of partial closure (79% and 21% respectively of the total days of closure).

The Israeli closure was not the sole aspect of crimes committed by IOF against the Palestinian civilians. At the same time Israel perpetrated a series of willful killings, extra-judicial executions, total and partial destruction of civilian property (houses, workshops, and the razing of agricultural land) as well as the destruction of vital facilities (infrastructure and NGOs) all around the OPT.

In a clear example of the war crimes committed by IOF against Palestinian civilians, IOF killed in one week, (between 28

February and 5 March 2008) 110 Palestinians, including 27 children, 6 women and a paramedic, in wide-scale air and land operations using the full capabilities of their military arsenal. Attacks such as these are not exceptions, but rather form part of a systematic policy of continuous assaults against Palestinian civilians and their property through the use of excessive force; indiscriminately and disproportionately inflicting as much damage as possible. Crimes committed during the first half of 2008 resulted in the killing of 440 Palestinians, including 266 civilians, of whom 65 were children and 6 were women. Hundreds of others were wounded.

On 19 June 2008, Egyptian mediation efforts were concluded with the declaration of a six-month lull between the Palestinian political factions and IOF, with the possibility of renewal. According to the declared lull, Palestinian factions were to stop firing home-made rockets towards Israeli towns, while IOF were to halt incursions, bombings, and the pursuit of resistance activists, and to gradually start reopening the crossings so as to facilitate the movement of people and goods to and from the Gaza Strip.

Despite the lull, Israel, procrastinated with respect to its implementation, delaying the opening of the border crossings,

in spite of deteriorating humanitarian conditions, and striving to impose a *de-facto* situation, under which Palestinians would adapt to the illegal reality imposed by Israel. The Palestinian factions, on the other hand, abided by the lull agreement; no major violation was reported during the first five months. However, the border crossings remained closed increasing the critical, unprecedented deterioration at the humanitarian level. As the lull agreement approached its renewal date, scheduled for 19 December 2008, IOF systematically violated the lull through a wave of repeated attacks in November and December 2008

The first violation of the lull occurred on 6 November 2008, when four Israeli military jeeps moved into the east of Khuza'a village near Khan Yunis, opening fire at a number of Palestinian farmers and international activists while tilling land. On 11 November 2008, IOF moved into the area again and stayed for several hours, during which time they razed arable land.

In another distinctive, systematic escalation, on 12 November 2008, IOF extra-judicially executed four resistance activists in al-Qarara village, east of Khan Yunis. An Israeli infantry unit, backed up by armored personnel carriers and warplanes, penetrated more than 200 meters into the area. These systematic assaults continued in that period, for example IOF again, killed four resistance activists on 16 November 2008 in the east of Gaza City. The four activists of the al-Nasser Salah al-Din Brigades (the military wing of the Popular Resistance Committees), were killed when an Israeli warplane fired a missile at them in the east of al-Shojaeya neighborhood in Gaza City.

These violations escalated as the date set for the renewal of the lull approached. In a new crime of indiscriminate bombing against civilians, IOF killed a civilian in Jabalya

town in the northern Gaza Strip when they fired a surface-to-surface missile at his house near the border strip with Israel. PCHR's investigations confirmed that the victim was watering trees in his garden when an Israeli missile struck the area, dismembering his body. On 4 December 2008, a resistance activist was wounded in Jabalya refugee camp, in the northern Gaza Strip as he was targeted with an air-to-surface missile. His leg was amputated. On 16 December 2008, three resistance activists were wounded, one critically, in Beit Hanoun town in the northern Gaza Strip, after being targeted with two air-to-surface missiles. A woman was also wounded with shrapnel in the attack while she was inside her house located in the area. On 18 December 2008, IOF bombed, with warplanes, a workshop in Khan Yunis in the southern Gaza Strip. It was completely destroyed and nearby houses were heavily damaged.

Ten Palestinians were killed as the end of the lull approached. PCHR believe that Israeli attacks, which were accompanied by the complete closing of all border crossings, were intended as a provocation, aimed at provoking a Palestinian response and, ultimately, the non-renewal of the ceasefire agreement, preparing the ground for the forthcoming offensive; indeed, as Israeli's violations of the ceasefire escalated, Palestinian resistance factions responded with home-made rocket attacks.

As part of creating a proportionate environment of general local, regional and international support for the Israeli offensive against the Gaza Strip, the Israeli government launched a propaganda campaign to mobilize the international public opinion's support and to justify the offensive under invalid claims and the pretext of 'fighting terror'. The Israeli government began mobilizing the support of international actors by portraying the Gaza Strip as an imminent danger

which jeopardized the existence of the State of Israel, in the process disregarding its legal and moral responsibilities under international law. As the occupying power Israel, is responsible for the safety of the civilian population in occupied territory. In the same context, the then Israeli Prime Minister Ehud Olmert and Foreign Minister Tzipi Livini visited a number of regional and international capitals to mobilize support for the offensive against the Gaza Strip.

On 25 December 2008, Olmert addressed the population of the Gaza Strip in a final appeal demanding them to pressurize Hamas to halt rocket firing against Israel, saying “otherwise, I will use power for it.”¹ In conjunction with Olmert’s threats, Foreign Minister Livini, warned on 25 December 2008 during her meetings with Egyptian officials in Cairo that Israel intended to topple the Hamas regime. Such threats were not new; they were part of a pre-planned scheme regardless of the collapse of the lull reached between Israel and Palestinian factions. In the months preceding the lull agreement, Israel had also threatened to wage a military offensive; Israeli Deputy Minister of Defense Matan Vilnaei was quoted by Israeli radio as saying “Israel is about to take a cabinet decision of waging a military wide-scale military campaign against the Gaza Strip.”²

1 An interview with al-Arabiya News Channel, 25 December 2008.

2 An interview for Vilnaei with Netherlands Radio, 8 June 2008.

The Beginning of Air Strikes

On 27 December 2008, nine days after the official end of the lull, Israel began its apparently pre-planned offensive against the Gaza Strip; launching intensive air strikes throughout the territory. On 3 January 2009, IOF expanded their operations, launching a wide scale ground invasion.

Saturday, 27 December 2008

The first day of the offensive was the bloodiest day in the history of the occupation. At around 11:30 a.m. (one of the busiest times of day), virtually simultaneous air strikes – involving approximately 60 Israeli warplanes – were launched throughout the Gaza Strip, focusing on Gaza City. Attacks were directed against security and police headquarters, sites of *Izziddin al-Qassam* Brigades (the armed wing of Hamas), and governmental institutions that provide daily services to the population.

The timing and form of the Israeli air strikes indicate the Israeli intended to cause maximum civilian casualties; the strikes took place during rush hour, coinciding with the changing of the school shifts. This is the time of day when the highest number of civilians, and children in particular, are on the streets of Gaza. The consequences were evident, as noted, this was the single most bloody day in the four decades of Israeli occupation.

According to PCHR's investigations, the sudden bombing of the first day resulted in the death of 334 Palestinians, including 238 police officers, 12 children and 6 women. Chief of police, General Tawfiq Jaber, was among the dead. More than 5,000 school children were shocked and injured by the bombing and air strikes. It was difficult to provide them with appropriate medical and psychological treatment due to the acute shortage in medical services and the state of confusion that followed the bombing.

Sunday, 28 December 2008

For a second consecutive day, IOF continued the bombardment of security posts, public institutions and the civilian facilities (houses, workshops, stores of medicines and media institutions). More than half a million school children were denied access to their schools. IOF bombarded Al-Salateen area in the west of Beit Lahia town wounding 3 civilians; a man, his wife and his son. Israeli warplanes bombed two flats on the 4th and 7th floors of al-Azhar and al-Ta'leem apartment buildings respectively in Tal al-Hawa neighborhood in Gaza City, damaging them heavily. Al-Aqsa Satellite Channel headquarters, located in al-Naser Street, was also bombed. Additionally, Israeli warplanes bombarded a part of the al-Saraya security complex which was also targeted on the first day. The complex contains Gaza Central Prison jail. Al-Burno mosque, located near al-Shifa Hospital in the centre of Gaza City and the Izziddin al-Qassam Mosque in New 'Aabssan village in Khan Yunis were also bombarded. In Rafah town, the municipality building, a medicine store and dozens of sites along the borders with Egypt were bombed.

Bombing Emad Aqil Mosque was one of the most distinctive crimes committed by the IOF that day; around 23:50, the Israeli warplanes bombed the three-story mosque in Block 5 of Jabalya refugee camp. The mosque was completely destroyed as was a nearby house, owned by Anwar Ba'lousha, killing his five children (the youngest is 4 years old). Ba'lousha, his wife and his three other children were injured. The only

one to escape death or injury was his youngest baby (2 weeks old). The victims were evacuated from under the rubble after half an hour of screaming. The victims are: Jawaher, 4; Dina, 8; Samar, 12; Ekram 14; Tahreer 17. Another 17 persons were injured, including 5 children living in nearby houses. The death toll of this day was 23, including 20 civilians. Four victims died of wounds they had sustained during the first day of the offensive.

Monday, 29 January 2008

For the 3rd consecutive day, the IOF continued to attack the Gaza Strip, in complete disregard of the lives of civilians and international humanitarian appeals to stop the use of excessive force against such a densely populated area. Scores of missiles were fired from air and land at residential areas, civilian facilities and mosques located in the nearby targeted areas. Israeli warplanes bombed al-Zawya Mosque in al-Zawya Street in Izbat Abed Rabbu area in the east of Jabalya town. The mosque was completely destroyed.

In another war crime that reflects Israeli disregard for the lives of civilians, at approximately 14:30, Israeli warplanes bombarded a blacksmith workshop owned by Emad Sammour in Zimmu Street in the east of Jabalya town, heavily damaging it. Approximately half an hour after the bombing, Sammour, accompanied by a number of youths, tried to vacate some of the workshop contents, including oxygen cylinders, into a small truck. At approximately 15:20, Israeli warplanes attacked them, killing seven persons, including two children. Four others sustained serious wounds and burns due to the explosion of oxygen-filled pipes that were used in the workshop.

Israeli warplanes also bombarded the laboratories building in

the Islamic University in Gaza. It was destroyed and some of the buildings around were heavily damaged. Moreover, Israeli warplanes bombarded al-Shati School "B" for Girls in al-Shati refugee camp. Israeli warplanes fired two missiles at the house of Raed al-Attar, located in Yebna refugee camp of Rafah. One of the two missiles hit the house directly, destroying it completely. The other missile hit the house of Zyad al-Absy, 500 meters away from al-Attar's, killing 3 of his children while they were sleeping: Sidky 3; Ahmed 12; and Mohammed 14. Al-Absy, his wife and their three other children were wounded. The house, made of asbestos, was completely destroyed. The death toll of this day was 29, including 25 civilians; 15 children of whom were children and two women. This number also includes two Palestinians who died of wounds they had sustained earlier during the offensive.

Tuesday, 30 December 2008

For the 4th consecutive day, amidst an unprecedented escalation, IOF intensified bombardment of civilian facilities, mosques and houses, justifying the attacks by claiming that the targeted objects were affiliated to the Hamas movement. Facts on the ground affirmed that the IOF used excessive lethal force as most of the buildings targeted were public ones and personal belongings located within residential areas. All those who were killed due to successive and intensive air strikes on the fourth day, were civilians. Heavy damages were inflicted upon dozens of houses located in the vicinity of the targeted areas. Warplanes fired a missile against three children from the Hamdan family as they were near their house in al-Sikka Street in the west of Beit Hanoun town. Two sisters were killed and the third was wounded. As part of Israel's targeting of official institutions, warplanes targeted the ministries complex in Tal al-Hawa neighborhood in Gaza City and a post of the Naval police in al-Sheikh Ejleen neighborhood. A second attack was

launched against the ministries complex within half an hour. Israeli warplanes bombed al-Farouq Mosque located in Block 9 in al-Boreij refugee. The mosque was completely destroyed. The warplanes went on bombing the area of the border with Egypt. The death toll of this day was 12, including 9 civilians, of them 3 are children). This number includes 3 Palestinians who died of wounds they had sustained earlier during the offensive.

Wednesday, 31 December 2008

For the 5th consecutive day, the Israeli aerial arsenal, including warplanes, helicopters and drones, all backed by gunboats, continued to launch indiscriminate attacks targeting Palestinian facilities including security facilities, civilian property, houses, schools, mosques, hospitals, municipalities and medical and charitable foundations with no consideration for civilians' safety or the services provided to the public by such institutions.

In an example of the violations of IHL which were to become a fundamental component of the Israeli offensive, IOF bombed an ambulance in Tal al-Rayess area in the east of Gaza City. A physician and a paramedic were killed and the driver was wounded. Israeli warplanes bombed fuel stores in Kherbet al-Adas in the north of Rafah town. The death toll of this day was 12 civilians, including 4 children and two women. Two of the dead succumbed to wounds they had sustained earlier in the offensive.

Thursday, 1 January 2009

On the 6th day of the offensive, IOF continued to attack civilian private and public property. In the latest case of targeting civilian facilities, including mosques, schools and residential

areas, the Israeli warplanes bombed a water tank in the north of al-Nada towers, Abnaa al-balad charitable community in Beit Hanoun and al-Kholafaa al-Rashedeen Mosque in Jabalya due to which the mosque was completely destroyed. Israeli warplanes also bombed ground tunnels located all along the border with Egypt. The bombing caused explosions and tremendous tremors which, in turn, caused heavy damages to the nearby houses. IOF bombed the house of Dr. Nizar Rayyan, located near al-Kholafaa al-Rashedeen mosque in Jabalya. The five-story house of Rayyan 49, a senior leader of Hamas, was completely destroyed. Rayyan, his four wives and 11 children were killed Hayam, 46, Eman, 4, Nawal 40, and Shereen Rayyan, 25 (his 4 wives), and his children: As'ad, 2; Osama, 3; Aisha, 3; Reem, 4; Miriam, 5; Halima, 5; Abdel Rahman 6, Aya 12, Zainab 15 and Ghassan 16. The death toll of this day was 26 Palestinians, including 23 civilians, 15 of whom were children and 5 women. This number also includes one Palestinian who died of wounds he had sustained earlier during the offensive.

Friday, 2 January 2009

For the 7th consecutive day, IOF continued to attack the civilian population. Scenes of widespread destruction emphasized the determined intention to topple all the Palestinians' facilities and life aspects whether by using the sophisticated war machines, including warplanes and artilleries, or the psychological war through air leaflets calling them to leave out their houses. In the Northern Gaza Strip, Israeli warplanes bombed al-Salam Mosque in the east of Jabalya town. The mosque was completely destroyed. In another crime which reflects the Israeli occupation's brutality and its indifference for all moral or legal rules, IOF fired a missile at three children while playing in al-Qarara area in the east of Khan Yunis. The three children, including two brothers, were killed. The third one was directly

hit by the missile, and consequently decapitated. The area is 4 kilometers away from the border with Israel. The death toll of this day was 17 Palestinians, including 15 civilians, 5 of whom were children and 3 women. This number includes also 3 Palestinians who died of wounds they had sustained earlier in the offensive.

Saturday, 3 January 2009

For the 8th consecutive day, IOF warplanes continued to target houses and residential buildings, while naval and land artillery targeted residential communities and agricultural lands. The Northern Gaza Strip and Gaza City witnessed the most violent attacks launched since the beginning of the offensive. Israeli warplanes bombed the American International School of Gaza in the west of Beit Lahia. IOF bombed a mosque in Jabalya town at prayer time. Fifteen Palestinian civilians were killed. At around 17:20 PM an Israeli warplane fired a missile at the western entrance of Ibrahim al-Maqadma Mosque in the north of Jabalya town, killing 15 worshipers.

In the evening, Israeli land forces moved into the Gaza Strip from the north, middle, and south. Israeli vehicles and troops rolled into the northern Gaza Strip from a number of directions, covered by intensive shelling and Israeli warplanes. IOF penetrated into the east of al-Zaytoun, al-Tuffah and al-Shojaeya neighborhoods of Gaza City. Artillery and aerial bombardment targeted residential areas and agricultural land located along the border with Israel.

The bombing killed 13 Palestinians, 9 of whom were civilians, including 3 children and 3 women. All were killed inside their houses after being shelled by Israeli tanks. IOF rolled into eastern Rafah town in the vicinity of Gaza International Airport amidst intensive shelling of houses and agricultural

lands. Due to the shelling, a huge number of Palestinians were forced to leave their houses. The death toll of this day was 32 Palestinians, including 24 civilians; 8 children and 1 woman.

Land Invasion

After 8 days of continued, intensive land, sea and air bombardment, IOF expanded their military offensive by launching a ground operation. IOF ignored all international appeals, both official and public, to stop the offensive. On Saturday 3 January 2008, IOF ground troops, which had been mobilizing along the northern and eastern border of the Gaza Strip since the beginning of the offensive, started to rush deeper into the Gaza Strip from the north, south and center under cover of heavy fire from the land, air and sea. IOF partitioned the Gaza Strip into separate zones, and moved hundreds of meters into residential areas in Gaza City, the northern Gaza Strip and other areas.

Sunday, 4 January 2008

On the 9th consecutive day of the offensive, IOF escalated attacks in the Gaza Strip. In conjunction with the ground operation, this day witnessed indiscriminate bombardment of residential areas from the air, land and sea. The northern areas, particularly Gaza City, witnessed the most violent, intensive, and brutal bombing in the history of the Gaza Strip, prompting the migration of thousands of Palestinian civilians seeking shelter. IOF advanced slowly destroying and clearing houses so as to make paths for advancing troops. In some cases, houses were destroyed while civilians were inside. In addition, PCHR received testimonies that many civilians were used as human shields; a war crime. Areas of friction, especially al-ʿAtatra and al-Salateen areas, al-Nada tower buildings and the western and northern parts of Beit Lahia town were subjected to heavy fire from heavy machine guns and artillery. As a result, a high number of deaths and casualties was reported among unarmed civilians; entire families passed away. In the meantime, air strikes continued; IOF bombed ʿOmar Ben ʿAbdul ʿAziz Mosque in Beit Hanoun town. The mosque was completely destroyed and a number of nearby houses were damaged.

In another vicious crime, IOF bombed a crowd of Palestinians near Abu ʿObaida Ibn al-Jarrah School in Beit Lahia town in

the northern Gaza Strip. When people rushed to evacuate the wounded, IOF bombarded the area again killing nine Palestinians. At noon, IOF killed 4 Palestinians, including 3 children, when they were atop of a house belonging to the al-Nemer family in al-Zaytoun neighborhood in the east of Gaza City. A shell hit the roof of the houses. Other areas in the central Gaza Strip witnessed displacement of families from Juhor al-Dik area, al-Mughraqa village and al-Zahra town as IOF deployed there, cutting off the southern Gaza Strip from the north. As a result, UNRWA turned its schools into shelters for the displaced families. IOF warplanes fired a missile at a group of Palestinians in al-Shouka village in the east of Rafah town in the southern Gaza Strip, killing five, including a father and his three sons, 2 of whom are children. The death toll of this day was 101 Palestinians, including 84 civilians; 31 children and 4 women. This number also includes 3 Palestinians who died of wounds they had sustained earlier in the offensive.

Monday, 5 January 2009

In the 10th consecutive day of the offensive, IOF land troop advanced towards residential areas. IOF troops turned houses into military sites – in some instances holding the population inside as human shields – and shot at any individuals who approached. In Gaza City, an IOF warplane bombed a house belonging to Rizq Abu ʿEisha in al-Shati refugee camp in

the west of the city, killing a number of his family members. Three children from the al-Sammouni family, including two brothers, were also killed. At night, IOF bombed a house belonging to the 'Olaiwa family in al-Jdaida area in al-Shojaeya neighborhood in Gaza City, killing a woman and her 4 children. IOF also bombed al-Saraya governmental complex in Gaza City, due to which a number of nearby houses were destroyed.

In the central Gaza Strip, IOF fired five artillery shells at the central market and a residential area in block 4 in the middle of al-Boreij refugee camp. Five Palestinians, including two children were killed, three of whom were from the Jbara family. 110 Palestinians were killed on this day, including 98 civilians; 36 children and 16 women. This number includes also 7 Palestinians who died of wounds they had sustained earlier in the offensive.

Tuesday, 6 January 2009

For the 11th consecutive day, IOF continued to violate fundamental principles of IHL. Continuing the series of horrible crimes against innocent civilians, IOF tanks stationed to the east of Jabalya fired 4 shells at Jabalya refugee camp, one of which fell in the vicinity of al-Fakhoura school which had been turned into a shelter for the families who left their houses in Beit Lahia. As a result, 27 Palestinians, including 8 children, were killed. The dead included two sisters, and a father with his son. Additionally, 50 others were wounded, some critically. An IOF warplane fired a missile at a UNRWA-run school in al-Shati refugee camp, killing three Palestinians from the al-Sultan family. Another warplane bombed a 4-story house belonging to the al-Daya family in al-Zaytoun neighborhood in the east of Gaza City, killing the father, and his two sons, grandson and daughter-in law.

In the context of expanding the offensive against the Gaza Strip, IOF stepped up their ground operation by moving into the south of Gaza Strip. In the early morning, IOF, backed by tanks and military bulldozers, moved into the east of al-Qarara village, al-Zanna area, and 'Abasan al-Jadeeda and Khuza'a villages amidst intensive shelling. IOF, covered with warplanes, partially or completely demolished 30 houses, mostly in Abu Tu'aima quarter. IOF killed a number of Palestinian resistance activists in the southwest of Deir al-Balah where the activists clashed with an IOF undercover unit, covered by warplanes and gunboats. Ten Palestinians were killed and 10 others wounded. IOF's indiscriminate, heavy gunfire at Palestinians inside houses, aerial bombardment of houses, firing missiles at any mobile objects and firing artillery shells at civilians continued. The entire Gaza Strip became a target, including UNRWA shelters, central markets, residential communities and mosques. There was a sharp increase in the number of victims; entire families were killed, civilians were extra-judicially executed, houses were destroyed (some with civilians inside) and detainees were kept in rooms with the dead. The death toll of this day was 118 Palestinians, including 106 civilians; 41 children and 21 women. This number also includes 7 Palestinians who died of wounds they had sustained earlier during the offensive.

Wednesday, 7 January 2009

For the 12th consecutive day, IOF had continued their offensive on the Gaza Strip, increasing the total number of deaths and casualties. IOF bombed houses in al-Atatra area, killing three brothers from the al-Ashqar family. They also killed three sisters from the 'Abed Rabbu family in the east of Jabalya. An IOF drone fired a missile at a car driving in Beit Lahia, killing five passengers, all from the same family. In Gaza City, IOF warplanes targeted a crowd of Palestinians near al-

Taqwa Mosque in Sheikh Radwan neighborhood, killing 5, including 4 children. IOF also bombed the vicinity of Mus'ab Ibn 'Oair Mosque, killing two Palestinians. In the southern Gaza Strip, UNRWA turned two schools in al-Qarara and 'Abasan villages into shelters for the families who left houses due to the bombing and incursions. IOF warplanes bombed the border between the Gaza Strip and Egypt in the south of Rafah, dropping an average of one bomb every 5 minutes. Many houses and tunnels located along the border with Egypt were destroyed. IOF dropped leaflets from the air demanding the population to evacuate their houses by Thursday, 8 January 2009. The death toll of this day was 62 Palestinians, including 43 civilians; 12 children and 5 women. This number also includes 7 Palestinians who died of wounds they had sustained earlier in the offensive.

Thursday, 8 January 2009

For the 13th consecutive day, IOF had continued their full-scale offensive on the Gaza Strip; more Palestinian civilians were killed and more civilian facilities were destroyed. Medical crews of the Palestine Red Crescent Society, in coordination with the ICRC, were able to recover 4 corpses from al-Atatra area. Those victims had been killed earlier during the offensive, but could not be reached as IOF obstructed humanitarian access. IOF willfully targeted Palestinian civilians, including medical crews. In Beit Lahia town, IOF warplanes attacked a number of Palestinians near al-Salam Mosque killing three of them. In the meantime, IOF continued their ground operations in the Gaza Strip. In the early morning, IOF moved into the east of al-Qarara village, north of Khan Yunis. In Rafah, IOF warplanes continued to bombard the border between the Gaza Strip and Egypt. The death toll of this day was 33 Palestinians, including 22 civilians; 8 children and 3 women. This number includes also includes

3 Palestinians who died of wounds they had sustained earlier during the offensive.

Friday, 9 January 2009

IOF had continued their offensive on the Gaza Strip for the 14th consecutive day, killing more Palestinian civilians and destroying more houses and civilian facilities. The number of civilian deaths continued to rise due to the use of excessive force by IOF and their disregard for the lives of civilians, in violation of IHL and international law. IOF warplanes bombed a 2-story house belonging to Fayez Mohammed Salha near al-Rebat Mosque in Beit Lahia. Six members of the Salha family were killed while trying to flee from the house, after a warning missile was launched. Six minutes after the warning missile, an IOF fighter jet dropped a bomb on the house, which led to the complete destruction of the house and the death of Salha's wife, his four children and his sister-in-law. In Gaza City, IOF warplanes bombarded the police headquarters, the roof of al-Jawhara apartment building and a flat in al-Sousi apartment building. In the central Gaza Strip, IOF warplanes and gunboats bombed houses in al-Qura'an area, west to al-Zawaida village. As a result, 7 civilians were killed and 23 others, including 4 children and 5 women, were wounded. IOF warplanes also bombarded al-Furqan Mosque in Deir al-Balah. On this day, IOF withdrew from the east of al-Qarara village and the bodies of a number of Palestinians were found in the area. In Rafah, IOF warplanes continued to bombard the border between the Gaza Strip and Egypt. The death toll of this day was 46 Palestinians, including 36 civilians; 12 children and 5 women.

Saturday, 10 January 2009

For the 15th consecutive day, IOF continued their all-out

offensive against the Gaza Strip. More unarmed civilians were killed. Gaza City and the northern Gaza Strip witnessed the most violent strikes. IOF continued to bombard houses and civilian property day and night. The offensive was accompanied by an exacerbated humanitarian crisis due to acute shortages in water, electricity and food supplies.

IOF escalated the offensive in spite of the UN Security Council resolution issued on 9 January 2009 calling for a ceasefire in Gaza. IOF paid no consideration for the said resolution and even threatened to expand the offensive. IOF warplanes and tanks attacked houses adjacent to Jabalya court. An artillery shell fell onto a house belonging to Jouda 'Abed Rabbu, killing six family members, including two children and two brothers. Another civilian from the Hussein family was also killed and another was wounded. In the central Gaza Strip, IOF warplanes bombarded al-Safa Mosque in al-Boreij refugee camp. In the southern Gaza Strip, IOF warplanes bombarded the northern force of the European Gaza Hospital in the southeast of Khan Younis. IOF troops stationed at borders at the border between the Gaza Strip and Israel shelled houses located in the east of Khuza'a town of Khan Younis with white phosphorous. The death toll of this day was 41 Palestinians, including 35 civilians; 11 children and 4 women. This number includes also two Palestinians who died of wounds they had sustained earlier in the offensive.

Sunday, 11 January 2009

For the 16th consecutive day, IOF continued their open offensive against the Gaza Strip. In the northern Gaza Strip, IOF warplanes bombed a number of Palestinians who were near their houses in al-Ghboun area and in the vicinity of Oly al-Azm Mosque in Beit Lahia, killing 5 children, including two sisters, and wounding 7 others from the Ghaben family. IOF

fired a missile at al-Karama apartment buildings in the west of Jabalia. The missile fell near the houses so Palestinian civilians living in the area fled. While they were leaving, another missile was fired, killing four Palestinians: a man, his wife, his son and an elderly woman. During this day, IOF expanded their ground operations advancing more towards towns, villages, and residential communities, killing more civilians and destroying more civilian facilities. In the early morning, violent armed clashes erupted between the Palestinian resistance activists and IOF in Sheikh 'Ejleen and Tal al-Hawa neighborhoods in the south of Gaza City. During these clashes, 11 Palestinian resistance activists were killed. In the southern Gaza Strip, IOF moved into al-Najjar and Abu Tu'aïma neighborhoods in the east of Khuza'a village amidst a barrage of white phosphorous bombs which exploded and scattered into burning fragments. IOF fired a number of missiles at al-Fadeela Orphanage, which includes a private elementary school inside, Dar al-Da'wa College for Human Sciences, a computer center and Dar al-Fadeela Mosque, in Kherbat al'Adas neighborhood in the northeast of Rafah; the building was completely destroyed. IOF warplanes bombarded the border between the Gaza Strip and Egypt, south of Rafah. The death toll of this day was 43 Palestinians, including 30 civilians; 14 children and 4 women. This number also includes 3 Palestinians who died of wounds they had sustained earlier in the offensive.

Monday, 12 January 2009

For the 17th consecutive day, IOF had continued their full-scale offensive against the Gaza Strip. Gaza City and the northern Gaza Strip, where ground operations were taking place, were subjected to the most violent strikes; the majority of incursions, were focused on these areas. The unprecedented killing of children was a main feature of this offensive, along with the dramatic increase in destruction inflicted upon the

public and private facilities. In the northern Gaza Strip, IOF bombarded the Interior Ministry. Israeli warplanes fired a missile against a Volks Wagen car in al-Alamy area of Jabalya, killing three Palestinians; the car driver and two children. The Israeli artillery bombarded a residential building owned by al-Banna family, killing three Palestinians, including two brothers. Al-Andalos apartment building, in the southwest of Jabalya, was targeted with three missiles. IOF, backed up by tanks, military bulldozers and warplanes, moved into the east of Khuza'a amid violent bombardment with smoke and incendiary bombs. Israeli troops stormed houses, turning them into military sites. Hundreds of Palestinians had to vacate their houses while others were detained inside houses due to the heavy bombardment. The high number of victims, especially children and women, is a strong indicator of the use of excessive force in violation of IHL. The death toll of this day mounted to 39 Palestinians, including 19 civilians; 5 children and 3 women. This number also includes 3 Palestinians who died of wounds they sustained earlier in the offensive.

Tuesday, 13 January 2009

For the 18th consecutive day, IOF continued their full-scale offensive against the Gaza Strip, targeting civilians and their property in blatant disregard for IHL and under international silence. IOF divided the offensive into stages amidst threats to expand land invasions into centers of towns and densely-populated areas. Vast areas of public and private lands were razed, hundreds of civilians were displaced, while others were detained under harsh conditions. Additionally, IOF arrested many Palestinian civilians and placed them in detention centers at the northern border of the Gaza Strip or in Israeli jails. Various areas throughout the Gaza Strip were subjected to IOF incursion, including the al-Karama apartment buildings and the Aamer housing project in the west of Jabalya.

These incursions were conducted amidst intensive gunfire, artillery shelling and clashes with Palestinian resistance activists; 13 activists were killed. In Gaza City, IOF targeted two hotels; al-Jazeera and Shihab Palace near Gaza Seaport. In Khuza'a village in the southern Gaza Strip, IOF detained Palestinians inside houses amidst oppressive and humiliating circumstances and demolished houses with families inside. High numbers of Palestinians rushed into UNRWA shelters creating a new humanitarian crisis and recalling the tragic era of forcible migration of Palestinian civilians by IOF in 1948. The death toll of Palestinians on this day was 64, including 40 civilians; 14 children and 4 women. This number includes also one Palestinian who died of wounds he had sustained earlier during the offensive.

Wednesday, 14 January 2009

For the 19th consecutive day, IOF continued its all-out offensive against the Gaza Strip, targeting the civilians and their property. Northern Gaza Strip and Gaza City came under intensive land, sea and air bombardment. In al-Atatra area, to the west of Beit Lahya, Palestinian paramedics found four decomposed bodies; a father and his three sons. In Gaza City, Israeli warplanes bombarded the al-Sheikh Radwan cemetery, al-Yarmouk Market, a flat in al-Maqoussy apartment building and a UNRWA car. 22 bodies were recovered, including five children and five women, all members of the al-Sammouni family. In the southern Gaza Strip, IOF, backed by tanks and military personnel carriers penetrated into al-Fukhari area in the south-east of Khan Younis amid violent, intensive artillery shelling.

IOF invaded the vicinity of Rafah international crossing point in Rafah town, and penetrated into al-Shoka town in the east of Rafah. During the incursion, IOF stormed houses, forcing the

inhabitants to leave Rafah. The death toll of this day mounted to 52 Palestinians, including 38 civilians; 12 children and 4 women. This number also includes one Palestinian who died of wounds he had sustained earlier during the offensive.

Thursday 15 January 2009

IOF continued their full-scale offensive on the Gaza Strip. In the northern Gaza Strip, IOF artillery shelled the vicinity of the Ministry of Education to the north of Sheikh Zayed Housing Town. Five civilians (two women and three children) were killed as a result. Additionally, IOF artillery targeted members of the al-Na'ouq family in al-Juron area in the east of Jabalya town. Four civilians, including a father and two of his sons, were killed. IOF warplanes also fired a missile at three Palestinian resistance activists near al-Karama apartment buildings west of Jabalya, killing all of them.

At least 40 IOF military vehicles moved into the east of Beit Hanoun town. They isolated al-Ferta and al-Nazzaza areas and called through megaphones on at least 20 families living in the area to leave their houses. In Gaza City, IOF targeted a group of civilians near the Islamic Compound in al-Sabra district. The targeted civilians were fleeing their houses in al-Sabra neighborhood after being attacked. As a result, 4 civilians were killed. IOF artillery targeted a house belonging to 'Adel al-Jadba in al-Tufah neighborhood northeast of Gaza City. Three of al-Jadba's children and a fourth civilian were killed. An IOF helicopter gunship bombarded the office of the Holy Quran Radio on the tenth floor of the Palestine building in al-Remal neighborhood in the center of Gaza City. The Gaza Information Center, located on the seventh floor of the al-Shorooq building in al-Remal neighborhood in the center of Gaza City was intensely shelled; the building contains the offices of Abu Dhabi satellite channel; Sky News

and Fox News.

IOF shelled the UNRWA headquarters in Tal al-Hawa neighborhood; some of the munitions contained white phosphorous. As a result, the meeting hall, warehouses and a number of vehicles were heavily damaged. An IOF tank also fired a shell at civilians trying to flee the al-Saleh building; four civilians from the al-Haddad family, including a child, were killed and one was wounded. The bodies of three members of the al-Qerem family were brought to Shifa Hospital in Gaza City; the civilians were killed when IOF fired an artillery shell that landed on their house in al-Sabra district in Gaza City. IOF tanks shelled al-Hedaya Mosque in Tal al-Hawa neighborhood and al-Sahwa Mosque in al-Sena'a Street. The minaret of al-Hedaya Mosque was destroyed and the al-Sahwa Mosque was also damaged. IOF also fired artillery shells at Balqis Secondary School and the Rosary Sisters School.

IOF began to launch attacks on buildings within the compound of the Palestinian Red Crescent Society (PRCS). IOF fired an artillery shell at the al-Quds Hospital pharmacy that belongs to the PRCS. Several hours later, IOF continued their attacks and air raids on the PRCS compound, a vital medical establishment in Gaza. The al-Quds Hospital and other PRCS buildings were subsequently set alight as a result of the use of white phosphorous, the Ambulance and Emergency building, the Folklore Center, the Conferences Center and other PRCS buildings were damaged. IOF attacks also completely destroyed a number of PRCS ambulances.

In the evening, IOF extra-judicially executed Sa'id Siam, a senior leader of Hamas, a member of the Palestinian Legislative Council and Minister of Interior in Gaza. The attack also killed Siam's son, brother, sister-in-law and nephew, as well as 5 members of the Eslim family. In the southern Gaza

Strip, IOF tanks positioned at the eastern border of the Gaza Strip shelled Palestinian residential and agricultural areas in al-Qrara, 'Abassan and Khuza'a villages, east of Khan Yunis. IOF warplanes also dropped 3 incendiary bombs, believed to be white phosphorous, at the vicinity of the College of Science and Technology. In Rafah, IOF warplanes bombarded al-Abrar Mosque in al-Shaboura refugee camp. The death toll of Palestinians on this day was 94, including 65 civilians; 18 children and 7 women. This number includes also 7 Palestinians who died of wounds they had sustained earlier during the offensive.

Friday, 16 January 2009

IOF continued their offensive against the Gaza Strip for the 21st consecutive day. In the northern Gaza Strip, an IOF warplane fired a missile at a number of Palestinian civilians in Beit Lahia town; 4 members of the 'Atiya family, including two children, were killed. IOF also shelled a house belonging to Dr. 'Izziddin Abu al-'Eish, killing 4 members of the family, including 3 of Dr. Abu al-'Eish's daughters. In Gaza City, IOF attacked residential areas, including Tal al-Hawa neighborhood. They fired tanks shells and white phosphorous bombs at houses and civilian objects, killing a number of Palestinian civilians. An IOF warplane also fired a missile at a wake tent in al-Shoja'eya neighborhood in the east of Gaza City, killing 10 civilians.

In the central Gaza Strip, an IOF warplane fired a missile at a house belonging to 'Eissa 'Abdul Hadi al-Batran, killing his wife and 5 children. In Khan Yunis, IOF warplanes bombarded the police headquarters. IOF troops positioned in al-Fukhari area in the southeast of Khan Yunis opened fire at a civilian vehicle, in which a father and his two sons from the Shurrab family were traveling. The two sons were wounded and bled to death over

a number of hours; Israeli soldiers stationed nearby offered no assistance. In Rafah, IOF warplanes bombarded the border strip between the Gaza Strip and Egypt. The death toll of Palestinians on this day was 48, including 35 civilians; 16 children and 3 women. This number also includes 4 Palestinians who died of wounds they had sustained earlier during the offensive.

Saturday, 17 January 2009

IOF continued their offensive against the Gaza Strip for the 22nd consecutive day, attacking UNRWA shelters, as well as medical, civil defense and media crews; white phosphorous continued to be used against residential areas. In the northern Gaza Strip, an IOF warplanes bombarded a water well of the Municipality of Beit Hanoun in Abu Ghazala quarter in the east of Beit Hanoun, and thr al-Karama apartment buildings and Taha Mosque in Jabalya.

IOF shelled the UNRWA School in Beit Lahia using conventional and white phosphorous shells; at least 320 families had taken shelter after fleeing their homes. As a result, fire broke out in a number of classrooms and two children were killed. Another 36 civilians were also wounded, including the mother of the two dead children, who lost her hand and suffered extensive burns. In addition, fire broke out in a number of nearby houses.

In the central Gaza Strip, IOF tanks moved into al-Zahra town and al-Mughraqa village under cover of intense shelling. In Rafah, IOF stationed in al-Shouka neighborhood destroyed 9 villas belonging to the Islamic Bank. The death toll of Palestinians on this day was 22, including 17 civilians; 8 children and two women. This number also includes 3 Palestinians who died of wounds they had sustained earlier during the offensive.

Sunday, 18 January 2009

In the early morning of Sunday, 18 January 2009, Israel declared a unilateral ceasefire, while maintaining its military presence in the Gaza Strip. IOF redeployed outside Palestinian communities, but they continued to control the road that extends from al-Mentar (Karni) crossing in the east to the beach in the west, south of Gaza City, cutting off Gaza City and the northern Gaza Strip from other areas to the south. PCHR field workers who visited several areas throughout the Gaza Strip, especially Gaza City, the north and the Egyptian border reported extensive devastation and destruction, particularly to civilian objects and vital infrastructure.

Medical and civil defense crews continued to pick up decayed corpses from areas that had been invaded by IOF, recovering 21 corpses. IOF warplanes continued to fly over the Gaza Strip, while IOF military vehicles that had redeployed outside residential areas continued to fire at Palestinian civilians, especially those who live in border areas. The death toll of Palestinians on this day was 33, including 26 civilians; 6 children and 7 women. This number also includes two Palestinians who died of wounds they had sustained earlier during the offensive.

IOF redeployed outside the areas they had invaded, but they continued to remain in the Gaza Strip territory until Wednesday, 21 January 2009. Following their withdrawal from the Gaza Strip, IOF established a security zone along the border between the Gaza Strip and Israel restricting Palestinian civilians access to houses and agricultural areas located along the border.

Thus, the military operation in the Gaza Strip was terminated without an official declaration of an end for the war against

the Gaza Strip. The offensive resulted in many deaths and casualties among Palestinian civilians and extensive destruction to civilian facilities and property. According to PCHR's documentation, 26 Palestinians died of wounds they had sustained during the offensive in the days that followed the end of hostilities. In total, 1,413 Palestinians, including 1,177 civilians and non-combatants, were killed. 922 unarmed civilians were killed, including 313 children and 118 women. 255 police officers who were not involved in hostilities and who are protected as civilians under IHL were also killed.

War Crimes and Others Violations of International Humanitarian Law and International Human Rights

The latest Israeli offensive against the Gaza Strip resulted in large numbers of civilian deaths, and extensive destruction to civilian objects. Given the serious allegations of war crimes, and other violations of international law, the offensive must be analyzed from a legal perspective.

IHL is a legal framework regulating the conduct of hostilities in times of armed conflict. This framework includes the four Geneva Conventions of 1949, the two Additional Protocols, and customary IHL. IHL intends to limit the suffering of war, and to protect civilians from the effects of hostilities as far as possible. To this end, civilians and civilian objects are accorded explicit protections, while legal obligations regulate the conduct of armed forces and groups. Attacks are thus, *inter alia*, limited by the requirement of 'military necessity', a concept which refers to the basic measures necessary for achieving specific military objectives. However, this does not imply that armed forces or groups are free to wage war as they choose, rather all military operations must be conducted in accordance with the laws and customs of war; any force that exceeds the minimum necessity is considered illegal.³ All laws related to military operations, including the conduct of armed forces, are based on this principle.

The 1949 Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War is a cornerstone of IHL. It offers explicit and extensive protections to civilians and civilian objects, and regulates the conduct of Occupying Powers.

The Israeli offensive against the Gaza Strip is classified as an international armed conflict. Consequently, IOF operations in Gaza are regulated by, *inter alia*, the Geneva Conventions of 1949, the Hague Regulations of 1907, and customary IHL. Israel has not ratified the Additional Protocols to the Geneva Conventions, however it remains bound by those provisions which form part of customary IHL.

IHL sets out specific regulations governing the principle of distinction (between civilians and civilian objects and combatants and military objectives), the required precautions

in attack, and legitimate methods and means of warfare.

Israel has not ratified Rome Statute of the International Criminal Court (ICC), yet is used as a reference in this report. The Statute contains the most comprehensive single definition of war crimes, all of which constitute violations of customary international law and are universally prohibited.

War crimes are serious violations of IHL, in order to prevent the commission of these crimes, it is essential that the rule of law be upheld. All those accused of committing war crimes, must be investigated, prosecuted, and tried in accordance with international legal standards. Judicial redress is essential, not only to ensure victims' legitimate rights to effective judicial remedy, but to combat impunity and to promote accountability. If the rule of law is to be relevant, it must be enforced. Those who commit war crimes and

³ ICRC, comment on Protocols Additional to the Geneva Conventions of 1949.

other violations of IHL, must not be allowed to do so with impunity.

This section presents a simple explanation of the core principles of IHL, including the principle of distinction, legitimate methods and means of warfare, the prohibitions on destruction of property and collective punishment, and the special protection afforded to medical workers.

Principle of Distinction

The Principle of distinction is a basic component of IHL. In order to effectively protect civilians and civilian objects, the principle of distinction requires that they must, at all times, be distinguished from combatants and military objectives. Combatants are members of the armed forces of a party of a conflict, whereas civilians are all non-combatants; this category includes persons who are not members of the armed forces, as well as medics, chaplains and so on. Civilians and non-combatants enjoy explicit protection under IHL; they are granted immunity from attack, and so cannot be directly targeted and all necessary measures must be taken to ensure their protection.⁴ However, civilians lose this explicit protection for such time as they directly participate in hostilities.⁵

Directly participation in hostilities refers to specific hostile acts taken against enemy forces. This is a temporally distinct concept; civilians participating directly in hostilities only lose their protection from attack for the duration of each specific act, while members of an organized armed group lose their protection for so long as they perform a continuous combat function. The concept of continuous combat function

distinguishes members of an organized armed group from “civilians who directly participate in hostilities on a merely spontaneous, sporadic, or unorganized basis”. Significantly, it also excludes those civilians “who assume exclusively political, administrative, or other non-combat functions.”

The principle of distinction, and the associated immunity from attack, extends to include civilian objects. Civilian objects are negatively defined as all non-military objectives, i.e. all objects whose nature, location, purpose or use does not make an effective contribution to military action, and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, does not offer a definite military advantage. The direct targeting of civilian objects is a war crime, as defined in Article 8(2)(b)(ii) of the Statute of the ICC.

It must be emphasized that, in cases of doubt as to the status of civilians or civilian objects, they must be presumed to be civilian, and thus cannot be attacked.

Israel, has consistently described Hamas as a terrorist organization, classifying all members as legitimate military targets. PCHR believe that this classification is inconsistent with the requirements, and purpose, of IHL, and is thus illegal. Hamas is a multi-faceted organization, exercising *de facto* governmental control of the Gaza Strip. As an organization, it cannot be considered an armed group. Rather, a distinction must be made between Hamas’ armed and political/civil components. The *Izz ad-Din al-Qassam* Brigades are the military wing of the Hamas organization, they are an armed group, and are considered as combatants according to IHL. However, Hamas’ political and civil wings are comprised of civilians, who are legally entitled to the protections associated with this status, provided they do not take an active part in

⁴ ICRC, IHL, Article 15 (2005).

⁵ ICRC, IHL, Article 6 (2006).

hostilities. Although some members of the police force were also members of the *Izz ad-Din al-Qassam* Brigades, it is clear that membership of the Brigades was neither compulsory nor automatic. Equally, while certain individual members of the police may have directly participated in hostilities, consequent to their role in the *Izz ad-Din al-Qassam* Brigades, these acts were not attributable to the police. The police force as a whole was neither a member of the armed forces, nor an organized armed group, rather it was civilian, engaged in carrying out the traditional functions of a civilian police force, such as the maintenance of public order. The classification of the entire police force as legitimate military targets was thus illegal, having no basis in international law.

The same logic applies to governmental officials; they are not members of the armed forces and cannot be classified as combatants. Attacks intentionally directed against these individuals constitute wilful killing, a grave breach of the Geneva Conventions, and a violation of customary international law. Equally, public authority buildings, such as municipalities, governorates, governmental offices, police stations, legislative buildings, and so on, are regarded as protected property. It is apparent that some buildings may be regarded as ‘dual use’ objectives: i.e. though ostensibly civilian, they may be temporarily adopted for military purposes.⁶ However, it is clear that in case of doubt – given the core purpose of IHL – such objects must be presumed to serve civilian purpose. The destruction by an Occupying Power of non-military objects is illegal, unless rendered absolutely necessary by military operations.

Methods and Means of Warfare

The methods of warfare may be said to refer to the manner

⁶ As military head quarters, troop hostels, and so on.

in which hostilities are conducted, i.e. target selection. The means of warfare refers to the actual weapons used to destroy a target. It must be stressed that, in case of doubt, the safety of the civilian population, which comes to the core of IHL, must be taken into consideration; “In any armed conflict, the right of the Parties to the conflict to choose methods or means of warfare is not unlimited.”⁷

Indiscriminate Attacks and the Principle of Proportionality

Customary IHL defines indiscriminate attacks as those:

- a) which are not directed against a specific military objective;
- b) which employ a method or means of combat which cannot be directed at a specific military objective; or
- c) which employ a method or means of combat the effects of which cannot be limited as required by international humanitarian law;⁸

Indiscriminate attacks violate the principle of distinction and as such constitute ‘wilful killing’, a grave breach of the Geneva Conventions, they are also war crimes.

For example, the artillery bombardment of a residential area containing combatants is indiscriminate, as it is impossible to direct such bombardment at a specific military objective. Equally, the use of a two tonne bomb to destroy a single building is indiscriminate, as it is inevitable that the effects will be very extensive and will annihilate or damage nearby

⁷ Art 35(1) Additional Protocol 1 to the Four Geneva Conventions of 1949, and International Committee of the Red Cross, *Customary International Humanitarian Law*, Rule 17 (2005).

⁸ International Committee of the Red Cross, *Customary International Humanitarian Law*, Rule 12 (2005).

buildings, while a less powerful missile would suffice to destroy the objective. The use of white phosphorous in residential areas is also indiscriminate, given its known effects, the danger to the civilian population, and the availability of less harmful alternatives.

IHL strikes a balance between military necessity and the requirements of humanity. This balance is imprecise, and so the principle of proportionality is utilised to determine where the limits of acceptable conduct lie. It must be emphasised that the principle of proportionality is intended merely to clarify ambiguity; an attack cannot be justified on grounds of proportionality if it violates other aspects of IHL.

Proportionality is concerned with the incidental effects which attacks may have on non-military objectives. A number of factors contribute to the proportionality equation, as detailed in the commentary to Article 57 of Additional Protocol I. A clear example of a disproportionate attack would be an attack on an individual militant which resulted in the death of numerous civilians.

PCHR allege that Israel's conduct of hostilities in the Gaza Strip violated both the principle of distinction, and the principle of proportionality. As detailed in this report, IOF launched indiscriminate attacks in heavily populated residential areas, and used weapons in an indiscriminate manner. These actions constitute grave breaches of the Geneva Conventions, and war crimes. Additionally, given the wide spread evidence of IHL violations, Israel's conduct of hostilities may constitute a crime against humanity.

Extensive Destruction of Property

Article 53 of the Fourth Geneva Convention prohibits an

Occupying Power's destruction of real or personal property belonging either to private persons, public authorities, social or cooperative organisations, or the State. This prohibition is subject to a single exception: such property may be destroyed if "rendered absolutely necessary by military operations". Though it is for the Occupying Power to judge the importance of military requirements, article 53 must be interpreted in light of the principle of proportionality: military advantage must be weighed against the damage done. It must be stressed that IHL requires that any destruction be absolutely necessary, it is illegal to launch an attack which only offers potential or indeterminate advantages.

Additionally, customary IHL prohibits "attacking, destroying, removing or rendering useless objects indispensable to the survival of the civilian population".⁹ This prohibition necessarily protects agricultural areas, and drinking water installations. Such objects are highly unlikely to be used solely for the benefit of military forces, and must be protected to the greatest extent possible.

The extensive destruction of property not justified by military necessity constitutes a grave breach of the Geneva Conventions, and is recognised in the Rome Statute as a war crime.

Collective punishment

Customary IHL and Article 33 of the Fourth Geneva Convention prohibit collective punishments: simply put, it is a basic concept in law that no person should pay for another's crimes. Such punishment does not refer to punishments imposed as a result of penal law, but rather to penalties of any

⁹ International Committee of the Red Cross, *Customary International Humanitarian Law*, Rule 54 (2005).

kind inflicted on persons, or groups of persons, in defiance of the most elementary principles of humanity. The continuing siege of the Gaza Strip, now in its 22nd month, must be considered a form of collective punishment indiscriminately inflicted upon the civilian population. The siege marks the first time in history that an occupied population has been besieged.

Medical Crews and Units

Customary IHL and the Fourth Geneva Convention explicitly protect medical units and medical personnel. Such protection is in keeping with the core principles of IHL, namely that those not taking an active part in hostilities must be spared its effects. Article 18 of the Fourth Geneva Convention states simply that: “Civilian hospitals organized to give care to the wounded and sick, the infirm and maternity cases, may in no circumstances be the object of attack but shall at all times be respected and protected by the Parties to the conflict.” Article 20 of the Convention states: “Persons regularly and solely engaged in the operation and administration of civilian hospitals, including the personnel engaged in the search for, removal and transporting of and caring for wounded and sick civilians, the infirm and maternity cases shall be respected and protected.” Article 16 of the Convention states: “The wounded and sick, as well as the infirm, and expectant mothers, shall be the object of particular protection and respect.”

Given the potential for abuse inherent in these protections, Article 19 of the Fourth Geneva Convention notes that the protections afforded to civilian hospitals cease if they are used for military purposes. Such purposes include the storage of arms, the shelter of able bodied combatants, and so on. However, protection may only cease after due warning has been given, including a reasonable time limit.

As non-military objectives, medical units and medical personnel are regarded as civilian and protected as such. Their direct targeting is in violation of the principle of distinction and constitutes a grave breach of the Geneva Conventions, and a war crime.

Crimes against Humanity

Crimes against Humanity are prohibited by a jus cogens norm of international law. They are among the most serious crimes of concern to the international community as a whole, and are straight forwardly illegal with no permissible exceptions. Individual war crimes do not constitute crimes against humanity, rather such attacks must be committed as part of a widespread or systematic attack directed against any civilian population. Typically such attacks must form part of a policy which the State or organisation actively promotes in order to encourage attacks against a civilian population. However, in exceptional circumstances, such a policy may also be implemented by a deliberate failure to take action against such systematic attacks.

Throughout the course of its assault on the Gaza Strip, IOF continuously violated the principle of distinction in a widespread and systematic manner. Its indiscriminate and disproportionate conduct of hostilities resulted in excessive death and injury amongst the civilian population, and the extensive destruction of civilian property. PCHR allege that such actions may constitute crimes against humanity, as codified in Article 7(1)(a)/(k) of the Rome Statute.

Willful Killings and Other Violations of the Right to Life and Personal Security

The Israeli military offensive on the Gaza Strip was the most violent and bloody offensive in the history of the occupation. Investigations conducted by PCHR during and after the offensive indicate that IOF willfully violated the principle of distinction, and used excessive and disproportionate force. The significantly high number of deaths and casualties among Palestinian civilians in comparison with those of resistance activists is evidence of the IOF's disregard for the principles of distinction and proportionality in their military offensive against the Gaza Strip.

According to PCHR's documentation, 1,419 Palestinians were killed in the offensive. This number includes 1,167 non-combatants (82.2%) and 252 resistance activists (17.8%). The non-combatants include civilian persons and civil police officers who were not involved in hostilities; the 'protected persons' of IHL. Investigations conducted by PCHR indicate that 918 civilians were killed (64.7% of the total number of victims). The civilian victims include 318 children (22.4% of the total number of victims and 34.7% of the number of civilian victims) and 111 women (7.8% of the total number of victims and 12.1% of the number of civilian victims). Thus, 429 women and children were killed (30.2% of the total number of victims and 46.7% of the

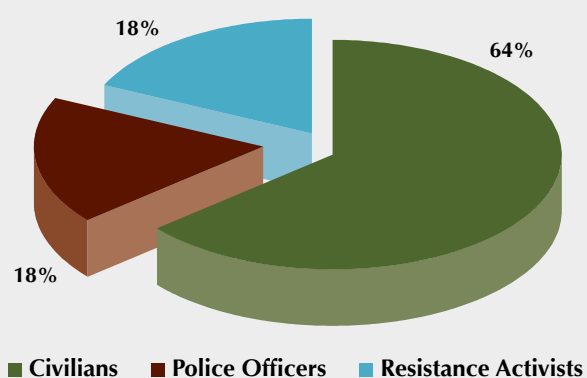
total number of civilian victims). Additionally, 249 police officers were killed (17.5% of the total number of victims), the majority of whom (238) were killed as a result of air strikes against their stations and sites on the first day of the Israeli military offensive on the Gaza Strip. They were not engaged in hostilities.

According to sources of the Ministry of Health in Gaza, at least 5,300 Palestinian were wounded during the Israeli military offensive on the Gaza Strip. This number includes at least 1,600 children (30%) and 830 women (15.6%); thus at least 2,430 children and women were wounded, 45.6% of the total number of the wounded.



Remnants of Israeli projectiles

Diagram (1): Percentages of civilians, police officers and resistance activists killed during the Israeli military offensive

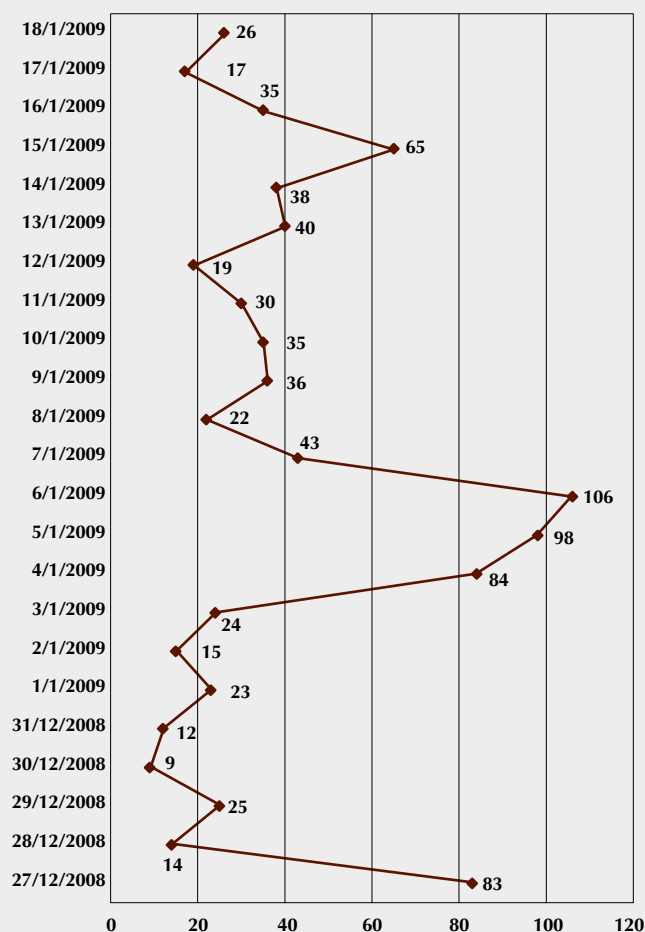


According to PCHR's data, an average of 40 Palestinian civilians was killed on each day of the offensive. On the first day of the offensive, 83 civilians were killed while they were at homes, workplaces or schools or while walking near security sites and police stations that were attacked by IOF warplanes. This high number of civilian deaths at the very beginning of the military offensive is a clear indicator of IOF's disregard for the lives of Palestinian civilians. On the days that followed, more civilians were killed in varied numbers.

However, the highest number of civilian deaths coincided with the beginning of the ground offensive; in the period 4-6 January 2009, 288 Palestinian civilians were killed (31.4% of the total number of civilian deaths during the Israeli military offensive). On 4 January, 101 Palestinians, including 84 civilians, were killed; on 5 January, 110 Palestinians, including 98 civilians, were killed; and on 6 January, 118 Palestinians, including 106 civilians, were killed. The high number of deaths during that period is attributed IOF's conduct of hostilities during the ground offensive, which included massive land, sea

and aerial bombardment. On 5 January 2009, IOF expanded ground operations inside Palestinian communities, especially in Gaza City and the northern Gaza Strip. On 6 January 2009, IOF ground troops moved into the south of Gaza City. On the same day, near al-Fakhoura School in Jabalya refugee camp, IOF attacked a crowd of Palestinian civilians who had fled their homes due to IOF bombardment; the attack left 24 civilians, including 8 children, dead.

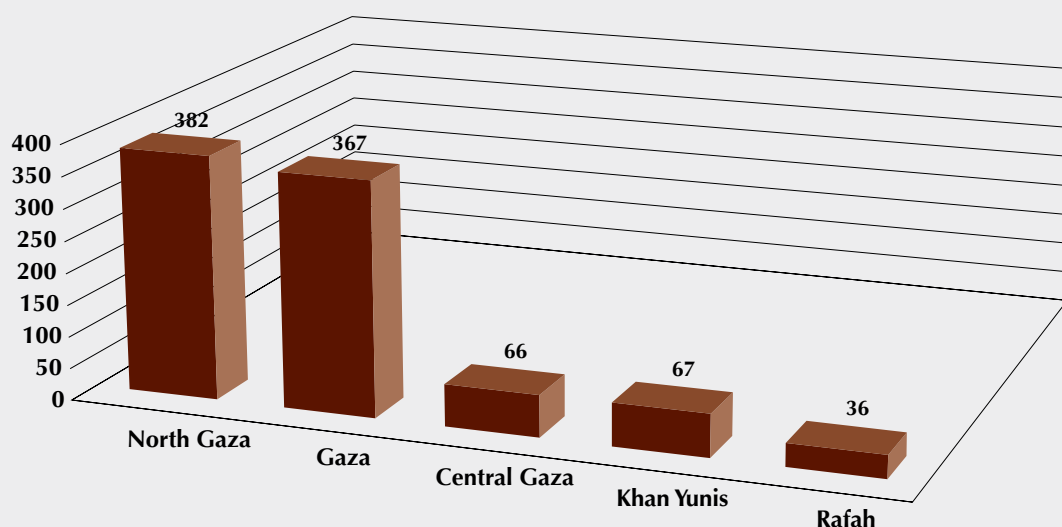
Diagram (2): Civilian deaths on each day of the Israeli military offensive on the Gaza Strip



According to PCHR's documentation, the highest numbers of civilian deaths were in the northern Gaza Strip and Gaza City, the scenes of the heaviest fighting. In the northern Gaza Strip, 382 civilians were killed (41.6% of the total number of

civilian deaths), and in Gaza City, 367 civilians were killed (40% of the total number of civilian deaths). In other districts, 169 civilians were killed (18.4% of the total number of civilian deaths), as shown in the diagram below.

Diagram (3): Geographical distribution of civilian deaths during the Israeli military offensive on the Gaza Strip



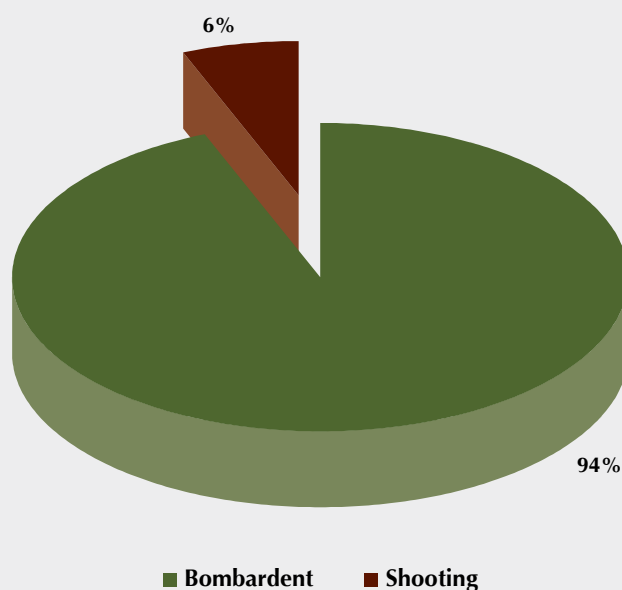
Contexts of Killings

The contexts in which Palestinian civilians were killed during the Israeli military offensive against the Gaza Strip varied, but the majority of victims – 860 civilians (93.7%) – were killed by various kinds of projectiles fired by Israeli warplanes, gunboats and artillery. They were killed when IOF boarded houses of civilians and activists; other facilities, including mosques, public institutions, etc.; residential communities; cars; and wake tents. Hundreds of victims and eyewitnesses

interviewed by PCHR told of their suffering at the hands of the IOF, including the destruction of houses while families were inside and the extinction of complete families.

Additionally, 58 civilians (about 6.3%) were shot dead by IOF, while inside or near their houses or while attempting to flee their houses seeking shelters to protect themselves from the Israeli bombardment. A number of civilians were also killed by Israeli snipers who were stationed atop of houses during incursions into Palestinian communities.

Diagram (4): Contexts of Killings of Civilians



Attacks on Civilian Houses

The bombardment of civilian houses, whether by direct or indiscriminate attack, was one of the features of the Israeli offensive. PCHR documented a number of such crimes that were committed throughout the Gaza Strip, in spite of prior knowledge that civilians remained in the houses. Such attacks killed dozens, including children and entire families.

Below are the most distinctive crimes:

The al-Sammouny Clan, al-Sammouny area

The attack on the houses of the al-Sammouny clan is one of the most infamous incidents of the offensive. According to investigations conducted by PCHR, on 4 January 2009, the second day of the ground offensive, IOF entered the al-Sammouny area amid intensive gunfire against civilian houses. As a result, a number of families, comprising approximately 90 individuals, including children, and elderly men and women, fled to the house of another clan member; some of these individuals moved to the house in question following IOF instructions. In spite of knowing that the house was sheltering these families, Israeli warplanes attacked the house on the following morning, killing 27 civilians.

Testimony of Salah al-Sammony, 30:

Wa'el al-Sammoni's house,
where dozens of members of
the family were killed when IOF
bombarded and destroyed it



“At approximately 06:30 on 4 January 2009, while I was inside my house with my family, my grandmother and mother-in-law, I was wounded by shrapnel to my left hand due to Israeli shooting in the vicinity of the house as IOF had stormed into the area amidst indiscriminate gunfire. My house’s second floor was targeted with a projectile that burned it completely. At around 08:30, while trying to get out with my 6-month-old baby, I saw Israeli troops stationed around. At around 10:00, Israeli troops knocked the door of my house, which was a shelter for three families. They forced us to get out. We went to the house of Wa’el al-Sammony where a number of al-Sammony families gathered in due to the Israeli bombardment.

We, 90 individuals, including children, women and men, stayed inside the house for the whole day with no food or water. It was somehow a quiet morning. At around 07:30 on the following day, I went out with five others to get some wood and charcoal to set fire so as to prepare some food for children. All by a sudden, a warplane fired a missile at us, killing two, Mohammed and Hamdy al-Sammony, and wounding three, including me. I rushed into the house with blood shedding from my head, ears, leg and back. Two minutes later, another two missiles fell onto the house’s roof, penetrating into the house and killing dozens of women, children and men. I miraculously survived. Looking around, I saw many of the dead and wounded. I did not believe that I was still alive. I shouted loudly saying to whoever was still alive to get out the house immediately. Some women were afraid from leaving, but I told them that Israeli troops would not do more than what had been done. I looked at my mother who was lying on the ground. I asked her to follow me, but she was dead. My daughter and my father were also dead.

We rushed out towards Salah al-Din Street. We faced the Israeli troops and asked them for first aid, but they said: ‘Go to hell!’ I looked back to find a group of women and children running. I asked them to leave the ill-fated area. We walked for nearly 1,500 meters to the north reaching Sha’fout restaurant where a number of Palestinian ambulances arrived and evacuated us to Gaza City hospitals. Israeli troops used to deny the Palestinian ambulances’ access into the crime scene, targeting whoever tries to come near the said area. Israeli troops used to put sand barriers so as to hinder the passage of ambulances.

Due to the bombardment, my father, mother, daughter, 2 sisters-in-law and nephew were killed. My wife and sons were wounded. The ICRC and Palestinian ambulances' access into the area was denied until 7 January 2009, when Palestinian paramedics managed to reach the area on foot. They evacuated some of the bodies and wounded out from rubbles. Some bodies remained under rubbles and were picked up following the Israeli redeployment. Returning home, I saw the bulk of ruins inflicted upon the area; Israeli troops destroyed houses and razed land. Israeli troops had turned my house into a military barracks”.

The al-Daya Family, Tal al-Hawa

The attack on the al-Daya family is an example of the direct targeting of a civilian object. One day after attacking al-Sammony's house, IOF targeted the house of al-Daya family in Tal al-Hawa neighborhood while members of the family were inside, killing 23 persons.

Testimony by Amer al-Daya 27, victim:

“I live with my family in a four-story house. The ground floor was for my parents and my sisters: Raghda 32; Rida 22; and Sabreen, 24, and my brother Ridwan, 21. The first floor included two flats. My brother Ramiz, his wife Safaa, 20, and two daughters – Baraa, 2, and Salsabeel, 2 months – lived in a flat, and my brother Eyad, his wife Rawda and 6 kids, Ali, 10; Khitam, 8; Alaa, 7; Sharaf al-Din, 5; Doha, 18 months; and Omar, 3 months, lived in the other flat. On the second floor, my brother Mohammed, 29, lived in a flat with his wife Nazal, 28, who was pregnant, and 4 kids: Amany, 8; Amar, 5; Areej, 4; and Yousef, 2. The other flat of the second floor was mine. The third floor was all for my brother Nafez, who lived with his wife Islam and his kids: Fayez, Hamza; Ahmed; Aya; Sondos; Saja and Sama.

At around 05:50 on 6 January 2009, I was sleeping in my parents' flat. I woke up hearing heavy explosions due to which the glass was smashed and the house collapsed over me. I was unconscious under the rubble. When I got conscious, I felt like dead. I heard the neighbors screaming, so I started screaming. The neighbors came to save me removing rubbles away from me. I sustained burns to the face, light fractures to the shoulder and bruises to the legs. Later, I was informed that the house was targeted with a missile due to which 23 family

members were killed, including my parents and brother who died of wounds he sustained. My brothers Mohammed, Nafez and his family, and Ridwan are still alive as they had left the house hours before the bombardment.”



The Deeb family's house near al-Fakhoura school

The Deep Family, Jabalya refugee camp

At approximately 15:45 on Tuesday 6 January 2009, IOF attacked the house of Samir Deep, 43, in Jabalya refugee camp, killing 11 family members, including 4 children and 5 women. Three family members were wounded. Investigation conducted by PCHR, the area was relatively quiet, and that there was no fighting at the time of the attack. PCHR believes that IOF willfully violated the principles of distinction.

Testimony by Fadel Samir Deep, 20, victim: *“I live with my father in a 2-story house located adjacent to al-Fakhoura School in Jabalya refugee camp. My uncle, Mo'een lives in the same house. At approximately 15:45 on 6 January 2009, the family member:; my grandmother Shamma; my father Samir, 44; my brothers Mohammed ,24, Ziad, 23, and Esam, 19; my uncle Hussein, 27; and my cousins: Nour, 4; mohammed, 17; Aseel, 10; and Mustafa, 14, sitting in the house yard when*

IOF targeted a nearby orchard with a missile due to which the outer wall of house was destroyed. Moments later, another missile was directly fired at us, killing 10 family members and wounding 4 others, one died of her wounds later.

The al-Irr Family, Izbet Abed Rabbu

At approximately 17:30 on Saturday, 3 January 2009, the Israeli artillery targeted the house of Mohammed al-Irr with two artillery shells, killing the house's owner, Mohammed al-Irr, and two of his children. Four family members, including two children and a woman, were also wounded. The wounded were transferred into their neighbor's house. Ambulances attempting to reach the scene were not granted coordination by IOF, and a child and a woman died of their wounds. On Thursday, 8 January 2009, the survivors managed to flee from the house as it was being destroyed by IOF bulldozers. On their way towards Izbet Abed Rabbu, they were fired at by Israeli troops. They managed to reach hospital to receive medical treatment. Israeli military bulldozers demolished the house over the corpses of the dead. The bodies were taken out on 18 January 2009 after the IOF's withdrawal.

Testimony by Layla al-Irr, 43, victim:

"I live with my husband, sons, step son and his wife in a 150-square-meter house. At approximately 17:30 on Saturday, 3 January 2009, while we were at home, we heard a heavy explosion near us due to which my daughter Fida', 18, was wounded to the leg. We tried to escape when a shell fell on us due to which my daughter Malak, 18 months, was wounded while my son Ibrahim, 12, was killed by shrapnel to the head and neck. I thought that my daughter Fida' was dead. My daughter-in-law Eman was wounded in the leg. I wrapped Ibrahim and Fida' with a blanket and headed towards our neighbor's house where I laid both of them down.

I asked about my husband who was wounded. My daughter Sana' was well, but my other daughter Yasmin was lightly wounded to the back. Fida' died. Soon after,, Israeli aircrafts opened fire at us. Our neighbor Mohammed al-Atawna was trying to call an ambulance to evacuate the wounded and dead. Later, Israeli military vehicles and tanks opened fire at us. This situation continued for five days. On Sunday, 4 January 2009, my daughter-in-law died. On Wednesday, 7 January, Israeli military bulldozers demolished our house with bodies inside.

The Hammouda Family, Tal al-Hawa

The attack on the Hammouda family in Tal al-Hawa neighborhood is another example of the direct targeting of a civilian object. On 11 January 2009, IOF fired a missile at the house of the Hammouda family, killing two children and wounding other family members. IOF bulldozer demolished parts of the house over its dwellers.

Testimony by Intissar Hammouda, 38, victim:

“At approximately 03:00 on Sunday, 11 January 2009, while IOF were operating in the aforementioned neighborhood, Israeli warplanes targeted the house of our neighbor Talal Abu Sam’an. The Israeli bulldozers demolished half of the house. Our house was as well targeted with a bomb, but no one was hurt as we decided to stay in the living room in the center of the house. My child Firas, 2, was in my lap (I had him after 11 years of sterility). Mohammed, 17, my son-in-law, went to bring a torch for light as electricity was cut off, and sat next to me. Another missile was fired at us due to which I was wounded with shrapnel in the belly, legs and hands. Mohammed and Firas were killed. Israeli military bulldozers demolished parts of the house while we were still inside. We called on the ICRC and Palestinian ambulances to help us, but in vain. I continued to bleed until 07:00, when IOF rolled back. Palestinian ambulances eventually managed to reach us.”

The al-Qirm Family, Tal al-Hawa

On 14 January, IOF attacked the al-Qirm family in the Tal al-Hawa district of Gaza City. In the attack Amira al-Qirm’s (15) father and brothers were killed, while she was badly injured. She was left in the house with no food or water for three days.

Testimony of Amira 15, victim:

“At approximately 19:00 on Wednesday, 14 January 2009, my mother went to my grandmother’s house with my younger sister Haya, 11. I, my father Fathy, brother Alaa’, 14, and sister Esmat, 16, stayed at home. The electricity was cut off and Israeli warplanes had been hovering over Gaza. My father was reading the Holy Quran and we were all listening to him. Later, my father asked us all to sleep in one room.

Minutes after we slept, heavy explosions occurred near our house. We went out to see what happened. Al-Mujtama’ College and Nabih Abu Ghalion Mosque were targeted by Israeli warplanes. We all went in except my father

who stayed at the house's threshold. We tried to sleep again when another explosion occurred. We, once again, went out to see what happened. We found our father unconscious and bleeding. Alaa and Esmat went to bring the ambulance to evacuate my father to hospital. Another Israeli warplane fired a missile at my father due to which I was wounded in my right leg. My brother and sister went to call for an ambulance when Israeli warplane fired two missiles at them, killing both of them. I was trying to make my father respond, but in vain. My leg was still bleeding. Suffering fatigue, I fell asleep beside my bleeding father.

When I woke up, I tried to go upstairs to the kitchen to bring some water. When I reached the kitchen I fainted out of severe bleeding. I eventually managed to reach a relative's house, but no body was there to let me in. I stayed out with my leg bleeding. I fainted again and when I woke up, I saw a gap within the wall of a nearby house. I managed to enter the house where I found a bottle of water and a sleeping place. On Saturday morning, 17 January 2009, I heard the house door being opened; the house's owner Emad Eid, correspondent of al-Manar Satellite Channel in Gaza, evacuated me to the hospital. My blood average was 5."

The Abu Eita Family, Jabalya

The attack on the house of the Abu Eita family is further evidence of the direct targeting civilians by IOF. According to investigations conducted by PCHR, IOF targeted the family members, a woman and her three nephews, while they were gardening; there was no fighting in the area at the time. The attack killed them all.

Testimony by Salama Abu Eita, 41, brother and father of the victims:

"At approximately 15:00 on Friday, 16 January 2009, while I was about to get out of my house located in al-Hawaber area in Jabalya, my sister Zakia, 50, my son Ahmed 16, my niece Malak and my nephew Anwar, 7, were sitting in the house yard. Zakia was holding her little daughter Malak, 2, in her lap. I was ten meters away from the house when I heard heavy explosions. I rushed hastily to see what happened. I found that my sister and the three children were wounded. We evacuated them to Kamal Edwan Hospital. On our way to the hospital, IOF bombed a nearby house belonging Emad Shaheen who was wounded by shrapnel."

The Barbakh Family, Rafah

On January 4 2009, an Israeli drone bombed the house of Abed Hassan Barbakh in al-Shouka village in the east of Rafah, while he was collecting firewood with three sons and a nephew. The five of them were in the yard of their house when they came under attack. They were all killed.

Testimony by Ne'ma Barbakh, 43, wife and mother of the victims:

"At approximately 09:00 on Sunday, 4 January 2009, I was making a mud oven to be used for cooking as a result of the cooking gas shortage. I was making the oven at house yard in al-Shouka village while Israeli warplanes were hovering and bombing. My husband Abed, 44, and my sons: Mahdi, 20; Mohammed, 19; Ahmed, 16; Yousef, 14, and their cousin Mousa, 16, were helping me. I was making the oven inside a small tent. I heard an explosion, so I went out of the tent and I found that my husband and children were wounded and bleeding. I was completely shocked. It was obvious that my husband and his nephew were still alive while my sons were dead. Later, my husband, his nephew died, while my son Ahmed, 16, was wounded in the face."

The Eliwa Family, al-Shojaeya

On 4 January 2009, IOF bombarded the house of Haider Eliwa located in al-Nazzaz Street in al-Shojaeya neighborhood. The family was inside the house at the time of the attack; Mrs. Eliwa and her four children were killed.

Testimony by Ghadeer Eliwa, 15, victim.

"At approximately 16:00 on 4 January 2009, while I was with my family members (10): my father, 42; mother, 40; my brothers and sisters: Muntasser, 16; Mo'tassem, 13, Mo'men, 12; Mai, 11; Lana, 10; Ismael, 7; Mohammed, 2; and me. We were inside our house located on the fifth floor in al-Nazzaz Street. My mother was making food with my brothers Mo'tasem and Ismael. At that moment, my cousin Lama came to our flat and asked me to draw something for her. Lama and I went into the room adjacent to the kitchen. Once I sat on bed, I saw a red light penetrating the kitchen after which some smoke and dust spread everywhere. I fell down and Lama as well. My mother was lying on the ground severely bleeding. My mother and my brothers; Mo'tasem, Mo'men and Ismael and my sister Lana were killed. The wounded were evacuated to the hospital. I was wounded with two shrapnel behind the ear causing face defect, fractures to hands' fingers and shrapnel throughout the body. My brother Muntasser was wounded by shrapnel throughout the body and my father was wounded by shrapnel to the face and legs".

Attacks on Houses of Hamas Members and Resistance Activists

During the course of the offensive, IOF targeted the houses of a number of Hamas members and resistance activists. As noted previously, Israel's classification of all members of Hamas as legitimate military targets is illegal. In addition, the attacks on combatants' houses were often excessively disproportionate, and thus constitute war crimes.

Below are the most significant crimes:

Dr. Nizar Rayyan, Jabalya Refugee Camp

On 1 January 2009, Israeli warplanes attacked the house of Dr. Nizar Rayyan, 49, in Jabalya refugee camp. Dr. Rayyan was a senior leader of Hamas, he was killed together with his 4 wives and 11 children. Rayyan received IOF threats to vacate house before the bombardment, yet he refused. IOF bombarded the house even though they knew that civilians were inside it.

Testimony by Bilal Rayyan, 25, relative:

"At approximately 14:40 on Thursday, 1 January 2009, while I was shopping in Jabalya market, I heard a heavy explosion rocking the refugee camp with thick black smoke rising in the vicinity of our house. I hastily rushed home. It was completely destroyed with a number of nearby houses. I started looking for my family members. My father was beheaded and thrown two meters away from the house, my brother Usama 2, my sister Aya, 11, my step mother Nawal, 39, and my brother As'ad, 1, were all killed. My mother Hayam, 45, my brothers Abdul Qader, 11, Mariam 9, Abdul Rahman, 5, and my sisters Halima, 4, Reem 4, Aysha 2 and my step mothers Amal, 46, and Shereen, 25, were all killed. Their bodies were found in a nearby house. The dead and the wounded were transferred to the hospital, where I figured out that my brother Ghassan, 16, and sister Zainab, 8, were not found. I told the teams of Civil Defense about them. Later, they were taken out from under the rubbles.

Testimony of Nazmy al-Kahlout, 56:

"I have a three-story house. I live on the second floor with my wife and two sons. The first floor is divided into two flats; the first is for my son Mazen and his wife while the other is rented by Omar Abu Matar and his wife. The third floor is under construction. My house is next to Rayyan's house; 10 meters away. On 1 January 2009 evening, I was sitting with my wife and sons in Mazen's flat. I heard a heavy explosion rocking the house due to which I was unable to get out. Three minutes later, heavy explosions rocked the house again, destroying half of

it. Thick smoke spread everywhere, my wife fell down. Later, she was transferred to the hospital by an ambulance where I saw a beheaded body which turned out to be Nizar Rayyan's. I saw people holding bodies and taking others from under the rubbles. The bodies were shattered into pieces."

The al-Batran Family, al-Boreij refugee camp

On 16 January 2009, IOF bombarded house of Eissa al-Batran, an activist of the Izziddin al-Qassam Brigades, the armed wing of Hamas. During the attack his wife and five children were killed; al-Batran and his youngest child survived. Al-Batran had vacated the house during the Israeli offensive but had returned to the house to pick up some belongings when the house was bombarded with his family inside.

Testimony by Sameh al-Batran, 25, relative: *"I live next to my uncle's house. At approximately 17:30 on Friday, 16 January 2009, I was in my uncle's house when a heavy explosion rocked the house. Dust spread everywhere, so I asked the family members to get out. I entered my uncle's flat. My uncle was holding his baby Abdel Hady, 8 months, who was screaming. I took the baby out. My uncle's wife and their 5 children were lying on ground dead: Manal, 32; Bilal, 16; Ehsan, 15; Eman, 10; Izziddin, 5; and Islam, 14. It turned out that the house was bombarded with an Israeli warplane missile."*

The al-Absy Family, Rafah

On 29 December, IOF attacked the house of Ziad al-Absy located in Yebna refugee camp in Rafah town, killing three sleeping children. According to investigations conducted by PCHR, al-Absy did not receive a warning prior to the attack. Al-Absy is not affiliated to any Palestinian political faction. Hours earlier, Israeli warplanes targeted the house of Raed al-Attar, 300 meters away from al-Absy's house. The house was completely destroyed with no casualties reported. Al-attar was accused of leading the armed wing of Hamas and carrying out resistance operations against Israeli targets.

Testimony by Mohammed Sabri al-Kurd, 32, neighbor: *"At approximately 01:00 on Monday, 29 December 2008, I woke up panicked as the house was rocked with a heavy explosion. I went out while the electricity was cut off. I saw people gathering in my neighbor's house Ziad al-Absy. We went inside the house to check on the family members. We found Ahmed al-Absy, 12, dead. Two daughters were wounded and taken out from under the rubbles. Ziad al-Absy, his wife and their little baby Ni'ma were found atop of the house due to the intense bombing. Mohammed al-Absy, 13, was found*

dead. Later on, the body of Sidky, 4, was found. It turned out that the house was hit with an F-16 bomb. In conclusion, Ziad, his wife, four daughters and 2 minor neighbors were wounded. The house was completely destroyed inflicting heavy damage to the nearby houses.”

Attacks on Civilian Facilities (Mosques, Ministries and Institutions)

Throughout the course of the offensive, IOF attacked numerous civilian objects, in violation of fundamental principles of IHL; Israeli bombardment targeted mosques, schools, educational institutions, ministries and the Palestinian Legislative Council (PLC). The bombing resulted in the deaths of hundreds of civilians, including women, children and the elderly.

Emad Aqil Mosque, Jabalya Refugee Camp

On 29 December 2008, the third day of the offensive, IOF bombarded Emad Aqil Mosque in Jabalya refugee camp. The attack completely destroyed the mosque and the nearby house of Anwar Ba'lousha, killing five of his children while they slept.

Testimony by Anwar Ba'lousha, 38, father of the victims:

“At approximately 00:00 on 29 December, my wife, my seven children and I were sleeping inside my asbestos-roofed house located next to Emad Aqil Mosque. When the mosque was bombarded, my house was completely destroyed with all of us sleeping inside. I saw my daughter Bara'a with a bed [knocked] above her. She was safe. My wife took out our baby Mohammed. Civil Defense crews managed to get us all out. My five daughters were taken out dead from under the rubbles: Tahreer, 1; Ekram, 14; Samar, 12; Dina, 7; and Jawaher, 4. Three others were wounded: Samah, 10; Eman, 16; and Mohammed, 1.”



'Emad Aqel Mosque after it had been bombarded by IOF

Al-Maqadma Mosque, Beit Lahia Town

At approximately 17:20 on 3 January 2009, an Israeli drone fired a missile at the western entrance of al-Maqadma Mosque in Beit Lahia town. The missile fell two meters away from the entrance hitting the mosque's roof and walls from the outside. Twelve worshippers were killed, including 4 children and a father and his son, and 30 people were wounded. The total number of deaths later mounted to 15 as 3 persons died of their wounds. The 12 killed during the attack are: Mohammed al-Tanany, 18; Said Salah Battah, 22; Ahmed al-Buhdari, 23; Ahmed Tbaill, 16; Umar al-Silawy 35, Hany al-Silawy, 10; Abdul Rahman al-Masamha, 47; Ra'ed 'Abdul Rahman al-Masamha, 21; Rajih Ziada, 18; Mohammed al-Silawy, 10; Bahaa' al-Ashqar, 20; and Hassan Hijju, 14.

Testimony by Ata Mansour 28, eye-witness: *"At approximately 17:00 on 3 January 2009, I was hearing sounds of prayers in the mosque. When I was about to go out of my house, a heavy explosion occurred. The pressure of the explosion pushed me back. I saw dust and thick smoke spread over the place. I went out to see what happened. I found beheaded bodies lying on the ground of al-Maqadma Mosque's entrance. Inside the mosque, a number of worshippers were wounded. I tried to help, so I carried a 15-year-old boy who was bleeding from the head and the right side."*

Civilian Victims during Crimes of Extra-Judicial Execution

IOF regularly carry out extra-judicial executions, these attacks are often excessively disproportionate to any (contested) military advantage, and throughout the years hundreds of innocent civilians have been killed. During the course of the second Intifada, IOF carried out hundreds of extra-judicial executions, killing 743 persons. 513 of the victims were 'targeted', while the other 230, of whom 78 were children, were civilian bystanders. During the latest offensive, IOF extra-judicially executed a number of Palestinians, mostly leaders of the Palestinian factions. For example, on 15 January, 2009 IOF extra-judicially executed Said Siam, a senior leader of Hamas and Minister of Interior in the Gaza Government. As noted above, as a government Minister Said Siam must be presumed civilian. According to PCHR's information, Said Siam was not a member of the Izzidin al-Qassam Brigades.

Extra-Judicial Execution of Said Siam

On 15 January, 2009, Israeli F-16 fighter jets bombed the house of Eyad Siam, 35, in the al-Yarmouk neighborhood in the center of Gaza City. The house was completely destroyed in the attack, and a number of nearby residences sustained significant damage. Eyad Siam, his wife Samah, 34, his brother Said Siam, 50, his nephew Mohammed Said Siam, 22, and his nephew Mohammed Ismail Siam, 27, were killed. A nearby house belonging to the Esleem family was destroyed killing five family members, including 3 children: Samar Ali Esleem, 16; Iman 'Abdul Qader Esleem, 21; Ahmed Mohammed Esleem, 14; Hussam Mohammed Esleem, 10; and Mohammed Nabil Esleem, 20.

Testimony by Eyad Ali Esleem, 28, victim:

“At approximately 16:00 on Thursday 15 January 2009, I was in our 4-story house, in which 7 families counting 35 individuals lived. A heavy explosion occurred. Walls collapsed and hit us as warplanes bombarded Siam’s house located next to ours. Five members of the our family and 7-year-old Ahmed Ussama al-Qurtom, who was playing near our house, were killed and 18 others, including 11 children, were wounded.”

Attacks on Civilian Groups

During the latest offensive, IOF attacked groups of Palestinian civilians, resulting in significant casualties. One of the most high-profile incidents was the attack on a group of civilians near the al-Fakhoura School in Jabalya refugee camp. 24 civilians were killed in the attack, including 8 children and two women; a further 8 civilians were wounded.

Al-Fakhoura School, Jabalya Refugee Camp

At approximately 15:30 on 6 January 2009, IOF targeted a group of civilians in the vicinity of al-Fakhoura School, killing 24. Among the dead were 8 children, two brothers and a father and his son. At least 50 civilians were also wounded. Dozens of Palestinian families had left their homes in Beit Lahia seeking shelter in the school.

Testimony by Fuad Said Abu Askar, 63, from Jabalya refugee camp, father and grandfather of the victims:

“At approximately 02:00 on 6 January 2009, my son Mohammed received a cell-phone call demanding him to evacuate the house. We hastily fled from the house. Five minutes later, an Israeli warplane bombarded the house destroying it completely. We went to hide in a friend’s house near al-Fakhoura UNRWA School. At approximately 15:40, while I was near my destroyed house, I heard heavy explosions near the school, 100 meters away from my house. Reaching the place, I found bodies lying on the ground, my son Ra’fat and my two grandsons were dead. My son’s body was dismembered. I also saw the bodies of ‘Atiya al-Madhoun and his son Ziad. When I looked at al-Fakhoura Square, I saw bodies of a number of civilians, including children and women. Palestinian paramedics managed to evacuate the dead and wounded to hospitals. I started looking for other members of my family, and I found my granddaughter, Mai, and her brother, ‘Abdul ‘Aati, bleeding.”

Attacks on Wake Tents

According to investigations conducted by PCHR, IOF attacked a number of wake tents (where friends and relatives gather to mourn the deceased); these attacks occurred away from the fighting, at times when civilians were mourning the dead. In all attacks, the victims included children and the elderly. One of the most high-profile attacks concerned the attack on a wake tent in Beit Lahiya.

Arafa Abdul Dayem's Wake

On 5 January, 2009, IOF attacked the wake of Arafa Abdul Dayem, who was killed on the previous day. A number of Palestinian civilians were wounded. Less than an hour later, IOF attacked a nearby wake tent where female relatives were mourning. As a result, 3 of Abdul Dayem's relatives, including a child, were killed and some others were wounded.

An eyewitness, Rafiq 'Abdul Latif al-Shanbary, 40, from Beit Hanoun town, stated that the Abdul Dayem family opened a wake tent for Arafa Abdul Dayem. At approximately 07:30 on 5 January 2009, IOF bombed the house while members of the family were there. An hour later, IOF bombarded a nearby wake where female relatives and friends were mourning. When young men went out to check what happened, IOF attacked the area again. Al-Shinbary said: *"I decided to go out. I saw Mohammed Tawfiq Abu Jazar lying on the ground at a corner of a house belonging to Hany Abdul Dayem. He was bleeding from the neck and the right leg. I saw horrible scenes; people lying on the ground bleeding, and a number of them died later at hospitals."*

The Willful Killing of Civilians

As detailed earlier in this report, 56 persons were shot dead by IOF in the vicinity of their homes. PCHR documented a number of cases in which IOF killed civilians in cold blood during house raids or while civilians were walking in the streets. Below are a number of such examples:

Execution of a Palestinian Civilian inside His House in Izbet Abed Rabbu

According to investigations conducted by PCHR, Israeli troops stormed the house of Rashid Mohammed Mohammed, 74, in the Izbet Abed Rabbu area of northern Gaza. They handcuffed his two sons, Samir and Muneer, and used them as human shields while they searched the house. Israeli soldiers then shot Samir. It was reported that IOF denied Palestinian paramedics' access to the house in order to evacuate Samir.

Rashid Mohammed Mohammed, 75,
father of the victim:

“Around 15 Israeli troops stormed the house by making a hole in the wall and throwing a hand grenade into the house. They used my sons Samir and Munir as human shields, detaining them in a flat for 90 minutes. They went back to Samir who was led into the third floor where they shot him in the chest. They went down to tell Munir that Samir was shot. Munir got Samir down in order to be evacuated to hospital when Israeli troops violently bear Samir. They then ordered Munir to get out with his hands up to bring an ambulance, but they shot him in the right hand due to which three fingers were amputated. He was forced to take off clothes for checking. In the meantime, I managed to get out of the house to and make some communications with UNRWA, ICRC and Arab members of the Israeli Knesset. Three days later, Israeli troops forced the family members to get out of the house. At that time, Samir was dead. All attempts to evacuate him to hospital failed as Israeli troops opened fire at Palestinian paramedics to deny their access into the area. Ten days later, Samir’s body was vacated following coordination with UNRWA and ICRC. When Israeli troops left the house, we came back to find it completely destroyed.”

Execution of 3 Palestinian Civilians in al-Zaytoun Neighborhood

According to investigations conducted by PCHR, at approximately 02:00 on 5 January 2009, Israeli troops fired an artillery shell at the house of Mohammed Hijy, 37, from al-Zaytoun neighborhood. At the time of the attack, Mr. Hijy was at home with his wife Abeer, 34, and his children, Ghada, 15; Nagham, 13; Amin, 10; Nour al-Huda, 6; and Shahed, 3. Shrapnel from the shell killed Mr. Hijy, and Nour al-Huda and Nagham were wounded. Soon after, at least 30 Israeli soldiers stormed the house. They held the family together with other civilians in a neighboring house.

At approximately 12:00, IOF forced the inhabitants to leave the area, but kept 3 civilians in custody. While residents of the area were walking on a dirt road towards the north holding white flags, Israeli troops stationed in a house belonging to the Abu al-Zour family opened fire at them and ordered them to move towards the south. When the residents obeyed the order, Israeli troops opened fire at them directly. As a result, 3 civilians were killed: Shahed Mohammed Hijy, 3; Mohammed Samir Hijy, 15; and ‘Ola Mas’oud ‘Arafat, 63. Six civilians, including one child and 3 women, were wounded: Majeda Ahmed ‘Arafat, 51; ‘Arafat Mas’oud ‘Arafat, 63; ‘Abeer Mohammed Hijy, 34; ‘Aaida Mas’oud ‘Elwan, 29; Nour ‘Abdul Hamid ‘Elwan, 1; and Ameen Samir Hijy, 20. Following this attack, civilians hid in a house belonging to Jameel Hijy. A few minutes later, a number of civilians who had been detained near the Abu al-Zour family’s house passed near Hijy’s house heading towards the north, so some civilians who were hiding in the Hijy’s house got out and accompanied them towards the center the Gaza Strip. Other civilians who remained the house were evacuated from the area by the ICRC on 7 January 2009.

Killings Committed during the Daily Ceasefire

PCHR documented the killing of a number of civilians during the daily ceasefire period declared by IOF.

Execution of Two Brothers from the Shurrab Family, Khan Yunis

On 16 January, 2009, Mohammed Shurrab and his two sons, Kassab and Ibrahim, were returning to their home during the ceasefire period. On their way home, Israeli soldiers opened fire on the vehicle, wounding Mohammed, causing him to crash into a wall. The Israeli soldiers then ordered the civilians to leave the car. After Kassab and Ibrahim left the vehicle they were shot by Israeli forces. The two civilians were injured, and bled to death over the coming hours. According to investigations conducted by PCHR, Israeli troops killed the brothers during the declared period of ceasefire; there was no fighting in the area at the time.

Testimony by Mohammed Shurrab, 64, victim:

"I live in Jawret al-Lout area in Khan Yunis. I have a 8-dunum area of agricultural land in al-Fukhari area, where I established a number of production projects. The land is located nearly 350 meters away from the border [with Israel]. On 16 January 2009, I decided with my sons Kassab, 28, and Ibrahim, 18, to go back home during the daily ceasefire period. We were driving slowly near al-Trance turn where an Israeli tank was stationed at the roadside. Another tank was also stationed nearly 70 meters away from the first one. When we arrived near a house belonging to the al-'Omour family to the south, bullets were fired from machine guns at the car. I bent down and asked my sons to do the same. I was wounded by a bullet to the left arm, so I lost control over the steering. The car collided with the face of a tract of land belonging to Samir al-'Omour. It was clear that we were fired at by Israeli soldiers positioned in a house belonging to Ouda al-'Omour. Israeli troops ordered us to get out of the car. When my son Kassab got out, they immediately fired at him. He stepped a little bit forwards until he fell down. I asked my other son Ibrahim not to get out of the car, but he got out as Israeli troops ordered him to do. They fired at him and he was wounded by a bullet to the left leg. They continued to fire at the car, so I got out to lie on the ground; I found out that Kassab was dead while Ibrahim was trying to call an ambulance, but in vain. We asked for help, but the Israeli troops did not respond. Ibrahim was bleeding. At around 20:00, I contacted al-Quds radio station and told them about the crime of targeting us, which resulted in killing my son. I made another appeal through BBC at approximately 22:20. At around 00:15, my son Ibrahim died as well. Israeli

troops denied ambulances' access into the crime scene. On the following day, 17 January 2009, an ambulance managed to reach the area. We were taken to European Gaza Hospital where my sons were pronounced dead.»

Al-Kahlout Family

On 07 January 2009, IOF fired two missiles at a civilian car, in which Khaled Isma'il al-Kahlout, his three children and his nephew were traveling. Khaled al-Kahlout was returning from Jabalya, where the family had gone to prepare bread in a traditional oven. At approximately 18:00, an Israeli drone fired two missiles at the car, completely destroying it and killing the five civilians.

Killings of Children

During international armed conflicts, such as the recent Israeli military offensive in the Gaza Strip between December 2008-January 2009, children are afforded protection under International Humanitarian Law (IHL), including the Fourth Geneva Convention. They are also protected under international human rights law, including the United Nations Convention on the Rights of the Child (CRC).

IHL provides general protection for children as persons taking no part in hostilities, and special protection as persons who are especially vulnerable during war and armed conflict. As children are protected under the Fourth Geneva Convention, they benefit from all the provisions related to the treatment of protected persons. IHL safeguards the basic principles of humane treatment – including respect for life and physical and moral integrity – while forbidding, *inter alia*, willful killing, coercion, corporal punishments, torture, collective penalties and reprisals.

Article 27 of the Fourth Geneva Convention requires that “Protected persons are entitled, in all circumstances, to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs. They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof and against insults and public curiosity.”

Article 6 of the CRC requires that:

1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 37 of the CRC requires States Parties guarantee that “No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment.” Article 38 of the CRC relates to children in times of armed conflict, paragraph 1 requires

that, “States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.” Equally, paragraph 4 requires that “In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.”

Data on Child Deaths and Casualties

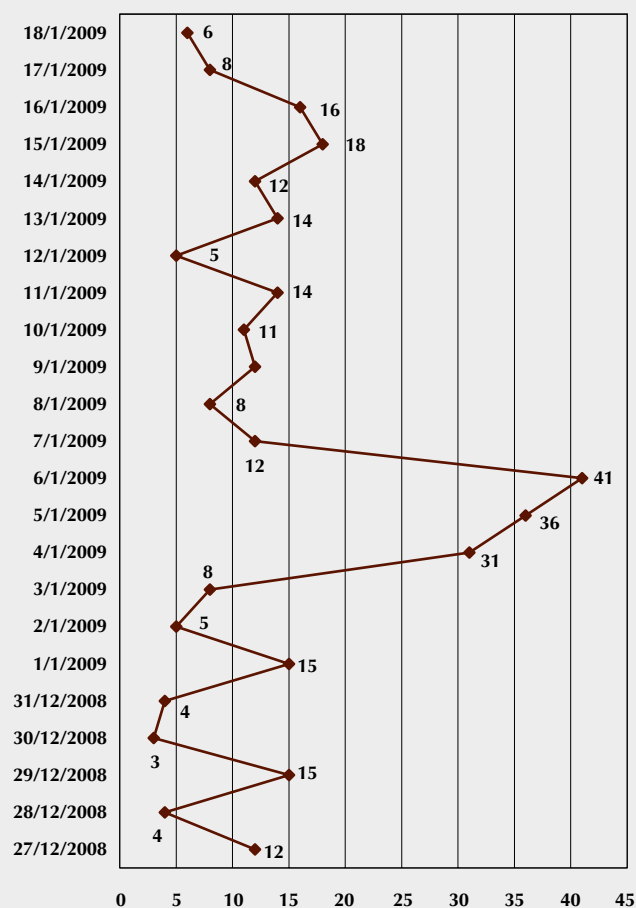
A significant number of children were killed or injured as a result of the Israeli offensive on the Gaza Strip. The majority were killed as a result of Israeli violations of IHL, such as willful killing, violations of the principle of distinction and indiscriminate and disproportionate attacks.

According to PCHR’s data, 318 children aged under 18 were killed; 22.4% of the total number of all victims and 34.6% of the total number of civilian victims. This figure includes 215 boys (67.6%) and 103 girls (32.4%). Additionally, 1,600 children were wounded, constituting 30% of the total number of the wounded.

According to PCHR’s documentation, 924 children have been killed since the outbreak of the second *Intifada* in September 2000, 34.4% of whom were killed during the recent offensive.

An average of 13 children was killed on each day of the offensive, with one-day death tolls ranging from 3 to 41. The 6 January 2009 witnessed the highest number of child deaths; 8 children were killed in the attack near al-Fakhoura School in Jabalya refugee camp, and dozens of civilians (including children) were killed during a military operation inside the Tal al-Hawa neighborhood in the south of Gaza City.

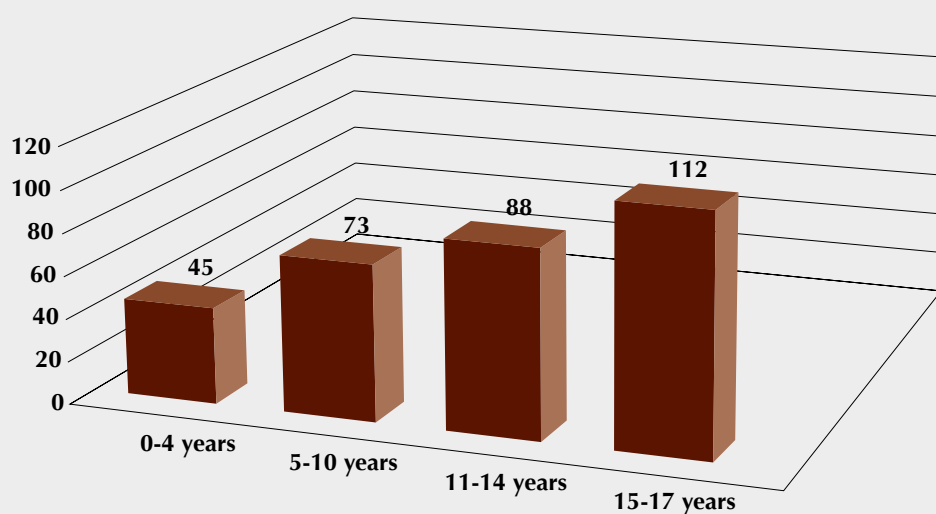
Diagram (5): Numbers of Children Killed on Each Day of the Offensive



The majority of children killed were between the ages of 15 and 17 (35.2%), while 27.7% of those killed were between the ages of 11 and 14. 23% of the victims were between 5 and 10,

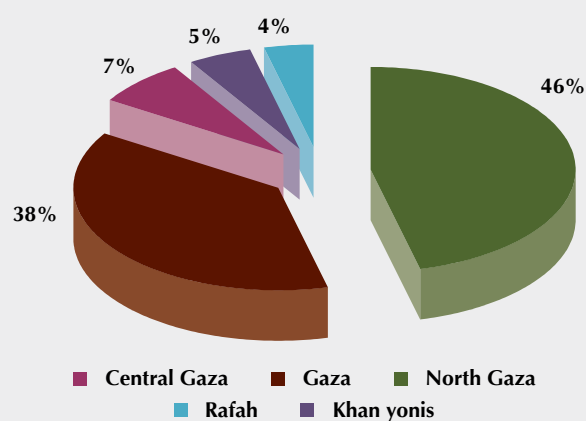
while 45 children under the age of 5 were killed (14.2%), this figure includes 23 children under the age of 2 (7.2%); six were under six months old.

Diagram (6): Age Categories of Children Killed during the Offensive



Children were killed throughout Gaza Strip, however, the highest number of deaths were in Gaza City and the northern Gaza Strip, the scenes of the heaviest fighting. In the northern Gaza Strip, 147 children were killed (46.2% of the total number of children killed), in Gaza City, 119 children were killed (37.4%), in the central Gaza Strip, 23 children were killed (7.2%), in Khan Yunis, 17 children were killed (5.4%); and in Rafah, 12 children were killed (3.8%).

Diagram (7): Geographical Distribution of Children Killed during the Offensive



Examples of Child Killing

As noted by the death toll, children suffered extensively throughout the offensive; some were directly targeted by IOF (murder, willful killing), others were killed when their houses came under attack, while others again were killed following IOF attacks on nearby buildings or sites.

PCHR interviewed hundreds of eye-witnesses and victims, their testimonies revealed the extent of the destruction, and the often horrific nature of the crimes. In many instances children were directly targeted by IOF, and killed either in sniper or drone attacks.

This section presents a selection of cases on file with PCHR.

Ahdam Abdul Malik

On Sunday afternoon, 4 January 2009, Israeli troops stationed on top of a house in al-Israa' neighborhood in Beit Lahya, shot dead 16-year-old Adham 'Abdul Malek. He was killed by several bullets to the upper body; the chest, neck and forehead.

Testimony by Khader Abdul Malik, 54, relative:

"I live with my brother in a 3-story house in Beit Lahya. At approximately 15:30 on Sunday, 4 January 2009, I was inside my flat when my nephew Adham, 16, and his brother Odai, 18, went up to the roof of the house to feed pigeons. I heard sounds of shooting, so I went upstairs to find Adham wounded with blood everywhere as he was shot with several bullets to chest, neck and left hand. His brother and I went downstairs carrying him to evacuate him to hospital, but we could not. We walked for 800 meters where an ambulance managed to evacuate him to hospital. On the following day evening, Adham died of his wounds".

Farah al-Hilu

On 3 January 2009, after IOF invaded the eastern part of al-Zaytoun neighborhood in the east of Gaza City, Israeli troops fired a missile at a house belonging to Fu'ad al-Hilu, 62. The family members were sheltering near the stair well, when Israeli troops entered the house, shooting Fu'ad. Soon after, Israeli troops ordered the grandmother, Etaf, 56; Abdullah, 19; Ammar, 29; daughter-in-law, Islam, 17; and two granddaughters, Farah, 2, and Saja, 6, to leave the house and move towards the south, but as they were terrified and confused, they headed towards the north. Israeli troops positioned on top of a house in the area fired at them, wounding 4 members of the family, including a child who later succumbed to her wounds. All were clearly civilians

Testimony by 'Ammar Fu'ad al-Hilu, 29, eye-witness, relative of the victims:

"I live in a 2-story house with my extended family. At approximately 05:00 on 4 January 2009, we were all inside the house. When we heard sounds of explosions in the area, we all hid near the stairs. Israeli soldiers broke into the house and one of them shot my father dead. They forced us out after checking me and my brother Abullaah, and searched the house. They then ordered us to walk. When we arrived near a house belonging to the Dalloul family, nearly 500 meters away from our house, we were fired at. My brother Abdullah was wounded by two gunshots to the abdomen and a third one to the right hand; my child Farah, 2, was wounded by a gunshot to the abdomen; and my other child Saja, 6, was wounded by a gunshot to the right hand. My sister-in-law, Islam, was also wounded by a gunshot to the chest. All of them, excluding Saja, fell onto the ground. We left them in the area and escaped towards the west. We hid behind a hill of sand. My child Saja was able to join us. We called for an ambulance, but it was not able to come. We tied Saja's hand with a piece of cloth. Soon after, my other child, Farah, died of her wound. We stayed in the area until 18:00, when Israeli soldiers came to us and arrested me and my brother Abduallah. We were detained for several days. I went back to the area on 18 January 2009 following IOF's withdrawal. I found the house partially destroyed. I did not find my father's body. I asked civil defense crews about the body, but they did not have information. We all started searching for the body until we found it buried nearly 150 meters away from the house. I learnt from my family that my brother Mohammed was also killed by a missile fired by an Israeli warplane."

Killing Two Children from the Abed Rabbu Family in Jabalya

According to investigations conducted by PCHR, Israeli troops opened fire at the three children while they were outside their house in Izbat Abed Rabbu area in Jabalya. Two of the children were killed, while the third was wounded.

Testimony by Khaled Abed Rabbu, 31, father of the victims:

"I live in a 4-story house with my family members. At around 12:50 on Wednesday, 7 January 2009, while we were at home, we heard Israeli tanks approaching the area; 3 tanks stopped 15 meters away from our home. An Israeli soldier called on us through a megaphone to get out of the house. I, my wife, my mother and my three daughters Amal, 2, Samar, 4, and Suad, 7, went out raising white rags. An Israeli got out of the tank and opened fire at us, wounding my mother and daughters. My mother managed to get into the

house, while I was able to carry Samar and Amal. My daughter Suad remained on the ground, and I took her later into the house. She was severely bleeding from the abdomen and she soon died. I tried to call an ambulance, but in vain. After my daughters' conditions deteriorated, I decided to go out. Israeli troops demanded us to go back. We walked for a kilometer after which we met a cart man. We put the wounded on the cart when Israeli troops opened fire killing the cart man with his horse. We managed to reach Jabalya town on foot. Amal was dead and Samar was critically wounded due to which she was transferred to Egypt and then to Belgium. She suffers from total paralysis.

Ibrahim Awaja

On 4 January, 2009, IOF bulldozers began demolishing the Awaja family home, while the family was sleeping inside. They managed to escape the house, but had to return later to find clothes and food. When they returned, Ibrahim, 9, was wounded by IOF gunfire. As Ibrahim and his father approached Israeli soldiers to seek assistance they were shot. The soldiers then came closer and shot the two again, killing Ibrahim. There was no resistance activity in the area, and the family were clearly civilian.

Testimony by Kamal Awaja, 47, victim:

“At approximately 04:00 on Sunday, 4 January 2009, I was at home with my wife Wafa’, 32, and my kids: Umsyat, 12; Sobhy, 10; Ibrahim, 9; Hala, 6; Diaa’, 3; and Zikrayat, 1. We were sleeping when a number of Israeli military bulldozers started to demolish the house with no prior warning. We ran away from the house through a hole made by the bulldozers. We stayed outside for three hours till the early morning. Israeli tanks were scanning around. We went back home so as to get some belongings. On our way back, Israeli troops opened fire at us, wounding Ibrahim who screamed loudly because of pain. I carried my son and walked away when Israeli troops shot me in the pelvis and my wife the legs, due to which she fell down. Ibrahim and I stayed motionless. Ibrahim was bleeding with his intestines out. Back then, Israeli troops were enjoying their time by eating strawberry paying no regard for our suffering. Later, they headed towards us and opened direct fire at us. I was shot in the chest and Ibrahim was shot once again with several bullets to the head and the back, due to which blood and bones of skull hit my face. Ibrahim was dead and I was severely bleeding. I crept for 500 meters towards a house where I got medical first aid. I stayed there all night long. When I went back, I found my wife and daughters sleeping in the open while Ibrahim was lying dead. We stayed home for 4 days after which we were evacuated to hospital.”

Killing 3 Children from the al-Astal Family, al-Qarara

IOF fired a missile at three children while they were playing in the streets in al-Qarara village, north of Khan Yunis. All three children were killed, no fighting was reported in the area at the time.

Testimony by Mohammed al-Astal, 28, eye-witness:

“At approximately 14:15 on Friday, 2 January 2009 at around 14:15, I was sitting in front of al-Umda Restaurant. About 50 meters away from me, there were three children; Abed Rabou al-Astal, 9, his brother Mohammed, 11 (my nephews), and their cousin Abdul Sattar al-Astal 11, playing at the entrance of an agricultural land. The Israeli warplanes, mostly drones were hovering in the sky. Suddenly, I heard a heavy explosion where I saw the three children lying on the ground motionless. Their bodies were torn apart. A group of people evacuated the bodies to Nasser Hospital in Khan Yunis.”

Killings of Women

During international armed conflicts, women are afforded particular protection under IHL, including the Fourth Geneva Convention of 1949. Women also remain protected by international human rights law, notably the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights.

IHL provides general protection for women as persons not directly participating in hostilities, and special protection as persons who are especially vulnerable in times of war. As the majority of women in the Gaza Strip are civilians, they benefit from all the protections extended to protected persons under customary IHL, and the Fourth Geneva Convention. IHL safeguards the basic principles of humane treatment – including respect for life and physical and moral integrity – while forbidding, *inter alia*, willful killing, coercion, collective penalties, reprisals, and the destruction of objects indispensable to the survival of the civilian population.

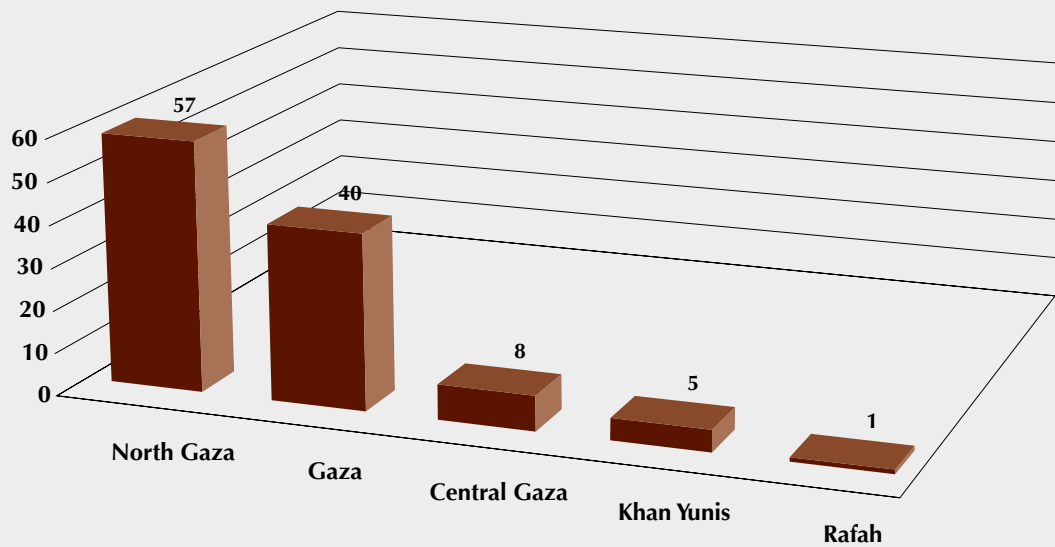
Data on Female Deaths and Injuries

According to investigations conducted by PCHR, 111 women were killed during the offensive (7.8% of the total number of victims and 12% of the total number of civilians). 830 women were wounded (15.6% of the total number of the wounded), dozens of whom sustained permanent disabilities.¹⁰

¹⁰ Females constitute 49.26% of the total population of the Gaza Strip (1,416,543), according to the latest census conducted in late 2007.

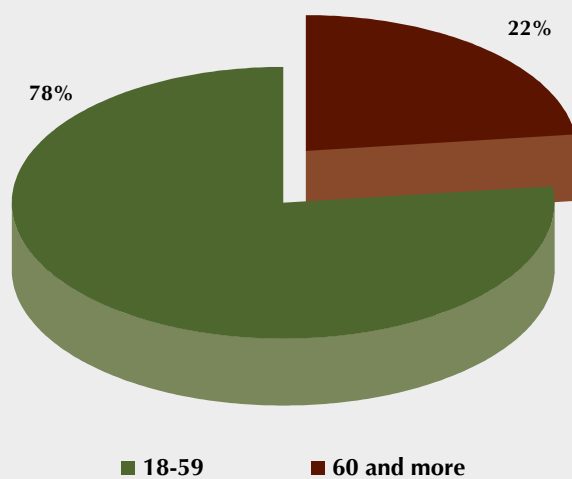
The highest numbers of deaths among women were in the northern Gaza Strip and Gaza City; 57 women (were killed in the northern Gaza Strip 51.4% of the total number of women victims); and 40 women were killed in Gaza City (36% of the total number). The other victims were distributed throughout the other three governorates: 8 women were killed in the central Gaza Strip (7.2%); 5 women were killed in Khan Yunis (4.5%); and one woman was killed in Rafah (0.9%).

Diagram (8): Geographical Distribution of Women Killed during the Offensive



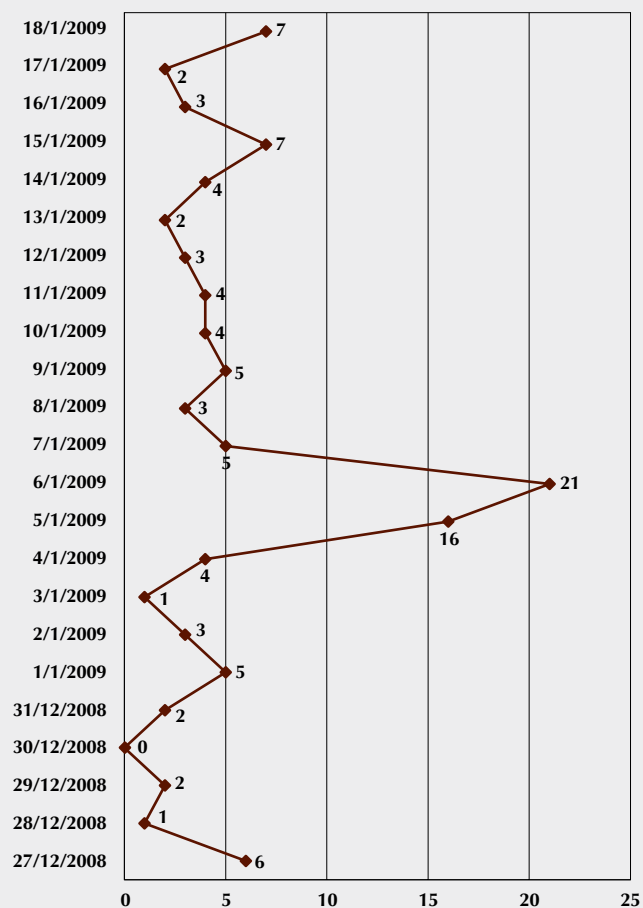
Of the women who were killed, 25 were 60 or above (22.5%), the oldest of whom was Miriam Abu Zaher, 87. A number of pregnant women were also killed, such as Somaya Sa'ad 20, who was in the 9th month of her pregnancy, and Tazal al-Daya, who was in the 5th month of her pregnancy. A number of women miscarried during the offensive; doctors believe that this may have been caused by fear and panic, in some instances it is believed that the inhalation of smoke from white phosphorous was a causal factor.

Diagram (9): Age Categories of Women Killed during the Offensive



An average of 5 women were killed by IOF on each day of the offensive. 21 women were killed on 6 January, the highest single day death toll.¹¹

Diagram (10): Women Killed on Each Day of the Offensive



¹¹ This day was the bloodiest as 106 Palestinian civilians, including 41 children, were killed, mostly due to the bombardment of al-Fakhora School in Jabalya and during the Israeli incursion into Tal al-Hawa neighborhood.

Examples of Killings of Women

There was no safe place in the Gaza Strip. Women were killed inside their homes, while in the street fleeing (some were shot while carrying white flags), or while sheltering in UNRWA schools.

Killing Two Women in al-Shujaeya Neighborhood, Gaza City

On 5 January 2009, IOF repeatedly targeted the home of the al-Maleh family. At the time of the attack 23 family members were sheltering in the house. The civilians were repeatedly targeted. A nearby house which they fled to was attacked, and when neighbors rushed to help those who were unable to leave they were attacked for a third time.

Testimony by Ribhy al-Maleh, 29, husband and son of victims:

“At approximately 13:30 on Monday, 5 January 2009, while I was with my 23 family members in our house, an Israeli missile was fired at the second floor of the house where my brother Safwat, 35, was present. Feeling terrified, we all decided to go out when another missile was fired at us. My father, Mahmoud, 58, was wounded by shrapnel to the right hand, the neck and the chest. My daughter Nour, 6, was wounded in the abdomen. My sister Ulfat, 30, was wounded in the right leg. My grandmother Khadra, 80, my mother Nadia, 60, and my wife Lubna, 27, attempted to go my uncle’s house adjacent to ours for shelter, but a shell was fired at them, killing my grandmother and wife. My mother was seriously wounded. I tried to keep my children away from seeing their mother torn apart when another missile hit us, wounding me with shrapnel in the neck and left leg. Nevertheless, I was able to take my children to my uncle’s house. Later, a number of neighbors came and evacuated us to hospital.”

Women Killed While Carrying White Flags

PCHR documented a number of cases, in which IOF fired at women carrying white flags, killing a number of them.

Rawhiya al-Najjar

On 13 January 2009, IOF attacked a group of women and children in Khan Younis, some of whom were carrying white flags. Rawhiya al-Najjar was shot and killed in the attack.

Testimony by Yasmin al-Najjar, 24, victim:

“At approximately 03:00 on Tuesday, 13 January 2009, Israeli tanks and military bulldozers were getting closer to our neighborhood amidst intensive shooting and shelling. The bulldozers demolished a number of houses. When they got close to our house, we got out. We went to the yard of a house belonging to Ussama al-Najjar. There were 80 of us, including women and children, gathering in the house yard. Israeli troops arrested men and demanded women to go to the center of the village, 500 meters away from our house. An Israeli bulldozer demolished a wall behind which we were hiding so we ran away to escape death. We headed towards the center of the village. My neighbor, Rawhiya al-Najjar, was beside me, raising a white flag when Israeli troops opened fire at us, wounding Rawhia who immediately fell down. I as well was shot in my leg. We tried to help Rawhia, but the shooting was heavy. I ran away searching for an ambulance in which I was evacuated to hospital. Rawhia was dead. After Israeli withdrawal, I went home and I found my home was completely devastated”.

Killing a Woman and Her Daughter in Juhor al-Dik

On 4 January 2009, Israeli soldiers opened fire on a group of unarmed civilians, some of whom were carrying white flags. Two women were killed in the attack, they were shot from close range. The bodies were left in the field until 17 January. When the bodies were uncovered, it was found that one of them had been dismembered afterin being driven over by an IOF bulldozer.

Testimony by Yousef Abu Hajjaj, 39, eye-witness:

“I live with my wife and children in a house near the house of my brother Saleh, 29, where my mother and two sisters live. At around 05:30 on Sunday, 4 January 2009, I was awakened by sounds of Israeli tanks and vehicles rolling into the area while Israeli warplanes were hovering above in the sky. At around 07:00, a shell fell onto the house due to which my niece, 13-year-old Manar, was wounded with shrapnel to the hand. We decided to get out and go to a nearby house belonging to Mohammed al-Safady, 200 meters away from ours. At around 11:30, my brother Majed informed me in a phone call that Israeli troops demanded people to leave their houses and go to the centers of towns. We, 25 people, decided to get out. My sister Majeda, 35, and Ahmed al-Safady were raising white flags. Being 200-meters away from us, Israeli troops directly opened fire at us due to which Majeda was shot dead. My mother was shot in the side due to which she fell down. We left the two bodies and went backward

to al-Safady's house, which was targeted with shooting and bombardment, so we left the whole area out. On 17 January, we managed to access the area where we found the two bodies covered with sand and traces of bulldozers on them."

Killing a Woman by Demolishing Her House Over Her

PCHR documented at least one crime where a house was demolished by Israeli bulldozers with family members inside. On 4 January, IOF bulldozers demolished the house of Yaser Motawe', 43, in the Sheikh Ejleen neighborhood, killing his mother killed, Miriam Motawe', 73, and injuring his aunt, Khadra Motaw', 70.

Testimony by Yaser Ibrahim Motawe', 43, concerning the death of his mother and injury of his aunt in Sheikh Ejleen neighborhood:

"At the beginning of Israeli incursion into the south of Gaza City, Israeli troops blocked the main roads that links the southern parts of the Gaza Strip with its northern ones, razed areas of land and demolished a number of houses. At approximately 07:00 on Sunday, 4 January 2009, IOF targeted our house via intensive shooting. My mother Miriam Motawe', 75, and my aunt Khadra Motawe', 70, and I were inside the asbestos-roofed house when the Israeli military bulldozers started demolishing the house. I managed to flee, but my mother and aunt did not. My mother was killed and my aunt was injured in her legs. The Israeli bulldozers and vehicles were intensively deployed in the area. Israeli troops pulled my aunt from under the rubbles alive. They allowed me to make a call from a neighboring house so as to bring an ambulance. My aunt remained on the ground until 11:00 on Monday, 5 January, when an ambulance came and transferred her to al-Quds Hospital while my mother's body remained beneath the house's rubbles until the Israeli withdrawal."

Woman Killed as a Result of the Bombing of Agricultural Land

PCHR documented the death of Aysha Rafi', 52, from al-Zaytoun neighborhood in the east of Gaza City, when an Israeli warplane bombarded arable land 30 meters away from her home.

Testimony by Raghda Mohammed Rafi', 19, son of the victim:

"At approximately 15:30 on Saturday, 3 January 2009, I was with my mother Aysha Rafi', 52, and my sisters Aamal, 30, Amal, 28, Raghda, 19, and Randa, 18, and my uncle's wife in the house yard when an Israeli F-16 fighter jet bombarded an arable land, 30 meters away from the house, due to which a number of stones hit us. My uncles and brothers tried to save us, especially my

mother who was hit by a huge stone in the abdomen and the leg. A civilian vehicle arrived and transported us to Shifa Hospital where my mother was pronounced dead."

Killing Two Women in al-Qarara Village

According to investigations conducted by PCHR, on 8 January 2009, IOF targeted five women in Khan Younis as they were fleeing their homes. Two women were killed.

Testimony by Miriam Abu Znaid, 48, from al-Qarara village, mother of victim:

"At approximately 08:00 on Thursday, 8 January 2009, I heard sounds of Israeli tanks rolling into al-Qarara area. At around 10:00, my cousin Faten, 32, came to ask us to leave the area. I left the area with her and my three daughters: Atheer, 22; Ma'ather, 23; and Rida, 17. On our way out, we heard sounds of shooting, and we felt it was at us. So, we walked quickly. Faten and Ma'ther were leading us. At around 11:30, we heard a heavy explosion and sounds of shooting. Rida went backward while I managed to hide in a nearby house. We managed to contact an ambulance which arrived 15 minutes later. I went out and I saw Faten and Maa'ther lying on the ground dead."

The Illegal Use of White Phosphorous and Flechette Shells

Over the course of the offensive, IOF used white phosphorous (both as an incendiary weapon and as a smoke screen), and flechette shells in densely populated residential areas. The use of these weapons is not internationally prohibited, however, the manner in which they were used by IOF in the Gaza Strip violates fundamental principles of IHL, including the prohibition on indiscriminate attack, and the requirement to take all feasible precautions when launching an attack.

Customary IHL explicitly requires that all feasible precautions in the choice of means and methods of warfare be taken, in order to avoid or minimize disproportionate injury or loss of life among the civilian population. It also requires that an attacker do everything possible to assess whether an attack may be expected to cause disproportionate loss of life or injury, and defines an indiscriminate attack as one which employs a method or means of combat, the effects of which cannot be limited as required by IHL. Indiscriminate and disproportionate attacks are grave breaches of the Geneva Conventions, and as such constitute war crimes.

White Phosphorous

White Phosphorous is a flammable chemical typically used in military operations for signalling, screening, and incendiary purposes; it was recently used during the 2004 Battle of Falluja in Iraq. When exposed to air white phosphorous spontaneously ignites, it will continue to burn until either all the white phosphorous fragments are consumed, or the element itself is deprived of oxygen. The chemical composition of the weapon – which causes extreme second and third degree chemical burn injuries – make it exceptionally difficult to treat.

There is extensive evidence indicating that white phosphorous was used in an ‘air-burst’ fashion during the assault on the Gaza Strip. This technique involves exploding white phosphorous

shells at a certain distance above the ground; each shell will then release 116 burning white phosphorous fragments over an area of between 125 and 250 metres in diameter, depending on the altitude of the explosion.

Given the requirements of IHL, Israel should have not used white phosphorous in densely-populated areas.¹²

Several reports issued by international human rights organizations indicated that IOF used white phosphorous in civilian areas during the latest offensive on the Gaza Strip; Human Rights Watch pointed out that using white phosphorous in residential areas is a violation of the obligation to take all feasible precautions when launching an attack, in order to minimize the potential harm to civilians.

During the offensive, PCHR interviewed Dr. Nafez Abu Sha’ban, head of the Burns Unit in al-Shifa Hospital of Gaza City: “Currently, we are receiving persons who sustained severe burns due to which the muscles and body cells are completely destroyed. In some cases, we had to amputate the limbs. We performed six surgeries to amputate the two legs of persons who sustained burns, three patients of whom died after surgeries. Some of the cases suffer from fractures and internal hemorrhage. We don not know the reasons behind the internal hemorrhage for some wounded. We are highly

¹² Mark Garlasco, Senior Military Analyst, Human Rights Watch (www.hrw.org/en/news/2009/01/12-0).

concerned about being unable to know the consequences of such wounds. All we can do is to grant the fact that victims, mostly civilians, were chemically targeted. I have never seen such wounds due to which we need the World Health Organization to send specialized physicians so as to help those who were affected by chemical weapons.”

Khuza'a village in the east of Khan Yunis, Tal al-Hawa neighborhood in Gaza City and Beit Lahia town were all attacked using white phosphorous. Twelve civilians were killed as a result of the shells scattering within civilian areas and refugee shelters at UNRWA Schools. A number of institutions were burned due to the shells such as UNRWA headquarters in the Gaza Strip, the building of Palestine Red Crescent Society (PRCS) in Gaza City and an UNRWA school in Beit Lahia.

Hospitals in the Gaza Strip reported that many civilians were admitted into hospitals after sustaining serious burns. In Khuza'a village, civilians told PCHR field workers that IOF attacked them using artillery shells that explode in the air creating pillars of fire and shrapnel everywhere with thick white smoke that causes burns, suffocation, convulsions, severe pains in the eyes and inhalation problems. An eyewitness, Ahmed al-Najjar, gave testimony concerning the death of his mother, Hanan al-Najjar, 41, who was killed in a white phosphorous attack: *“On Saturday 10 January 2009 at around 10:30, I was at the house of my mother's uncle when I heard heavy explosions that caused fire and thick smoke in the vicinity of the house. We went out to extinguish fire. I went back home to look for my mother when another explosion rocked the house. My mother was dead with blood and dust everywhere.”*



The bombardment of Beit Lahia School, to where Palestinian civilians sheltered, with white phosphor bombs

Yasmin al-Najjar, 23, gave another testimony relating to the shelling of Kuz'a village with white phosphorous: *"At approximately 22:00 on Monday, 12 January 2009, I was at home with my 24 family members when we heard explosions in the area which was completely covered with white smoke due to which my family and I suffered from suffocation. We called ambulances to take us out"*.

In Gaza City, PCHR documented two distinctive cases during which IOF used white phosphorous against UNRWA warehouses and the building of the PRCS in Gaza City. According to investigations conducted by PCHR, on 15 January, IOF bombarded UNRWA warehouses with at least three white Phosphorous bombs, wounding three persons and setting fire to the warehouses, burning large quantities of supplies.

Scott Anderson, former officer in the US Army and UNRWA Field Officer, explained the attack on the UNRWA headquarters: "I don't know when exactly the first shell hit us, but the shells were getting close by 8 a.m., and I called the IDF coordination unit at Erez to try to get them to stop it. The pattern of shelling was that it started over the Gaza Training College, in the western part of the UNRWA compound, and then the shelling moved to the west and walked its way over the whole compound. It was hitting the compound itself for around an hour."

Testimony by Azhar al-Banna, eyewitness:

"At approximately 06:00 on 17 January 2009, while I was with my daughter and a group of women and children in the classrooms located on the third floor of the school, a number of white phosphor bombs were fired at us. On my way out of the classrooms, I found Muna al-Ashqar wounded with her leg cut off. Bilal al-Ashqar was also wounded with his mother lying on the ground with wounds. I went downstairs to look for my son Ahmed when white phosphorous shells fell onto the school. We managed to hide and were evacuated later."

Less than two hours later, IOF targeted the PRCS's building adjacent to al-Quds Hospital, and in the vicinity of UNRWA headquarters. The PRCS building and al-Quds hospital were again targeted in the evening. The use of white phosphorous caused a fire to break, destroying the administrative and cultural buildings of the PRCS and the fifth floor of the hospital and inflicting heavy damage.

Abdul Aziz Abu Eisha, a PRCS worker, described the Israeli targeting of al-Quds Hospital in Tal al-Hawa neighborhood in Gaza City saying: *"At approximately 10:00 on Thursday, 15 January 2009, IOF bombarded the PRCS's building and fire broke out. We tried to extinguish fire but in vain. While we were on the eighth floor, IOF fired at us, so we decided to step down towards the ground floor. In the meantime, IOF fired incendiary bombs at the ground floor. At around 22:30, the PRCS's cultural building was as well targeted and fired broke out in the building. It took us three hours to put out the fire."*

PCHR also documented the use of white phosphorous in the northern Gaza Strip. For example, on 17 January 2009, the UNRWA school in Beit Lahiya was attacked with conventional and white phosphorous shells. At the time of the attack the school was being used as a shelter for displaced persons. Mohammed, 4, and Bilal, 5, al-Ashqar were killed in the attack.

On 4 January, IOF attacked the Abu Halima household in Beit Lahia using conventional and white phosphorous shells. Sa'ad Allah Abu Halima and four of his children were killed in the attack.

Testimony by Sabah Abu Halima, victim:

“On 3 January 2009, IOF invaded al-Sayafa area and completely besieged our house. At approximately 15:00 on Sunday, 4 January 2009, while I was with my husband Sa’d Allah, 45, and my kids Zaid, 10, Hamza, 7, Abdul Rahim, 13, Ali and Shahd, 1, on the first floor, we heard sounds of shelling that targeted the house of our neighbor, Hikmat Abu Halima. We all fled towards the inner corridor. I was holding my daughter Shahd with Ali besides me. My daughter-in-law Ghada, 20, and her child Farah, 2, were inside a room. A few minutes later, a shell fell onto the house and exploded inside. Fire broke out inside the house due to which Shahd fell down. Fire caught in my clothes after which I managed to leave home. I was transferred to the hospital where I was informed that I suffer from serious burns in hands and legs. I was also informed that my husband, my kids Hamza, Abdul Rahim and Shahd, were killed. My son Yousef, 15, Ghada and her daughter Farah were wounded and transferred into Egyptian hospitals.”

Flechette shells

Flechettes are 4cm long metal darts used as anti-personnel weapons which penetrate straight through human bone and, like all the weapons above, can cause horrific injuries when used against civilians. There are 5,000-8,000 flechettes packed into a single artillery shell.

They are contained inside a 105 or 120 mm tank shell. Shortly after firing, the shell ruptures, releasing 5,000 - 8,000 flechettes, which then scatter at high speed in a funnel shaped pattern and have an effective range of approximately 300 metres.¹³ Flechettes penetrate straight through human bone, and can cause horrific injuries.

IHL does not explicitly prohibit the use of flechettes in all circumstances: they are an anti-personnel weapon intended for use against massed troop concentrations. However, their inappropriate use in the Gaza Strip violates other rules of customary IHL, notably the principle of distinction and the precautions necessary in attack.

According to investigations conducted by PCHR, IOF used flechette shells against a number of civilian targets. According to witnesses’ testimonies, on 14 January 2009, IOF fired a number of Flechette shells at an ambulance during the evacuation of seven bodies of Palestinians who had been killed by IOF. A paramedic, Arafa Abdul Dayem, was killed, and two others were wounded.

¹³ See: <http://www.amnesty.org/en/news-and-updates/news/israeli-army-used-flechettes-against-gaza-civilians-20090127>

In the morning of 5 January 2009, IOF attacked the wake tent of Abdul Dayem in Beit Hanoun town, forcing the mourners to leave the area. As they left the house, IOF fired two Flechette shells at them, killing three members of the family, including a child. Those killed were: Arafat, 12; Nafez, 22; and Maher Abdel Dayem, 32. Twenty persons were also wounded, 2 of

whom died of their wounds in the following days: Said Jamal Abdul Dayem, 28; and Islam Jaber Abdul Dayem, 16, Abdel Dayem.

A dart stuck onto a wall released from the Flechette shell that hit the 'Abdul Dayem's house in Beit Hanoun.



A dart-like object released from a flechette shell stuck to a wall in the Abu Dayem family's house

Using Civilians as Human Shields

IHL explicitly prohibits the use of human shields. This prohibition is codified in, *inter alia*, Article 28 of the Fourth Geneva Convention, and Article 51(7) of Additional Protocol I. Article 28 of the Fourth Geneva Convention holds that, “The presence of a protected person may not be used to render certain points or areas immune from military operations.”

Article 8(2)(b)(xxiii) of the Rome Statute of the International Criminal Court related to war crimes states that “Utilizing the presence of a civilian or other protected person to render certain points, areas or military forces immune from military operations” constitutes a war crime.

PCHR documented many testimonies given by civilians who

were used as human shields by IOF during the offensive. Such actions deliberately endanger civilians directly bringing them into the hostilities, in violation of the fundamental principles of IHL. Civilians used as human shields were forced to walk in front of Israeli soldiers as they searched houses, and were detained in the midst of Israeli troops during clashes with Palestinian resistance fighters.

Forcing Civilians to Walk before Israeli Troops during House Searches

Omar al-Amassi was used as a human shield by IOF. Al-Amassi who lives in 'Izbat Abed Rabbu area in Jabalya told PCHR that on 6 January 2009, IOF troops forced him to break the locks of a nearby house and to make sure that the house was free of Palestinian resistance fighters. After the house had been attacked, he was once again forced to enter the house to check on the status of the fighters. He fainted due to the smoke inhalation.

In another case, Samir al-Mabhouh, also from 'Izbat Abed Rabbu, told PCHR that at approximately 07:00 on Sunday, 4 January 2009, during an Israeli incursion into the area, Israeli troops stormed his house and forced him and his family to leave, while raising their shirts. They searched the house and forced the residents to walk before them to open nearby houses. IOF continued using the family as human shields for three consecutive days. Al-Amassi alleged that IOF used 14 individuals as human shield in the same area.

Ahmed Jawdat Abu Sha'ban, living in Tal al-Hawa neighborhood told PCHR that at approximately 07:00 on Thursday, 15 January 2009, IOF moved into the area. He was at home together with his family members in the Ajnadeen apartment building when a number of Israeli troops stormed the apartment. "They arrested all men, and I was left with women to be used as a human shield to open all flats of the building," Abu Sh'aban said. "In the afternoon, an Israeli soldier came and ordered us to get out and walk towards the Palestine Red Crescent Society Hospital," Abu Sha'ban added.

Fatima Ahmed al-Halab, from Sheikh Ejleen neighborhood in Gaza City told PCHR that at approximately 00:00 on Sunday,

11 January 2009, Israeli troops stormed her house forcing her son, Mus'ab, to take off clothes. They forced him to walk before them as they searched the house, and threw sound bombs from under his legs. After making sure that the house was safe, they thoroughly searched it.

IOF used children as human shields during house raids Tal al-Hawa neighborhood in the south of Gaza City. An eyewitness, Nimr Rawhi Rabah, told PCHR that at approximately 10:00 on Thursday, 15 January 2009, Israeli troops stormed Ajnadeen apartment building where they forced men to stand with their faces towards walls and handcuffed and blindfolded them. "They led my little brother, Majed, amid intense gunfire to open locked places and bags," Rabah said.

In another scene, Mahmoud al-Ajramy, 59, a diplomat,¹⁴ from al-Israa' neighborhood in Beit Lahia town, told PCHR that Israeli troops used him and his neighbor, Abbas Halawa, as human shields after storming their houses. He was quoted as saying: "I was hardly walking as Israeli troops were pushing me forward so as for them to avoid fire shooting. They used us as human shields till we reached a detention center in the northern Gaza Strip."

¹⁴ A more detailed testimony about al-Ajramy's arrest can be found in the section of Arrests and Torture

Taking Civilians as Hostages during IOF Land Incursions

PCHR documented a number of cases during which IOF detained civilians inside home as hostages. Families were subjected to various forms of suppression, humiliation and cruel treatment, and were used as human shields to protect Israeli troops from attack by members of the Palestinian resistance.

Civilians were used as human shields in this manner in several areas throughout the Gaza Strip. Ali Mohammed al-Attar, who was used as a human shield, told PCHR that on Saturday, 3 January 2009, during an Israeli incursion into the area, Israeli troops forced himself and his family to leave a house where they had been sheltering. “We went down to the street and found Israeli troops with black paint on their faces,” al-Attar

said. “They handcuffed and blindfolded us detaining us in a nearby house,” he added. “Long hours later, we were forced to leave out so as to be used as human shields. Israeli troops demanded us to gather in a big ground hole with some bodies of people who had been killed, where we stayed for three days with no food or water,” al-Attar said.

Another eyewitness, Mohammed ‘Adnan al-Attar, from Beit Lahia town testified that:

“At approximately 05:00 on Sunday, 4 January 2009, our house was stormed. I gathered with my family members in a room due to the intensity of the bombardment. Israeli troops fired smoke shells inside the house due to which we started shouting to let them know that we were inside. At 09:00, we were led into a nearby house where we were detained with other neighbors till the next day. Israeli troops led us all into a big ground hole surrounded by tanks and troops.”

Attacks against Medical Crews

During the offensive, IOF targeted medical and humanitarian relief personnel. They killed and wounded dozens of medical personnel – individuals explicitly protected under IHL. IOF failed to provide health care for the wounded who were shot by IOF and dozens of them bled till death, often in close proximity to Israeli soldiers. IOF deliberately obstructed the access of Palestinian medical personnel, ambulances and fire fighters as they sought to assist the victims. In total, 8 humanitarian workers were killed (two doctors, 5 paramedics and one driver), while they were attempting to provide the wounded and patients with necessary medical and humanitarian services. Another 50 humanitarian workers were wounded while carrying out their humanitarian mission.¹⁵ Dozens of hospitals and medical centers were destroyed or heavily damaged as a result of air, ground and sea operations.

IOF perpetrated crimes amounting to war crimes against medical personnel working in the Gaza Strip, in clear violation of the Fourth Geneva Convention, which affords special protection to medical personnel. IOF launched ground, sea and air attacks targeting medical personnel and facilities, including ambulances, and obstructed the access of medical personnel to the dead and wounded.

Blatant Israeli attacks against Palestinian medical personnel undermined their work during the latest offensive, by obstructing, and sometimes forcibly preventing, their access to dozens of dead and injured civilians across the Gaza Strip. In many cases documented by PCHR, medical personnel were only able to access the dead and injured up to 72 hours after they had been killed or injured. PCHR documented cases of IOF denying medical personnel access to people who subsequently bled to death. Medical personnel were obstructed by IOF vehicles positioned in the vicinity of houses and other civilian facilities; in some instances, IOF continued shelling and bombardment whilst medical personnel were clearly evacuating the dead and wounded.

In other incidents documented by PCHR, Palestinian medical personnel were prevented from carrying out their duties despite having secured prior coordination with IOF via the ICRC. The ICRC subsequently criticized in the strongest possible terms IOF attacks on medical and humanitarian personnel in the Gaza Strip. ICRC also demanded IOF to respect IHL, including the freedom of movement afforded to medical personnel in order for them to evacuate the dead and the wounded.

Legal Protection for Medical and Humanitarian Relief Personnel

Articles 14 to 23 of the Fourth Geneva Convention codify explicit protections with respect to medical institutions and personnel, and the care and search for the sick and wounded. Article 20 of the Convention provides that “persons regularly and solely engaged in the operation and administration of civilian hospitals, including the personnel engaged in the search for, removal and transporting of and caring for wounded and sick civilians, the infirm and maternity cases,

¹⁵ This figure does not include all medical personnel who were killed or wounded during the offensive; it includes only medical personnel who were killed or wounded while carrying out their duties. For instance, it does not include Dr. Eihab al-Sha’er, who was killed, when he was traveling in his car near a police station in Rafah, which was bombed by IOF.

shall be respected and protected.” Article 16 requires that, “As far as military considerations allow, each Party to the conflict shall facilitate the steps taken to search for the killed and wounded, to assist the shipwrecked and other persons exposed to grave danger, and to protect them against pillage and ill-treatment.”

The Palestinian civilian population has the right to receive medical care, which is ensured by the International Covenant on Economic, Social and Cultural Rights, as well as the Fourth Geneva Convention. Article 23 of the Fourth Geneva Convention provides: “Each High Contracting Party shall allow the free passage of all consignments of medical and hospital stores and objects necessary for religious worship intended only for civilians...” Accordingly Israeli occupying authorities are obliged to ensure the free passage of all medical consignments into the occupied Palestinian territory. Article 55 of the Convention provides that “the Occupying Power has the duty of ensuring the food and medical supplies of the population; it should, in particular, bring in the necessary foodstuffs, medical stores and other articles if the resources of the occupied territory are inadequate...” The right to adequate food and the right to health are interrelated and have a special status in the human rights system. They ensure the continuity of life and consequently constitute a basis for enjoying political, civil, economic, social and cultural rights; they are essential to a life of human dignity. These rights cannot be ensured if people are threatened by starvation or denied appropriate medical treatment. Additional Protocol I reinforces the protection afforded to medical personnel.

International human rights instruments emphasize the necessity of ensuring the right to health in all circumstances. Article 25(1) of the Universal Declaration of Human Rights provides that “Everyone has the right to a standard of living

adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”¹⁶

The Definition of Medical Personnel

Article 8 (c) of Additional Protocol I defines medical personnel as: “those persons assigned, by a party to the conflict, exclusively to the medical purposes enumerated under subparagraph (e) or to the administration of medical units or to the operation or administration of medical transports. Such assignments may be either permanent or temporary. The term includes:

- (i) Medical personnel of a party to the conflict, whether military or civilian, including those described in the First and Second Conventions, and those assigned to civil defense organizations;
- (ii) Medical personnel of national Red Cross (Red Crescent, Red Lion and Sun) Societies and other national voluntary aid societies duly recognized and authorized by a party to the conflict;
- (iii) Medical personnel of medical units or medical transports described in Article 9, paragraph 2;

Article 8 (e) defines medical units as: “establishments and other units, whether military or civilian, organized for medical purposes, namely the search for, collection, transportation, diagnosis or treatment - including first-aid treatment - of the

¹⁶ The application of international human rights law is not limited to times of peace only; rather it is also applied in time of war. Israel ratified the International Covenant on Economic, Social and Cultural Rights on 3 October 1991, and accordingly became a party to the Covenant on 3 January 1992.

wounded, sick and shipwrecked, or for the prevention of disease. The term includes for example, hospitals and other similar units, blood transfusion centres, preventive medicine centres and institutes, medical depots and the medical and pharmaceutical stores of such units. Medical units may be fixed or mobile, permanent or temporary.”

Article 8 (g) defines medical transports as: “any means of transportation, whether military or civilian, permanent or temporary, assigned exclusively to medical transportation and under the control of a competent authority of a Party to the conflict”.

Violations of the Protections Afforded To Medical Personnel

According to investigations conducted by PCHR, IOF intensified their targeting of Palestinian medical personnel who were on duty in areas where IOF engaged in hostilities. By doing so, IOF violated the right of these personnel to carry out their humanitarian duties, including treatment; evacuation, and transfer of the sick and injured. In violation of the Fourth Geneva Convention, IOF also prevented the evacuation and transfer of dead civilians and members of the armed resistance. In spite of repeated appeals by the ICRC in Gaza, the Palestinian Red Crescent Society (PRCS) and other international humanitarian

During the offensive, IOF repeatedly attacked medical personnel and institutions, an explicit violation of IHL. By carrying out such attacks, IOF also hindered the work of medical and relief personnel, endangering the lives of wounded civilians and causing excessive pain, suffering, and death. The Israeli forces used artillery shells, heavy and medium machine guns, live ammunition, rubber-coated metal bullets, tear gas canisters and sound bombs against ambulances, hospitals and medical centers of the Palestinian Ministry of Health, Palestine Red Crescent Society, the Military Medical Service, and other medical NGOs.

organizations, IOF continued to launch attacks on Palestinian medical personnel. Dozens of Palestinian medical personnel were wounded during the latest offensive.

In the majority of cases investigated by PCHR, the deaths and injuries of these medical personnel were due to IOF’s use of excessive lethal force, a disregard for the principle of distinction, and the deliberate targeting of humanitarian staff. By targeting medical personnel, IOF intentionally prevented them from providing medical aid to the sick and wounded. PCHR notes that IOF prevented medical personnel from carrying out their duties in the majority of areas that were subjected to IOF attacks since the launch of the IOF offensive against the population of the Gaza Strip on 27 December 2008.



Israeli Military Aircrafts Target an Ambulance Killing a Doctor and a Paramedic

At approximately 00:30 on Wednesday, 31 December 2008, an Israeli warplane fired a missile at a group of Palestinian resistance activists who were near al-Rayess Hill, east of Gaza City, killing one of them immediately and wounding another one. Nearly an hour later, an ambulance belonging to Ministry of Health drove to the same area to transfer the wounded fighter. The Israeli warplane targeted it with another missile. As a result, a paramedic, Mohammed Sa'id Abu Hassira, 21, was killed, and Dr. Eihab 'Omar al-Madhun, 35, was seriously wounded, and later died of his injuries. Heihmat Ajjur, 30, the ambulance driver who accompanied them, was also seriously wounded.

Israeli Missile Kills Three Medical Personnel

On 4 January 2009, IOF killed three Palestinian medical personnel responding to a call for assistance in the al-Dahdouh area of Tal al-Hawa, Gaza City. Israeli warplanes fired several missiles as ambulances approached the area in order to evacuate the wounded. Three paramedics left the ambulances and proceeded on foot, carrying stretchers. They were targeted by an Israeli missile, and killed instantly. The dead were: Yasser Kamal Shubair, 24; Anas Fadel Na'im, 25; and Ra'fat 'Abdul 'Aal, 24.

In his testimony to PCHR, Yahia Abdul Haleem Hassan, 38, a paramedic from Tal al-Hawa neighborhood, who was driving an ambulance when the attack took place, started:

“ At approximately 16:00 on Sunday, 4 January 2009, I was on duty at Fata Hospital in Tal al-Hawa Neighborhood in Gaza Strip, when we received a phone call from several people in al-Dahdouh area in the south of Tal al-Hawa neighborhood, informing us that there were many casualties in that area. Immediately, I drove the ambulance towards that area accompanied by paramedics Anas Fadel Naa'm and Ra'fat Abdul al-'Aal and another one whom I do not know. Another ambulance driven by Hazem al-Barrawi accompanied with Yasser Kamal Shubair, headed to the same area. When we reached this area along al-Mohafza Street, we met an 8-year-old child who was screaming and calling us. He pointed at the casualties' place in a dirt road that was difficult to go through. The paramedics got out of the ambulances carrying the stretchers from the back of my ambulance and went to that place. When paramedics Yasser, Ra'fat and Anas and the child reached the place of casualties, an Israeli warplane attacked them with another missile. Immediately, my colleague, Hazem al-Barrawi, got out of his vehicle as it was stuck in the sand and he could not get it out, so he got into my car. I then drove a way from the place. IOF continued to fire missiles at us and a missile landed behind my vehicle, but it did not touch it. I then heard a third missile while I was driving fast till I reached the hospital. I informed the ambulance officer about

what happened with us and our escape from that area as we failed to evacuate the wounded civilians or our colleagues as we were targeted. Immediately, the ambulance officer drove an ambulance towards the ambulance station of Palestine Red Crescent Society, which is close to us, and three ambulances drove to the same area again. They went there and were able to evacuate the paramedics who died because of the bombardment. IOF allowed them to carry only one corpse in each ambulance. The dead paramedic, Ra'fat Abdul Aal, the child and other dead people remained in the place and our paramedics did not manage to evacuate them, but they were able to evacuate them later."

IOF Target an Ambulance Killing a Number of Civilians and a Paramedic

At approximately 10:00 on Sunday, 4 January 2009, IOF attacked a group of civilians near Abu Obaida Ben al-Jarrah School in Beit Lahia town in the northern Gaza Strip. A number of civilians rushed to evacuate the casualties, and an ambulance belonging to al-Awda Hospital was dispatched. At approximately 10:10, the same area was bombarded again, and 9 civilians were killed, including a father and his two sons; a number of other civilians, including two paramedics, were wounded.

In his testimony to PCHR, Khaled Yousef Ahmed Sa'da, 42, an ambulance driver in al-Awda Hospital from Jabalya, stated:

"At approximately 10:00 on Sunday, 4 January 2009, I received an appeal from Mr. Aamer Mansour to rescue his family members who were targeted by an artillery shell that hit their house in the Western Square area in Beit Lahia town. I immediately drove an ambulance from the hospital, accompanied by paramedics Arafa Hani Abdul Daym and Alaa' Osama Sarhan, towards the house. We promptly evacuated three casualties from the family members, two women and a child, and we quickly drove towards al-Awda hospital. We then moved back to the same place to search for other casualties.

When we reached the place, we found another ambulance there and we told the medical crew that we had transferred other casualties. We searched under the rubble for others, but we did not find. Therefore, we left the place and we normally drove the ambulance until we reached al-Quds Bank in the center of Beit Lahia town. Suddenly, we received an appeal from the area inhabitants that there were casualties in the Western Square area. So, I immediately turned the ambulance and drove towards Aslan Street to the south of Western Square area. When we arrived there, we found two wounded boys. I stopped the vehicle and got out together with other paramedics and we were distinguished

by our uniform. The first boy who was wounded in one of his feet got into the ambulance and Arafa and Osma carried the other wounded boy to the ambulance bed. They asked the first boy to sit on the ambulance seat because the second boy sustained serious injuries. My colleagues returned and brought a third wounded civilian on the stretcher. Meanwhile, I turned the ambulance to be ready to go ahead towards the main street.

Suddenly, when I was about to get out from the ambulance to help my colleagues, a heavy explosion occurred rocking the back of the ambulance and I heard objects falling on the ambulance like rain. I felt that blood is coming out from my head. I put my hand on my head to feel what happened, so I could notice that I was bleeding. I immediately went to the back of the ambulance searching for my colleagues to know what happened with them. I found my colleague Alaa' wounded in his legs and I found the boy, who was sitting on the seat of the ambulance and injured in his feet, unharmed. The third wounded civilian who was lying on earth was without a head and legs. I promptly called my colleagues in al-'Awda Hospital and Palestine Red Crescent Society to rescue us. Soon after, two ambulances from the medical services arrived and we carried my colleague, Arafa Abdul Dayem, who was critically wounded beside the ambulance and carried also the wounded boy who was inside the ambulance. When we arrived the hospital, we transferred Arafa Abdul Dayem to the operations room. The doctor who treated him informed me that he was in a critical condition as he sustained a serious wound to the liver. Arafa Abdul Dayem died of his wound in the intensive care unit in al-Awda Hospital at 14:00. Later, we found a number of dart-like shrapnel in the targeted ambulance and in the place which we were standing. The doctor told us informed that my colleague was hit by a metal dart."

A Doctor Killed and a Paramedic Wounded

At approximately 16:10 on Monday, 12 January 2009, IOF fired an artillery shell at the al-Bana building in al-Zarga Street in Jabalya. Three ambulances from the Military Medical Services, the Civil Defense and the Ministry of Health responded to the call. Less than 7 minutes later, as medical crews were evacuating one of the dead civilians, the building was targeted again. The artillery shell hit a doctor, Issa Abdul Rahim Saleh, 32, a member of Military Medical Services, decapitating him.

Abdul Bari Abu Foul, 25, a member in the Civil Defense, informed PCHR that he and his colleagues had attempted to evacuate

the casualties after the al-Bana building had come under attack. He added that the ambulances and civil defense which arrived at the building were clearly marked and were raising flags. Paramedic Abu Foul is still in the hospital receiving further treatment and he suffers from trauma as a result of the experience; during the attack, he was hit by Dr. Saleh's decapitated head.

PCHR believe that the attacks on medical workers constitute clear violations of IHL. In many instances the medics were directly targeted, in others, IOF were willfully reckless as to the consequences of their actions. During the offensive, 7 medical personnel were killed, including two doctors, and 20 others were wounded while carrying out their humanitarian mission of evacuating the wounded throughout the Gaza Strip.

IOF Kill an UNRWA Humanitarian Relief Worker

On 8 January 2009, IOF fired at a convoy of trucks awaiting the transfer of UNRWA's humanitarian aid near Beit Hanoun (Erez) crossing, killing an UNRWA driver and wounding another. According to investigation conducted by PCHR, Israeli troops positioned at Erez crossing fired at a group of drivers who were waiting to transport humanitarian aid to the Gaza Strip's population. Bassam Qouta, 32, from Jabalya, was killed and another driver was wounded. The driver was working for the Shuhaiber Transportation Company, which has a contract with UNRWA. UNRWA had coordinated the mission with IOF in advance.

UNRWA declared a suspension of its activities in the Gaza Strip after IOF targeted their staff. The Director of UNRWA Operations in Gaza, Mr. John Ging, stated in an interview with al-Jazeera on Thursday, 8 January 2009, that UNRWA decided to suspend all its operations and activities, including the emergency food aid program, which serves approximately 750,000 refugee in the Gaza Strip, in addition to the schools and institutions belonging to it as a result of repeated Israeli attacks targeting UNRWA's institutions in the Gaza Strip. Mr. Ging also called on the IOF to uphold their obligations under the Fourth Geneva Convention, particularly those concerning the protections afforded to medical and humanitarian workers. The UNRWA spokesman declared that the organization had decided to suspend all operations in light of the dangers posed to UNRWA personnel. He also emphasized that UNRWA trucks were made the target of Israeli attack near Erez crossing despite coordination with Israel in advance. IOF also attacked the armored vehicle of Judy Clark, assistant of the director of UNRWA Operations in the Gaza Strip, but she was not hurt.

Karm Abu Salem crossing (Kerem Shalom) was also closed as personnel protested the killing of their colleague.

UNRWA decided to resume its activities on Saturday 10 January 2009 after the IOF had promised in a meeting with UN Commissioner-General not to target UN agencies and their personnel in the Gaza Strip. However, UN institutions came under repeated attack, including the UNRWA Headquarters, which was attacked on 15 January 2009.

Obstruction of Access of Medical Crews and Transports to the Dead, Wounded and Patients

During the offensive against the Gaza Strip, IOF deliberately obstructed medical personnel's access to the sick, dead and wounded throughout the Gaza Strip. Israeli troops prevented them from carrying out their duties in spite of their obligations under IHL. This systematic policy denied hundreds of wounded or dead civilians access to necessary medical treatment and relief; this obstruction resulted in the deaths of dozens of civilians as their injuries were left untreated.

Denial of Access and the Targeting of Medical Crews

PCHR documented dozens of cases in which IOF obstructed medical crews' access to the sick, dead and wounded. In many cases, IOF attacked medical crews and ambulances while carrying out their humanitarian mission. At least 50 medical personnel were wounded by IOF, many of whom are still receiving treatment. Additionally, 40 medical transports and fire engines were damaged, 6 of which were destroyed or rendered unusable. The following are the most significant attacks against medical crews and transports:

- IOF targeted medical workers and transports of the Palestine Red Crescent Society (PRCS) in many areas where military operations were taking place during the offensive on the Gaza Strip. According to PRCS sources, 16 ambulances and other vehicles were heavily damaged as they were targeted by Israeli bombs, missiles or gunfire. IOF destroyed three ambulances completely, including two that were crushed by Israeli tanks near the building of the PRCS Emergency and Ambulance Department in Tal al-Hawa neighborhood in

Gaza City. The PRCS is the main body providing emergency and ambulance services in the Gaza Strip.

- On 5 January 2009, IOF fired at two PRCS ambulances while they were on their way to evacuate casualties. One of the ambulances was damaged, but no casualties were reported.
- On 6 January 2009, three PRCS ambulances and ICRC vehicle entered the al-Samouni area south of Gaza City following coordination with the IOF. PRCS had tried over preceding days to coordinate through the ICRC to enter the area, but all attempts had failed.
- On 6 January 2009, a member of the Military Medical Services was wounded and two PRCS ambulances were heavily damaged when they were attacked by IOF during an attempt to evacuate a number of injured and dead people in Jabalya.
- At 5:00 p.m on 6 January 2009, an ambulance belonging to PRCS drove to the al-Samouni area, south of Gaza City, after receiving coordination from IOF to evacuate an injured individual. When the ambulance arrived, IOF soldiers shot at the ambulance causing damage. There were no injuries.
- At approximately 18:00 on 6 January 2009, Israeli troops fired at a PRCS ambulance in the al-Atatra area in the northern Gaza Strip, but no casualties were reported. The ambulance had obtained coordination with the IOF through the ICRC.
- On 7 January 2009, Hassan al-Attal, a PRCS ambulance officer, was wounded by a gunshot to the left leg when an Israeli soldier fired at him while he was trying to evacuate a dead Palestinian at Zimmu Square in the northern Gaza Strip.

According to sources of the PRCS, al-Attal, who has been working for the PRCS for 10 years, was wounded while trying to evacuate one of the dead; he had been responding to a call made during the time of the daily ceasefire. Al-Attal pointed out that he did not expect that he and his colleague would be targeted as they were clearly marked as medical personnel. Al-Attal, who is receiving medical treatment in the PRCS al-Quds Hospital in Gaza City, stated:

“I traveled to Zimmu Square in the northern Gaza Strip after the ambulance station had received an appeal about casualties. I stepped out of the ambulance together with a volunteer as the ambulance was not able to reach the place of firing. I took out the stretcher and went to one of the dead as no one could reach him because of the intense gunfire. Once I reached the victim, I put him on the stretcher to move him to the ambulance. Within seconds, IOF intensively fired at me and my colleague, the volunteer, so I was wounded by a gunshot to my left leg. My colleague helped me leave that place and go to the ambulance which was close to me. He then transferred me to al-’Awda Hospital in Jabalya camp. I was transferred to the PRCS al-Quds Hospital for further medical treatment.”

- On 7 January 2009, two PRCS paramedics were wounded as they came under direct Israeli gunfire while attempting to evacuate the injured.
 - On 7 January 2009, a PRCS paramedic was wounded when Israeli troops fired at an ambulance in the al-Juron area in the northern Gaza Strip. The workers had been attempting to evacuate casualties; the ambulance was also damaged in the attack.
 - At approximately 16:00 on 9 January 2009, IOF fired at a convoy of 11 ambulances near al-Shuhada (Netzarim) intersection, south of Gaza City. The convoy was headed by a car belonging to the ICRC, and included 3 PRCS ambulances. An ICRC worker was wounded and his car was damaged.
 - On 9 January 2009, 7 PRCS ambulances, a number of ICRC vehicles and a number of international solidarity activists entered al-Zaytoun neighborhood and al-Atatra area to evacuate dead and wounded civilians. Over the preceding 6 days, the PRCS had attempted to secure coordination to access the area through the ICRC, but all attempts failed.
- The PRCS teams evacuated the bodies of 3 dead people, as well as 8 families (80 individuals, including women, children and old people) to the al-Quds Hospital. Medical teams were not able to complete their searches for dead and wounded people in those areas because of Israeli gunfire.
- On 9 January 2009, IOF fired at PRCS ambulances and personnel in the al-Atatra area of the northern Gaza Strip. The ambulances had been attempting to evacuate the wounded, and were accompanied by a vehicle belonging to the ICRC to evacuate dead and wounded people. One of the ambulances was damaged.
 - On 9 January 2009, Marwan Hamouda, a PRCS ambulance driver, was wounded by a bullet to his left leg as IOF fired at him while he was inside his ambulance in Jabalya town in the northern Gaza Strip. Hamouda stated that PRCS had coordinated access with the ICRC, to transfer urgent cases from Shifa Hospital to Rafah International Crossing Point. He also added that Israeli troops positioned on the coastal road detained the ambulances for two hours on their way back from Rafah International Crossing Point. He said that he drove to Jabalya when Israeli troops allowed them to pass.

He reported that IOF fired directly at him, wounding him in the feet. He was evacuated to the hospital to receive medical treatment.

- During the offensive, the ICRC denounced IOF's widespread denial of medical access. In a press release on 7 January, the ICRC announced that four ambulances belonging to the ICRC and PRCS were granted permission for the first time to reach a number of damaged houses in the al-Zaytuon neighborhood of Gaza City. The ICRC had requested coordination since 3 January, but this was delayed for four days. The ICRC and PRCS personnel found 4 children

sitting beside their dead mother; they were so weak that they were unable to stand. They also found a male survivor; his condition had also deteriorated to the point where he could not stand on his own. According to the press release, the PRCS and ICRC teams found at least 12 corpses.¹⁷ The team also found another 15 persons, including a number of injured individuals, who survived an attack that targeted a house. In addition, they found another three corpses in another house. IOF soldiers who were stationed nearly 800 meters away from that home ordered the medical teams to leave the area, but the teams refused to do so. The area was surrounded by several military posts supported by two tanks.

- Pierre Wettach, the ICRC's Head of Delegation in Israel and the Occupied Palestinian Territory, stated:

"It is a dreadful accident. Israeli forces certainly knew about this situation, but did not provide help for the wounded and even did not allow us or the PRCS to help them. High sand hills, which Israeli forces had established, obstructed access of ambulances to the area. Therefore, we had to transfer the children and wounded to ambulances by animal carts. The ICRC and PRCS were able to evacuate 18 wounded persons and 12 others who were very exhausted. They also evacuated another two corpses and the ICRC and PRCS will collect the remaining corpses on Thursday. The ICRC was informed that there were many wounded persons hiding in demolished houses in this neighborhood. The ICRC calls upon the Israeli military to open a safe passage for it and its ambulances to enable them to quickly reach the area to find other wounded people. The ICRC has not been so far granted any confirmation from the Israeli forces that would allow access to the area. The ICRC believes that Israeli forces failed to fulfill their legal obligations under international humanitarian law, which requires providing care for the wounded and evacuating them. The ICRC considers delaying access of relief services to the neighborhood unacceptable."

¹⁷ The ICRC issued several press releases during the Israeli military offensive on the Gaza Strip calling on Israeli forces to respect international humanitarian law. The ICRC also accused IOF of not fulfilling their legal obligation to protect the civilian population in the Gaza Strip and of not providing appropriate medical care for wounded and sick people. In addition, IOF prevented medical and humanitarian relief personnel from attending the dead and wounded victims to provide them with medical treatment. For further information, see the ICRC's web site: www.icrc.org

Increased Suffering of Families and Wounded People Due to Denial of Access to Medical Care

Palestinian civilians in areas controlled by IOF were deprived of basic needs, including water and electricity supplies, especially in the al-Zaytoun neighborhood in Gaza City and the al-Atatra and al-Salatin areas in the northern Gaza Strip. Dozens of families were denied access to appropriate medical care and were unable to secure the evacuation of those wounded in Israeli attacks. According to testimonies collected by PCHR lawyers and field workers, many of the wounded died as a result of the denial of access to medical treatment. Moreover, the health conditions of dozens of the wounded deteriorated as they were denied treatment for several days.

On Sunday, 18 January 2009, following Israel's declaration of a unilateral ceasefire, medical personnel were able to recover 17 decayed corpses from sites throughout Gaza City, especially the destroyed areas of al-Zaytoun, al-Sha'af, al-Tuffah and al-Dahdouh. IOF had denied access of medical personnel and ambulances to the victims. Many of these victims had been

Testimony by Nahil 'Abdullah Ibrahim Al-Sammouni, 38:

"At approximately 05:00 on Sunday, 4 January 2009, I was with my family in our 2-story house, and we were hiding on the ground floor because of explosions and bombardment by IOF while moving into the east of Gaza City. Suddenly, I heard a heavy explosion that destroyed the house over us, as the house was a missile fired by IOF. Fortunately, we all survived, so we went to the 3-story houses of Talal Helmi Mahmoud al-Sammouni, my husband's cousin, which was near ours. While we were in that house, I saw Israeli soldiers in a nearby house. A few hours later, Israeli troops started to evacuate civilians from the area, including us. They then put us in Wa'el al-Sammouni's house, which consists of two floors, but was not ready for living. We were nearly seven families. Israeli troops then checked all young men and took their mobile phones and identity cards. We stayed in Wa'el al-Sammouni's house for 24 hour.

left untreated for more than four days, as medical crews were unable to access the area. Three of the corpses belonged to children, including two infants. The victims were identified as:

1. 'Atiya Helmi al-Sammouni, 45;
2. Hamdi Maher al-Sammouni, 23;
3. Hamdi Mahmoud al-Sammouni, 70;
4. Mo'tassem Mohammed al-Sammouni, 6 months;
5. Mohammed Helmi al-Sammouni, 5 months;
6. Ahmed 'Atiya al-Sammouni, 4;
7. Mabrouka As'ad al-Sammouni, 30;
8. Mohammed Saleh Abu Dayya, 50;
9. 'Abed Juma'a 'Ayad, 80;
10. Ahmed Yousef al-Batesh, 18;
11. Bassam 'Azmi al-Hattab, 22;
12. Mohammed Ameen Hiji, 36;
13. 'Eid Harb Sokkar, 30;
14. Mohammed Mo'in al-Reefi, 20;
15. Hassan Salem Al-Hawari, 80;
16. Isma'il Ahmed Salem, 30, a police officer;
17. Mo'men Mousa Al-Khozondar, 22, a resistance activist whose body was found in al-Rayess Hill area.

On Monday, 5 January 2009, following sunrise, the area was so quiet, but we were worried about my husband's brother who was living in a room in the trees in our area. Few young men tried to get out from the house to bring him to stay with us. At approximately 09:00, IOF attacked us by a missile wounding 5 civilians, two of them died and we tried to rescue the others. Meanwhile, IOF fired another missile behind the house. At that moment, I felt dizzy because of the smell and dust which I inhaled. I then fell down and my sons were screaming around me as my husband was wounded in his legs. Therefore, I took my scarf off and banded my husband's injury, but in vain as he was still bleeding. Within a few minutes, the young men asked us to get out of the house. There were nearly 80 individuals inside Wa'el al-Sammouni's house when IOF attacked it.

We then started to go out from the house with hands up and holding white flags. We were walking and asking Israeli soldiers to be merciful with us. When we hurried towards the street, our neighbors heard our screaming and saw us walking fast, so they got out from their homes and hurried with us screaming. At that time, I looked for my sons while we were in the street, but I did not find my son, Ahmed, and I could not return to know where he was or what happened to him. I also left my husband, Nafez, bleeding on the ground. While we were leaving the house, an Israeli tank opened fire at the ground around us and we escaped towards the north. After the people had sheltered us, we started to feel safe as we survived.

Three days later, on 7 January 2009, Medical personnel were able to reach our area to evacuate the dead and wounded. When I knew about that, I went to al-Quds Hospital, where I found my son and my husband, who had been wounded. Many individuals from the al-Sammouni clans and other clans were killed or wounded. There were many dead people in Wa'el al-Sammouni's house and medical personnel had not been able to evacuate them. This attack had no justification as there were no clashes or events that required targeting civilian families, including women, children and old people. All of this happened while Israeli troops were completely controlling our area, which includes a group of adjacent houses belonging to al-Sammouni's clan and other families, and other civilian houses in different places."

Investigations conducted by PCHR and victims' testimonies indicate that medical personnel, including civil defense, faced dangerous conditions that hindered their free and safe access to areas where Israeli military operations were ongoing in the Gaza Strip. IOF also obstructed efforts to evacuate and care for the wounded; hundreds of civilians were left suffering, many for several days, as IOF targeted medical personnel and denied coordination.

PCHR documented hundreds of cases in which civilians were subjected to indiscriminate Israeli attacks without medical personnel being able to attend to them. These cases were reported in several areas in the Gaza Strip, especially areas which were invaded by IOF. The dead and wounded were left where they fell in several areas, including al-Zaytoun, al-Shuja'eya and al-Shiekh Ejleen neighborhoods in Gaza City, al-Karama apartment buildings, al-Salateen, al-Atatra, Izbat Abed Rabbu and al-Shaimaa' areas in the northern Gaza Strip.

Testimony by Maher Nassar, 44, from al-Atatra area in the northern Gaza Strip:

"At approximately 18:00 on Monday, 4 January 2009, When IOF attacked our area, I left the house with my wife and our five children searching for a safer place. However, we were not able to leave the area because of intensive Israeli gunfire and smoke bombs which made the vision unclear throughout the area. We did not find any transportation means to take us from the area as all streets were subjected to intensive bombardment several hours before the beginning of the ground offensive, which made large craters. This made us return to our home because of my wife and children were afraid and unable to get out from the area.

Overnight, none of my family members was able to sleep as IOF intensified bombardment, which was getting closer to our neighborhood. Electricity and water supplies were cut. On Monday, 5 January 2009, I heard the sound of missile falling on houses in our neighborhood. At approximately 05:00, a shell landed onto our house, and hit one of its walls. Another shell fell 10 minutes later and hit my wife and three of my sons who were sitting near her and they are: Alaa', 9; Yasmin, 8; and Mohammed, 5. I called a ambulance station and one of its staff told me that he would send an ambulance for us. I waited it for more than one hour. Therefore, I called them back again and another one told me that the ambulance was not able to reach them because of the intensive bombardment.

I tried to provide my wife and children with first aid in spite of their serious wounds for 48 hour. We suffered a lot because of the lack of water and electricity supplies and ambulances inaccessibility to reach and evacuate us. We lived in

very terrifying and horrific conditions because of firing and bombardment around us. On Tuesday, I got out from my house with my family members and walked for about 300 meters amidst bombardment. We then found an ambulance which transferred us to Kamal Edwan hospital. My wife and children were treated, but my daughter Yasmine is still being treated in the hospital because of the repercussions which she sustained as a result of delaying the treatment for two days."

Mohammed Al-Sultan, 25, from Al Salateen area in Beit Lahia town, told PCHR that one of his relatives, Mohammed 'Ali Ahmed al-Sultan, 53, who is married and has 8 children, was hit by shrapnel to the back when a shell targeted a group of civilians near his house at 13:00 on Wednesday, 7 January 2008. His relatives tried to call ambulances, which were not able to reach the area because of intensive gunfire and bombardment. Two days earlier, Israeli warplanes bombarded all streets leading to the area causing massive destruction and huge craters, making it difficult for ambulances to travel. An hour and a half following the attack, an ambulance managed

to reach him, but he had bled to death. Al-Sultan added, that a day before this attack, at approximately 09:00, Mohammed 'Abdul Bari al-Sultan, 19, was wounded by a bullet to the head fired by an Israeli soldier, while he was in his house near al-Iman Mosque. Al-Sultan said that they called ambulances immediately, but no ambulance managed to reach the area because of intensive gunfire and Israeli forces' denial of access. He bled for an hour, so his family had to take the risk and get out carrying him amidst the intensive gunfire. They transferred him in a private car belonging to the family to Kamal Edwan Hospital in Beit Lahia.

Tal'at Sa'di Hammouda, 51, who is married to Entissar Tal'at Hammouda, 38, and a father of 5 children, described to a PCHR lawyer the deaths of two of his children, who bled to death as medical teams were not able to reach his house:

"At approximately 02:00 on 9 January 2009, I was with my family in our house. We were hiding in the northern room because of bombardment and gunfire by Israeli troops that attacked the area at 00:00. Suddenly, an explosion occurred in a nearby house belonging to Jawad al-Dahdouh, to the north of our house. As a result, shrapnel scattered in the northern room of our house where we were hiding. No one was hurt. So, we immediately stood up and went to the internal corridor.

When we were in the corridor, I heard Israeli military tanks getting close to my house and suddenly, they fired several shells towards the western room. The shells penetrated the walls of the room and the corridor, killing my son, Fares Tala'at As'ad Hammouda, 2, who was between his mother's arms. The mother was also wounded. In addition, my son Mahmoud Tal'at Asa'd Hammouda, 17, wounded by shrapnel. Mahmoud is a student in the 11th grade in Sheikh Ejlin Secondary School. I called the ICRC to coordinate access of

ambulances to us, but the respondent told me that they could not do anything before 08:00. So, I called the ambulance station asking them to bring an ambulance to evacuate the wounded. I called also local radio stations, but in vain. My son, Mahmoud, was still bleeding. He died of his wound at 06:00.

At approximately 08:00, my son, Ihab Tal'at Hammouda, went to al-Quds Hospital, after IOF had withdrawn from the area, and brought an ambulance which evacuated the corpses of Fares and Mahmoud. They also evacuated my wife, who was in a serious condition, to Shifa Hospital. In the hospital, they provided her with necessary medical treatment and she is still receiving treatment. She was hit by shrapnel to the abdomen, right hand and both legs. Our house was also damaged."

Destruction of Medical Facilities and Transports

IOF intentionally targeted medical facilities and transports, including ambulances and fire engines. Some institutions, including Al-Quds hospital, were attacked with white phosphorous. PCHR documented many aerial and land attacks that targeted medical facilities, including hospitals, clinics and civil defense centers, and medical personnel. Dozens of medical facilities were destroyed or heavily damaged when they were directly attacked by IOF or when nearby targets were attacked. The following are some examples:

- At approximately 11:25 on 27 December 2008, IOF warplanes attacked the value added taxes department building in Tal al-Hawa neighborhood in Gaza City. The building was destroyed and two nearby buildings belonging to the PRCS were heavily damaged.
- When IOF repeatedly attacked the building of the former Protective Security Service and an office of the Ministry of Interior, PRCS's buildings, including al-Quds Hospital, were heavily damaged.
- At approximately 01:00 on Sunday, 28 December 2008, IOF warplanes attacked al-Burno Mosque, which is close to Shifa Hospital in Gaza City. The attack resulted in damage to the hospital's main building, which contains the departments of reception, emergency, surgery, orthopedics, public administration, radiology and intensive care, where most windows and doors were broken.



- At approximately 14:00 on Tuesday, 30 December 2008, IOF warplanes attacked 'O'mar Ben al-Khattab Mosque in Block 9 in al-Boreij refugee camp. The mosque was completely destroyed and the nearby al-Boreij public clinic was heavily damaged.
- On 3 January 2009, IOF warplanes attacked a civil defense station in Bani Suhaila-Abassan road, east of Khan Yunis. The station was completely destroyed and nearby buildings were damaged.
- At approximately 01:00 on Monday, 5 January 2009, IOF warplanes attacked the building of the Union of Health Care Committees in al-Remal neighborhood in Gaza City. The building was destroyed, including 3 mobile clinics.
- On 7 January 2009, IOF warplanes attacked the headquarters of the civil defense in Rafah. One building was destroyed and a number of nearby ones were damaged.
- At approximately 08:30 on Saturday, 10 January 2009, IOF attacked the northern fence of the European Gaza Hospital, south of Khan Yunis. As a result, a 20-meter-long part of the fence was destroyed, and the main electricity and water networks, electricity generators and fuel tanks were damaged. A staff member was also shocked, and patients were extremely terrified.
- At approximately 11:30 on Thursday, 15 January 2009, Israeli troops in the Tal al-Hawa neighborhood of Gaza City, fired conventional and white phosphorus artillery shells at the PRCS medical compound. The compound includes the administrative building; al-Nour City building; al-Quds Hospital which consists of five floors; the public administrative building of ambulance and emergency; and medicine

warehouses. Parts of the compound were destroyed and fire broke out. IOF continued to attack the PRCS's buildings, including al-Quds Hospital, and an artillery shell was fired at the internal pharmacy of the hospital. In the evening, attacks and bombardment continued targeting this vital medical facility in the Gaza Strip resulting in the damage and destruction of a number of buildings, especially the ambulance and emergency building; heritage center; and conferences center. A number of PRCS ambulances were completely destroyed. By midnight, ambulances were evacuating patients and the wounded in the hospital and transferring them to another hospital. IOF also attacked nearby medicine and humanitarian aid warehouses belonging to the PRCS.

1. Central Administration Building: This 6-story building was totally burned after being hit by conventional and white phosphorous shells. The building includes: a kindergarten and nursery, a theater, a heritage center, a music institute, a conference centre, the administrative director's office, the central finance department, the central personnel's affairs department, the PRCS's general archives, the ambulance bay, disaster and health care administration offices, the Qatar red crescent office, a hotel consisting of two floors, a restaurant, public relation office and a mental health office.

2. Culture Building: The upper three floors of this 11-story building were completely burnt after being struck by white phosphorous shells. The seventh and eighth floors were partially burnt and the family club department and the hotel were destroyed.

3. Al-Quds Hospital: The sixth floor of this 6-story building was completely burnt after being hit by white phosphorous shells. The pharmacy of the hospital was partially burnt.

Additionally, the administration building of the ambulance and emergency department, which is about 200 meters away from the PRCS's medical compound, was heavily damaged, when IOF bombarded the nearby VAT Department. Its windows and doors were broken and food and fuel warehouses were burnt, after the building was struck by

white phosphorous shells. Khalil al-Wazir Mosque's clinic, which belongs to the PRCS, in Sheikh Ejlin neighborhood was also damaged after being hit by incendiary fire, presumed to be white phosphorous. IOF tanks crushed three PRCS ambulances which were near the PRCS's compound, destroying them completely.

Dr. Bashar Ahmed Sha'ban Murad, the PRCS Ambulance and Emergency Director in the Gaza Strip, described what happened to al-Quds Hospital in Tal al-Hawa neighborhood and other buildings belonging to PCRCS. He described IOF's bombardment of al-Quds Hospital with white phosphorous:

"At approximately 20:30 on 14 January 2009, I was at work in al-Quds Hospital in Tal al-Hawa neighborhood in Gaza City, when the PRCS declared an emergency state for over the day because the IOF's incursions into Gaza Strip. My colleagues and I heard sounds of heavy explosions that shook the entire hospital. I was watching IOF's air strikes from inside the hospital. Meanwhile, I evacuated three ambulances with their crews, which were in front of the hospital as I felt a imminent danger in the area, especially when IOF bombarded the vicinity of the hospital.

At approximately 02:30 on the following day (Thursday), I heard explosions and intensive gunfire accompanied with IOF's tanks sounds near our hospital. When IOF got close to our area, I called the ICRC and asked them to help us and to coordinate with them in order to evacuate two ambulances from the hospital's garage out of concern that they might be damaged. However, the ICRC's delegate told me that it was impossible because of the dangerous situation in Tal al-Hawa neighborhood.

The communication network was then disabled and the cell phone network was so deficient that we were not able to make any call easily. I was informed that Israeli tanks were blockading the hospital's surroundings. Immediately, I started evacuating civilians, mostly women, children and old people, who had escaped from their houses in the area and resorted to the hospital thinking that it would be a safe and secure place. Concerning the wounded, we transferred them to internal rooms to be in a safer place.

"After sunrise, we started hearing massive explosions and heavy fire. Streets were vacant. At approximately 08:15, I heard sounds of gunfire directed towards the hospital from the northeast, so I informed ICRC. I asked them to intervene

fearing of targeting the oxygen station belonging to the PRCS and the fuel stores of the electric generator, which could cause a disaster. The ICRC's delegate told me that the Israeli military knows the place well and tried to calm me, but we all began to feel very terrified and horrified as they intensified shooting. Half an hour later, I heard a heavy explosion in the east. My colleagues and I saw white smoke which was coming up from that direction.

When we came closer to the windows to see what happened, we saw a firing mass which was burning on the ground, and it was very close to the fuel tanks, so an officer jumped from the window and tried to extinguish fire. At this moment, another shell landed near the hospital's pharmacy on the second floor, which was absorbing a number of dead and injured people. This shell broke the windows over us, so I realized that we were about to be targeted inside the hospital by IOF. I immediately called the ICRC's delegate and informed him about what was going on and that there were no casualties. At approximately 09:00, I saw smoke getting up from the PRCS's administrative building on the fifth floor, so I called ICRC and asked them to send fire fighters as fire broke out quickly moving from one floor to another.

Immediately, we operated the fire extinguishing unit in PRCS's culture building and we used water pipes to control fire as we were afraid that it might move from the administrative building to the culture building as they were connected to each other. Approximately three hours later, fire engines were able to reach the hospital following coordination with IOF. They started to extinguish fire. I returned to the hospital's main office and saw about 850 civilians who live and had resorted to the hospital as they were afraid and terrified. They were mainly children, women and old people. I called the ICRC's delegate and informed him that we could not absorb such huge numbers of civilians as there was not enough food.

"At approximately 15:30, a man and his daughter were wounded by gunshots when they tried to resort to the hospital. Paramedics brought them to the hospital and we performed an urgent surgery for the girl. At 17:00, two ambulances and two vehicles belonging to ICRC arrived at the hospital and they transferred those who had sustained serious wounds and all patients

to Shifa Hospital. The ICRC's delegate told us that IOF accepted to allow civilians to get out from the hospital, but on foot. We evacuated all civilians this way.

The situation then calmed down. However, another 450 civilian resorted to the hospital later, so I tried to coordinate with the "ICRC's delegate to evacuate them, and he told me that they would evacuate them on the following day morning. At approximately 20:20, we heard three heavy explosions that shook the hospital. We then learnt that IOF fired bombs at the culture building to the south of the hospital. Immediately, I saw fire coming out from the upper floors and extending to the upper floor of al-Quds Hospital. Therefore, I immediately ordered to evacuate all the wounded and civilians from the hospital as all the floors were full of heavy smoke and rubble and wood pieces were flaming in front of the hospital's entrance. Fire quickly moved from the upper floor to the fifth one and we were evacuating the hospital completely.

"I tried to make a call by ambulance and emergency's radiotelephone which we were using it to contact the ICRC, but in vain, as the central device on the roof was damaged, so all means of communication was cut off inside and outside the hospital. I then decided to evacuate patients from the intensive care unit. My colleagues and I transferred them to an ambulance and I drove the vehicle myself and headed to Shifa Hospital. On my way back to al-Quds Hospital, I could call Omar al-'Azaiza, the PRCS's Administrative Director, and informed him of what happened. I then transferred more patients in the ambulance three times and in the last time, all ambulances and medical crews belonging to the PRCS, which came from the northern Gaza Strip and from Gaza City, arrived at Shifa Hospital. At that moment, I ordered them to drive to al-Quds Hospital to transfer civilians, the remaining wounded people and medical personnel.

"When I arrived at the League of Arab States Street, about 500 meters away from the hospital, and exactly between Cairo building and the Ministry of Finance's crossroads, I saw all the hospital personnel as well as civilians who previously resorted to it walking. The medical personnel were pulling the wounded on the mobile beds, and we immediately transferred them to Shifa Hospital. Civil Defense vehicles managed to reach al-Quds Hospital. They

began to extinguish fire and continued until 05:30. I then left the hospital and went to my house to relax because I was so tired. On 16 January 2009, a staff member of the Emergency and Ambulance Department told me that IOF had destroyed three ambulances belonging to the PRCS. He also told me that fire broke out in the central warehouses.”

- On 15 January 2009, al-Wafaa’ Hospital for Medical Rehabilitation and Specialized Surgery, which is located in the east of Gaza City, was also subjected to attack for several hours. The attack targeted numerous buildings, including patients’ bedrooms in the hospital’s main building, the elderly persons care building and the new building for children and surgery. Dozens of patients, who were evacuated to other nearby rooms, escaped death and injury as one of their bedrooms was destroyed by a missile causing heavy damage to the medical apparatuses inside. Moreover, dozens of elderly women survived when a missile targeted one of their bedrooms. The nursing director in al-Wafaa’ Hospital told PCHR that the hospital was subjected to a direct attack resulting in heavy damage to the hospital’s buildings, especially the eastern wing of the hospital, including rooms numbers 213, 211 and 214; some of the shells which struck al-Wafaa’ Hospital were white phosphorous. He also added

that evacuating patients from the eastern part of the building to the western area saved the lives of many civilians.

The hospital was founded in 1996. It consists of a rehabilitation building, an elderly care unit, and a new building, which is designed for children and specialized surgery. The hospital includes 51 clinical beds, as well as 8 beds in the surgery department. The hospital can absorb 40 cases, and can treat 100 patients daily. Nearly 230 employees work in the hospital, including doctors, nurses, and experts in physiotherapy and speech problems. Al-Wafaa’ Hospital provides services to all patients and disabled persons, especially those who suffer from mental and physical disabilities as a result of backbone injuries, brain damages, brain clots, all kinds of paralyses, nerves and muscles disorders, all kinds of fractures, cyst and involuntary urination and blood circulation disorders in the limbs.

Mamdoh Helal Samara, 23, from al-Shuja’eya neighborhood in Gaza City, who works as a nurse in al-Wafaa’ Hospital, told PCHR:

At approximately 0:30 on 15 January 2009, while I was inside the hospital with 12 of the hospital’s personnel and 20 patients, the hospital was directly fired at and I heard a heavy explosion caused by a missile that hit the hospital. Smoke and dust spread around us, so we were unable to see. All patients and workers were very afraid. A few minutes later, I managed to move to see what happened, so I found that the missile hit some rooms in the eastern part of the hospital, especially room #214, which we had already evacuated out of a concern that it might be targeted. When dust spread, we had to transfer all patients from the targeted wing to internal rooms and we gave them masks to protect them from dust and smoke. It is worth noting that the rooms to which we transferred the patients were about 10 meters away from the rooms that



A house for elderly people belonging to al-Wafaa' Hospital in the east of Gaza City, which was bombarded by IOF

were targeted.

An hour later, at 01:30, IOF directly targeted the hospital. I tried to call the ICRC to intervene to stop the IOF's attack, but IOF told the ICRC that they were not targeting the hospital directly and that it was just a routine operation. Meanwhile, IOF intensified shooting at the hospital, so we called ambulance and medical personnel to make anything to evacuate us, but they did not manage to reach us. It is worth noting that there were not any clashes in the vicinity of the hospital. When conditions in the hospital deteriorated more and more, we started to transfer patients again and moved them to women department as we believed it was safer. However, this building was also targeted by shells and bullets.

We tried to call the aged care department next to our building, but they told us that their department was also being targeted and there were injuries. They told us that they could not move and it was necessary to evacuate them because of the intensive gunfire which the building was subjected to. As ambulances were not able to reach the area, one of my colleagues, Fadi Hamada, had to get out from our building and to go to aged care building. He then transferred the patients from their rooms, which were subjected to bombardment, to other rooms. At approximately 02:30, he returned to us bringing a woman working in the aged care department and she was injured in the head. The woman was Mohammed al-Wadia's mother, 42. We provided her with first medical aid.

At approximately 03:00, serenity prevailed over the place and continued until 05:00, when we heard a heavy explosion which directly targeted the hospital, so all buildings trembled. At that moment, we moved to another room amidst extreme fear. This situation continued until 07:00, when we lost all means of communications with the outside world as electricity and telephone lines were cut off. Such situation forced us to leave the hospital regardless of all dangers which we, the workers and patients, might face. Before noon, we all took the risk and got out from the hospital without coordinating with IOF. The medical personnel and patients traveled in an ambulance to Sheikh Radwan public clinic. We were not able to go back to the hospital until Thursday, 22 January 2009."

The Targeting of Journalists and Mass Media

IHL provides protection for journalists and media professionals, who are considered as civilians in areas of armed conflicts. International human rights instruments ensure the right to freedom of opinion and expression, including receiving and imparting information.

Article 79 of Additional Protocol I relates to the protection of journalists, it requires that:

1. Journalists engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians
2. They shall be protected as such under the Conventions and this Protocol, provided that they take no action adversely affecting their status as civilians ...

Article 19 of the universal declaration of human rights of 1948 states that “everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless frontiers.”

Article 19 of International Covenant on Civil and Political Rights of 1966 states that:

1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

During the latest offensive, IOF committed different crimes against journalists and media professionals in spite of the protection afforded to them under IHL. PCHR believe that attacks against the press, including willful killings, endangering

journalists’ personal safety and attacks on media institutions, are part of a systematic campaign to isolate the OPT from the outside world and to prevent coverage of IOF violations of international law. Two journalists were killed while carrying out their job and two others were killed as a result of indiscriminate bombardment.¹⁸ Nine journalists were also wounded while carrying out their job when IOF bombarded media offices and civilian facilities. Additionally, two media teams were detained and fired at by IOF, but no casualties were reported. Five media offices were also targeted.

IOF had denied access of international journalists to Gaza Strip a month before the latest offensive. Reporters Sans Frontiers issued a press release on 30 December 2008 denouncing the Israeli decision to classify the Gaza Strip as closed military zone. According to the press release, Erez (Beit Hanoun) crossing had been blocked in the face of the international media since the beginning of November 2009, and was reopened a couple of hours before launching the latest offensive on 27 December 2008. It was then closed once more.

¹⁸ On 8 January 2009, journalist Ihab Jamal al-Whidy, 32, was killed when IOF directly bombarded the balcony of his father-in-law’s flat on the 7th floor of al-Atiba’ apartment building in Tal al-Hawa neighborhood. Al-Whidy was sitting with his mother-in-law, Ruqaya Mohammed Abu al-Naja, 55, who was killed as well. His wife, Ihsan Jaber Abu al-Najjar, was seriously wounded. On 9 January 2009, journalist Alaa’ Mortaja, 26, was killed when IOF bombarded his house in al-Zaytoun neighborhood. His mother, Rajaa Ahmed Mortaja, 47, was wounded with shrapnel all over the body and her right foot was amputated.

Attacks on Journalists

Two cameramen were killed while carrying out their job in two separate attacks by IOF. On 3 January 2009, 'Omar 'Abdul Hafez al-Silawy, 28, a cameraman working for al-Aqsa Satellite Channel, was killed when IOF bombarded al-Maqadma Mosque located in the north of Jabalya refugee camp, northern Gaza Strip. He was killed while he was photographing scenes of the admission of Palestinian victims into Kamal Edwan Hospital. Al-Silawy was killed when he went to pray in the mosque.

Ibrahim Khaled Msallam, a cameraman working for al-Aqsa Satellite Channel, stated to a PCHR field worker:

“On Saturday 3 January 2009, I was with my colleague Omar al-Silawy in Kamal Edwan Hospital to the north of Jabalya refugee camp, photographing scenes of the admission of the dead and wounded into the hospital. Al-Silawy went to al-Maqadma Mosque, 200 meters away from the hospital, to pray when IOF bombarded the mosque, killing and wounding dozens of Palestinians. I headed to the mosque to photograph scenes of the evacuation of the dead and wounded. When I finished, I went back to the hospital to look for my colleague, and I found him dead.”

On 6 January 2009, medical sources in an Egyptian hospital declared that Bassel Ibrahim Faraj, 22, a cameraman for Algerian Television, died of wounds he sustained on 27 December 2008 when IOF bombarded the 15-story building of Husam Society for Prisoners in Tal al-Hawa neighborhood in the southwest of Gaza City.¹⁹ Faraj was covering the Israeli bombardment on the first day with three colleagues: Khaled Abu Shammala, 26, Correspondent of the Moroccan Satellite Channel 2; Mohammed al-Tanany, a cameraman of the Moroccan Satellite Channel; and Mohammed Mady, a sound technician. Rubble from the building and shrapnel from bombs hit their car. The four journalists, including Faraj, were wounded. They were evacuated to Shifa Hospital. Faraj was transferred for Egyptian hospital as he was in a critical condition.



¹⁹ The building had been transformed into offices for Wa'ed Association for Prisoners following Hamas' takeover of the Gaza Strip in June 2007.

In his testimony to PCHR, journalist Khaled Abu Shammala stated:

“At approximately 11:30 on Saturday, 27 December 2008, I was with my three colleagues, including Faraj, in Tal al-Hawa neighborhood in the southwest of Gaza City, when we heard heavy explosions rocking Gaza City, especially in Tal al-Hawa neighborhood. We drove a car to reach the bombardment place. We were driving near building of Husam Society for Prisoners which was soon bombarded by IOF. The rubbles and shrapnel fell onto the car and we were wounded. Faraj was critically wounded. He was transferred to an Egyptian hospital.”

Attacks on Journalists Resulting in Injuries

Nine Palestinian journalists were wounded during the last offensive against the Gaza Strip while carrying out their job:

- On 27 December 2009, Ihab Mohammed al-Shawa, 23, working for Ramattan News Agency, was wounded by shrapnel when IOF attacked al-Abbas police station in the west of Gaza City. Al-Shawa was accompanied by two colleagues covering the Israeli bombardment when Israeli warplanes attacked the station again. Al-Shawa was wounded.

In his testimony to PCHR, al-Shawa stated:

“At approximately 11:30 on Saturday, 27 December 2009, I was with two colleagues near the building of the Palestinian Legislative Council reporting on a news item when we heard heavy explosions everywhere in Gaza City. We quickly headed towards al-Abbas police station to cover the bombardment. I was taking photos from a place 500 meters away from the targeted station when Israeli warplanes re-bombarded the station. I fell down as I was hit by shrapnel to the right leg. I was evacuated to Shifa Hospital where I received medical treatment for two days.”

- On 1 January 2009, Mohammed Yousef Abdul Wahab, 31, a cameraman for al-Aqsa Satellite Channel, was wounded by shrapnel to the face and sustained bruises throughout the body when IOF attacked a civilian vehicle in al-Samer area in the center of Gaza City for the second time. Abdul Wahab was covering the original attack.

In his testimony to PCHR, Abdul Wahab stated:

“At approximately 12:00 on Thursday, 1 January 2009, I headed towards al-Samer area to cover Israeli bombardment of a civilian car. I was photographing the targeted car when a heavy explosion occurred, due to which I fell down my head started bleeding. I was evacuated to Shifa Hospital.”

- On 2 January 2009, Eyad 'Adnan al-Za'eem, 30, working for the British ITN Television, was wounded covering the Israeli bombardment of the Egyptian border, south of Rafah. He was wounded by shrapnel to the head.

In his testimony to PCHR, al-Za'eem stated: *“At approximately 10:00 on Friday, 2 January 2009, I was together with two colleagues in a building located along the border with Egypt, south of Rafah, to cover Israeli bombardment of the tunnels area. There was a tunnel that had been bombarded by IOF near the house. While I was inside the house photographing the place, a heavy explosion rocked the place. I rushed out. I felt pain in the left side of my head. My colleagues evacuated me to the hospital as I was hit by shrapnel to the left side of the head and the left ear.”*

- On 6 January 2009, Alaa Fayeze al-Hindi, 31, a cameraman for al-Aqsa Satellite Channel, was wounded while he was covering the Israeli attack on a house in al-Amal neighborhood in Khan Yunis. Earlier IOF had attacked the house, which belongs to the Abu Ouda family. When al-Hindi went to cover the bombardment, Israeli warplanes re-bombarded the house, due to which he was moderately wounded by shrapnel and he sustained bruises throughout the body.

In his testimony to PCHR, al-Hindi stated: *“At approximately 09:30 on Tuesday, 6 January 2009, IOF bombarded a house belonging to the Abu Ouda family. I rushed to the area to cover the bombardment. While I was photographing members of the family vacating their belongings, another missile targeted the house once again. I fell down as I was hit by shrapnel.”*

- On 9 January 2009, Manar Shlail Shalloula, 27, an assistant cameraman for the Saudi al-Ekhbariya Satellite Channel, was wounded by shrapnel to head, when IOF attacked the al-Jawhara building in the center of Gaza City, which is used by the Media Group Company to receive and broadcast media materials.

In his testimony to PCHR, Shalloula stated: *“On 9 January 2009, I was carrying out my job in al-Jawhara building in the center of Gaza City. At approximately 18:00, a media team and I were reporting on the war against Gaza live from the roof of the building. Suddenly, I heard a heavy explosion that rocked the building. I fell down. When I regained my consciousness, I found that I was bleeding from the head. My colleagues evacuated me to the hospital.”*

- On 14 January 2009, two cameramen working for the al-Aqsa Satellite Channel, Maher al-Madhoun, 31, and Ahmed Matar, 22, were wounded while carrying out their job when IOF attacked apartment buildings in the al-Maqousy area for the second

time. Al-Madhoun's right foot was amputated while Matar sustained bruises throughout the body. Both were evacuated to Shifa Hospital in Gaza City. Al-Madhoun was later transferred to an Egyptian hospital as he was in a serious condition.

In his testimony to PCHR, al-Madhoun stated:

“At approximately 20:30 on Wednesday, 14 January 2009, I was in al-Maqousy area covering the Israeli bombardment of an apartment building. I was photographing a flat that had been bombarded by IOF and fire was still flaming. I went into the flat to have a clearer footage. My friend Ahmed was with me as we went upstairs to help a resident who was calling for help. Reaching the flat, we found a man and his wife lying on the ground and civil defense crews were there to evacuate them. IOF once again targeted the flat and a heavy explosion occurred due to which I fell down as my right foot was cut and my left leg was smashed.”

- On 15 January 2009, Mohammed Sobhi al-Soussi, 35, and Ayman Yousef al-Razy, 34, working for Abu Dhabi Satellite Channel, were wounded by shrapnel when IOF attacked the Gaza Media Center on the 14th floor of al-Shorouq apartment building in the west of Gaza City. Al-Soussi and al-Razy were inside the center when Israeli warplanes fired a missile at the center. Al-Soussi was wounded by shrapnel to the left hand and shoulder and sustained bruises throughout the body, while al-Razy was wounded by shrapnel to the head. Both were evacuated to Shifa Hospital in Gaza City.

In his testimony to PCHR, al-Soussi stated:

“At approximately 23:30 on Thursday, 15 January 2009, I was with my colleague, Ayman al-Razy, in the office of Gaza Media Center on the 14th floor of al-Shorouq apartment building photographing Israeli bombardment of Tal al-Hawa neighborhood. Israeli warplanes fired a missile at the center due to which I fell down unconsciously. When I retrieved my consciousness, I felt pains in the left shoulder and hand as I was hit by shrapnel. My bullet proof suit was hit by at least 12 pieces of shrapnel. My colleague Ayman was wounded by shrapnel to the head and he sustained bruises throughout the body. Two other colleagues survived. We went downstairs and our colleagues evacuated us to Shifa Hospital”.

Other attacks on Journalists

According to information available to PCHR, two press teams, including an international one, were detained amidst Israeli gunfire during the latest offensive against the Gaza Strip. No casualties were reported. The two teams had made prior coordination with IOF directly or via the ICRC. Below are the cases:

- On 4 January 2009, a press team of the Moroccan Satellite Channel 2 was fired at by IOF troops stationed along the coastal road in the south of Gaza City. The team included correspondent Khaled Sa'id Abu Shammala, photographer Eyad Abu Zbaida and assistant Sobhy Abu Zaid. They were on their way home. The team was accompanied by a medical team and an ICRC one. The teams were detained for three hours amidst gunfire, but no casualties were reported.
- On 16 January 2009, Italian journalist Lorinzo Cremeozi, working for Corrieri De Lasera Newspaper, was fired at by IOF troops stationed at al-Shuhada intersection, south of Gaza City. Cremeozi was accompanied by a translator and driver. Despite prior co-ordination, IOF opened fire at them while attempting to travel to Gaza City coming from Khan Yunis. No casualties were reported. Firing at the press team continued sporadically for two hours, during which its members were trapped behind a sand barrier.

In his testimony to PCHR, Fadi Abu Shammala, Cremeozi's translator, stated:

"At approximately 15:00 on Friday, 16 January 2009, we at al-Shuhada' intersection on Salah al-Din Street [the main road between the north and south of the Gaza Strip], south of Gaza City, coming from Khan Yunis, after Cremeozi had made necessary coordination with the IOF media office. Cremeozi got out of the car we were traveling in waving to the Israeli troops, stationed 40 meters away from us, identifying himself in English, yet Israeli soldiers opened fire at us. Cremeozi and the driver sprawled. I stayed in the car which was hit by a number of bullets. As the shooting continued, we had shelter behind a sand barrier. Cremeozi contacted a spokesperson of IOF called 'Avital,' informing her that he was fired at while driving near al-Shuhada' intersection when two successive explosions occurred nearly 40 meters away from us. At approximately 15:30, Cremeozi called Avital again and specified our location for her. She told us to move. While moving ahead, Israeli troops opened fire at us again. An hour later, the shooting went on sporadically against us. Cremeozi once again contacted Avital who in turn asked him to wait till she gets permission for the team's passage. Ten minutes later, Avital called Cremeozi asking about what he was wearing demanding him to wave for the Israeli troops. He did what she asked him to do, but Israeli troops opened fire at us. He called Avital to tell her what happened. She asked him to wait until Israeli troops call on him. At approximately 17:00, Israeli troops called on Ceremozi to pass. We decided to go back to Khan Yunis instead of traveling to Gaza City."

Bombardment and Destruction of Media Facilities

Media facilities in the Gaza Strip were attacked by IOF. Offices of a number of television channels working in the Gaza strip, including Arab ones, were targeted by IOF. Offices of local radio stations were bombarded as well. As a result of these attacks, three journalists were wounded²⁰ and offices were heavily damaged. The following are the most significant of such attacks:

- On 28 December 2008, IOF bombarded the 5-stoey building of al-Aqsa Satellite Channel in al-Nasser Street in the north of Gaza City, due to which it was completely destroyed. A store belonging to the channel, which contained media equipment, information materials, a broadcasting vehicle and computer equipment, was also destroyed.
- On 3 January 2009, offices of al-Risala Newspaper, located on the 3rd floor of al-Ajramy building in al-Nasser Street, was targeted by IOF with two missiles. The office was partially destroyed and equipment was heavily damaged.
- On 9 January 2009, IOF attacked the al-Jawhara building in the center of Gaza City, which is used by the Media Group Company for broadcasting; journalist Manar Shalloula was wounded by shrapnel to the head and the building sustained heavy damage.
- On 15 January 2009, the headquarters of the Gaza Media Center on the 4th floor of the al-Shorouq apartment building was attacked. The building contains the offices of Abu Dhabi Satellite Channel. Journalists Mohammed al-Soussi and Ayman al-Razy were wounded by shrapnel, and the building sustained heavy damage.
- On 15 January 2009, IOF attacked the offices of Holy Quran Radio located on the 10th floor of the Palestine apartment building in west of Gaza City. The building sustained heavy damage.

²⁰ For more information, see the section on the wounded.

Attacks against Educational Institutions

Israeli attacks during the latest offensive inflicted heavy damage on educational institutions throughout the Gaza Strip. The entire educational sector was brought to a halt, and approximately half a million Palestinian students were unable to reach school for 23 consecutive days. Large numbers of students, teachers and personnel were killed and many others were wounded. Educational institutions, including public, private and UNRWA schools, were either partially or completely destroyed. The majority of the Gaza Strip's universities were also attacked, and their buildings damaged. The extent and timing of the attacks on the first day in particular, directly contributed to the high number of casualties.



The building of the American International School in Gaza, which was bombed by IOF

Israel's conduct of hostilities seriously affected the educational sector, violating Palestinian civilians' rights to education, life and security. The Israeli offensive violated numerous provisions of international law, including the right to education enshrined in international human rights instruments – and endorsed by the United Nations²¹ – and in the Fourth Geneva Convention.²²

21 Article 26 of Universal Declaration of Human Rights states:

"a- Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

b. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

c. Parents have a prior right to choose the kind of education that shall be given to their children.

22 Article 50 of the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 1949 states:

"The Occupying Power shall, with the cooperation of the national and local authorities, facilitate the proper working of all institutions devoted to the care and education of children.

The Occupying Power shall take all necessary steps to facilitate the identification of children and the registration of their parentage. It may not, in any case, change their personal status, nor enlist them in formations or organizations subordinate to it.

Should the local institutions be inadequate for the purpose, the Occupying Power shall make arrangements for the maintenance and education, if possible by persons of their own nationality, language and religion, of children who are orphaned or separated from their parents as a result of the war and who cannot be adequately cared for by a near relative or friend."

Violations of the Right to Life

Large numbers of civilians, mostly children and young men and women studying at schools, were killed and wounded by Israeli attacks which directly or indirectly targeted educational institutions. On the first day of the Israeli offensive, the wide scale Israeli air strikes coincided with the end of first shift of the school day and the beginning of the second one, the time of day when most students are out and about on the streets of Gaza. Additionally, university students attending the final exams of the first semester were moving to and from their universities on this day.

Deaths among students caused massive emotional strain among their peers affecting their educational performance and their lives in general. Wounds among students varied from moderate to critical; some students suffered permanent disabilities.

Attack on the vicinity of UNRWA Vocational Training Center in Gaza kills 9 pupils

At approximately 11:30 on 27 December 2009, IOF launched an attack in the vicinity of UNRWA Vocational Training Center in the center of Gaza City. The attacks killed 9 students, including two females, who were standing at the center's gate waiting for an UNRWA bus to bring them to their homes in the south of the Gaza Strip. Three members of the al-Rayess family and a fourth civilian from the Radi family were killed in the same attack. 43 civilians were wounded. Adeeb al-Rayess, 28, a local resident, told PCHR that the street which was bombed by IOF was overcrowded as the center's students were waiting on UNRWA buses to transport them to their homes. Before the bombing took place, he had been with his brother Abdullah, 20, and his cousins – Ibrahim, 26; and Hisham, 28 – sitting on the sidewalk. Nine students exited the training center and stood near the four young men. According to Adeeb, he and Ibrahim rose to purchase groceries when a heavy explosion struck the area. His brother and cousins as well as the 9 students were killed. The bodies were torn apart. Adeeb was wounded by shrapnel to the abdomen and the feet. It is worth noting that students of the UNRWA Vocational Training Center wait for UNRWA buses in this particular area at the same time every day. There was no fighting or unusual activity in the area when IOF launched the attack, indicating that IOF intentionally targeted civilians.

Killing of 2 School Children on Their Way Home in Rafah

On 27 December 2008, IOF attacked a police station in the southern Gaza Strip town of Rafah, killing 12 Palestinians, including two children who were on their way home from school. Majed Abu Nahla, the father of Mahmoud, 16, who was killed in the attack, told PCHR that at approximately 11:25, while he was in his store in the center of the town, he heard successive heavy explosions. Abu Nahla later learned that IOF had attacked a police station in the al-Junaina neighborhood in Rafah, and that many people were killed or wounded, including school children. Approximately an hour later, his brothers-in-law came to his store and told him that his son Mahmoud was wounded by the bombing. He went to the hospital in Rafah, where he was told that his son was transferred to the European Hospital in Khan Yunis as he had been critically injured in the head. On 30 December,

Mahmoud was transferred to an Egyptian hospital where he died of his wounds on the following day. Mahmoud always walked home after school with his friend Ahmed Abu Jazar, who was instantly killed when the two boys were passing the police station that was targeted by an IOF missile.

Attack on a Private School

At approximately 03:45 on 3 January 2009, an Israeli F-16 fighter jet dropped several bombs on the American International School, west of Beit Lahia. The building was completely destroyed, and the doorman, Salem Hamad Abu Qleiq, 25, was killed.

Wounding of an UNRWA School Doorman

At approximately 17:40 on Wednesday 4, January, Salah Abu Amer, 49, a doorman at the UNRWA Khan Younis Preparatory School was wounded during an Israeli attack. Abu Amer told PCHR that, at the time of the attack, he was on his own in the school, checking the classrooms. He was waiting for his colleague, who works the evening shift, when he saw a flaming object coming from the sky, after which he heard a heavy explosion. As a result, he was pushed back 5 meters. He was wounded in the neck, the leg and the abdomen. He managed to get out of the building, and an ambulance evacuated him to Nasser Hospital in Khan Yunis.

Targeting Educational Institutions

During the offensive against the Gaza Strip, IOF targeted public, private and UNRWA schools, destroying them completely or partially. Heavy damage was inflicted upon some schools due to direct bombing, bulldozing or detonations, or as a result of bombing nearby buildings. The main building of the Ministry of Education, which was built five years ago with donations from the Norwegian government, was destroyed due to attacks on the adjacent Ministry of Justice. Damage to the Ministry of Education was estimated at US \$150,000.

Public Schools

At least 150 of the 384 public schools in the Gaza Strip were attacked, affecting approximately 250,000 students. Eight schools were heavily damaged, including 5 that were rendered unsuitable for classes, while 142 schools suffered partial damage, including the collapse of walls and roofs, and the destruction of doors, windows and equipment. The following gives details of attacks against a number of public schools during the Israeli offensive:

- At approximately 02:00 on 30 December 2008, IOF bombed the western wall of Samy al-Alamy Secondary School near al-Maqousy apartment buildings in the north of Gaza City.

- At approximately 12:30 on 9 January 2009, IOF bombed the vicinity of Shohada' Khoza'a School with 2 missiles, wounding two passing women.
- At approximately 13:25 on 14 January 2009, the Israeli artillery bombed the vicinity of Zeid Ben Haritha School in Beit Lahia.²³

UNRWA Schools

During the offensive IOF attacked a number of UNRWA schools and installations; these buildings are easily identifiable as UN installations, with large UN insignia, and banners written in both English and Arabic. For example, at approximately 15:30 on 6 January 2009, Israeli tanks stationed in the east of Jabalya town fired 4 shells at Jabalya refugee camp, 3 of which fell in the vicinity of al-Fakhoura School, where hundreds of civilians had sought shelter from the Israeli bombardment. A large number of civilians, mostly children and women, were killed and others were wounded.



Ma'awia Ben Abi Sufian School in al-Atara area – Beit Lahia

In a serious violation of its legal obligation to protect civilian facilities, including educational ones, IOF directly or indirectly (recklessly) attacked a number of schools throughout the Gaza Strip, some of which were turned into military barracks. The following gives details of a number of UNRWA schools that were damaged during the offensive:

- At approximately 17:05 on 29 December 2008, Israeli warplanes bombed al-Shati School for Girls in al-Shati refugee camp, west of Gaza City.
- At approximately 02:00 on Tuesday, 30 December 2008, doors and windows in al-Boreij School in the central Gaza Strip were damaged when Israeli warplanes bombed the nearby al-Farouq Mosque, destroying it completely. Sanabel al-Aqsa kindergarten, which is below the mosque, was also heavily damaged.
- At approximately 13:30 on 30 December 2008, an Israeli warplane dropped a box of leaflets onto Rafah Preparatory School "D". The falling box caused heavy damages to one of the school's classrooms. The leaflets warned the Palestinian population to stay away from resistance fighters and their stores of weapons.
- At approximately 01:00 on 6 January 2009, an Israeli warplane fired a missile at an UNRWA school in al-Shati refugee camp, killing 3 civilians who were collecting water for the people sheltering in the school.²⁴
- At approximately 13:00 on 8 January 2009, IOF fired artillery shells in the vicinity of UNRWA schools in Jabalya refugee camp, wounding 4 civilians.

²³ The bombing killed Raja Ghabin, 35, and wounded another 6 civilians, including 3 children and one woman.

²⁴ The bombing killed 3 members of the al-Sultan family: Abed Samer al-Sultan, 17; Hussein Mahmoud al-Sultan, 24; and Rawhi Jamal al-Sultan, 26.

- At approximately 06:30 on 15 January 2009, IOF fired conventional and white phosphorous shells at an UNRWA school in Beit Lahia, where at least 230 families were sheltering. Two children were killed and 36 others were wounded.²⁵

Private Schools and Kindergartens

During the offensive 46 private schools and kindergartens were damaged as a result of Israeli attacks. Two schools and five kindergartens were completely destroyed. Eleven private schools and 30 kindergartens were partially destroyed when IOF attacked nearby targets.

The two schools that were completely destroyed are the American International School in Beit Lahia and the al-Fadila School that belongs to the Islamic Association.

- At approximately 03:45 on 3 January 2009, an Israeli fighter jet dropped a number of bombs on the American International School, destroying it completely and killing one of its guards.
- At approximately 03:00 on 11 January 2009, Israeli fighter jets dropped a number of bombs on the buildings of the al-Fadila Orphanage, which includes a private elementary school, the Dar al-Da'wa College for Human Sciences, a computer center and a mosque. The school was completely destroyed.
- At approximately 15:00 on 15 January 2009, the Rosary Sisters School in Gaza City was indirectly damaged when IOF fired tank shells at the nearby al-Hidaya and al-Sahwa mosques.

Aerial Bombing of a Mosque Damages a Private School and a Kindergarten

On 28 December 2008, Israeli warplanes fired two missiles at al-Burno Mosque, completely destroying the building and inflicting heavy damage on nearby houses, a new building of Shifa Hospital and al-Majd School and Kindergarten.

The Al-Majd School and Kindergarten's fence, classrooms, canteen, stationery storehouse, sports tools, garden, WCs, as well as a drinking water tank were completely destroyed, while doors, windows, computers and the electricity network were partially damaged. Losses inflicted upon the school were estimated at US\$ 29,000.

The damage and destruction of schools and the resulting shortage of classrooms negatively affected the educational process once it resumed. Personnel in educational institutions faced extreme difficulties in attempting to resume the educational process, especially in schools located in the northern Gaza Strip, which were targeted most extensively. In some schools, two or three classes had to be gathered in 1 room with up to 120 children, creating an educational atmosphere detrimental to successful learning.

²⁵ The 2 victims are: Mohammed Hamad al-Ashqar, 4; and his brother Bilal, 5. The mother of the 2 children was also wounded and her left arm was cut. Nearby houses were damaged due to the bombing.

Targeting Higher Education Institutions

Most universities and higher educational institutions in the Gaza Strip were damaged during the latest offensive, as a result of either direct or indirect attack. The Islamic University and a number of the facilities of the Faculty of Agriculture in Beit Hanoun, which belongs to al-Azhar University, were directly targeted. The University College for Applied Sciences was also directly targeted by tank shelling, as were al-Aqsa University and Palestine University. Some institutions of higher learning, such as al-Quds Open University and the College of Science and Technology, sustained damage indirectly, as a result of attacks on nearby civilian facilities.

Air Strikes on 2 Buildings of the Islamic University

On Sunday 28 December 2009, Israeli warplanes bombed the Islamic University, inflicting heavy damages on the university's buildings and facilities. Damage to the university is estimated to be US\$15 million. IOF completely destroyed the 6-story laboratory building of the Islamic Bank, including 7 scientific laboratories. The building cost US\$ 2.25 million, while reconstructing the laboratories will cost US \$4.5 million. The 6-story Prince Turki building, which includes engineering laboratories, was also completely destroyed. Reconstructing the building will cost US\$ 1.26 million, while reconstructing the laboratories will cost US\$ 3 million. The classroom building, the main administrative building and the student activities building were partially destroyed. The cost of repairing these buildings is estimated at US\$ 700,000. Other university facilities, such as the centre of rural and environmental studies and chemistry laboratories, were damaged. The loss of equipment is estimated at US\$ 1.5 million.

Building of Islamic Bank for Scientific Laboratories

The 6-story building includes laboratories of the Faculty of Science. It was funded by the Islamic Bank for Development. It serves 12,000 students and scholars. It was built according to highest standards and equipped with the most modern apparatuses, some of which cost US \$300,000. It provides services for the community and public and private institutions in many fields. The building was completely destroyed, including the laboratories of Medical Tests, Chemistry, Physics, Biology, Biotechnology, Environment, Geology, Water and Soil.



Destruction of the building of laboratories in the Islamic University of Gaza

The Prince Turki Bin Abdul Aziz Building for Engineering and Technology

The 6-story building includes scientific laboratories designed for the Faculty of Engineering. It was funded by Prince Turki Bin Abdul Aziz to serve 3,000 students and scholars. The Israeli bombing resulted in the destruction of laboratories used by the departments of electrical engineering, communications engineering, computer engineering, industrial engineering, architecture and the centers for Heritage Building, and research and projects. The attacks negatively affected the university and the services it provides; hindering the educational process of around 20,000 students and keeping around 2,000 employees from carrying out their jobs.

Heavy Damages inflicted upon al-Azhar University

Large losses were inflicted upon al-Azhar University, mainly on the building of the Faculty of Agriculture in Beit Hanoun and the university's main building located in the center of Gaza City. The total losses inflicted upon the university amounted to US\$ 4,759,365.

Faculty of Agriculture in Beit Hanoun

The building of the Faculty of Agriculture was extensively destroyed during the latest offensive. This attack was part of a series of attacks that have targeted the faculty since the outbreak of the al-Aqsa Intifada in 2000. In September 2004, it was hit by artillery shells and in November 2006, agricultural lands, a fence and a dairy farm belonging to the faculty were destroyed. The faculty was also subject to Israeli attacks in 2008, and its building and facilities were heavily damaged. After each of these attacks, the building and facilities of the faculty were repaired and academic activities were resumed. However, the latest attack in January 2009 had a much deeper impact, as IOF completely destroyed all the faculty's facilities. The college's main 2-story building, including a number of laboratories, and the general library; the 2-story storage building for collecting, sorting and packing crops to be exported; the cafeteria; a 2-story dairy production building; the farm administration building; a storage refrigerator; a 470 cubic meter ground water tank; a cow farm building; as well as external fences were all destroyed. The technical equipment that was destroyed includes common greenhouses, greenhouses designed for research, a vegetable nursery, an electricity generator, apparatuses of the faculty's central laboratories and an irrigation network. The land that was razed included 800 citrus trees, 400 lemon trees, 350 different fruit trees, 300 apple trees, 200 grape plants, 60 olive trees, and 3 donums²⁶ of gardens.

The administration of the faculty estimated the total cost of reconstructing the faculty at US\$ 4,343,100 (construction items: US\$ 2,084,100; technical equipment: US\$1,439,000; crops for study: US\$ 427,000; library equipment: US\$ 393,000).

²⁶ One donum is equal to 1,000 square meters.

The Main Campus of al-Azhar University in Gaza City

Heavy damage was inflicted on the main campus of al-Azhar University, where losses were estimated at US\$ 416,265.

Heavy Damages Inflicted upon al-Aqsa University

The university buildings were directly targeted. The building of the Community College, located in the Jouret al-Lout area of Khan Yunis, was completely destroyed, and the university main building “new campus”, al-Haarzeen building and Spanish Institute building were partially destroyed. Rebuilding the Jouret al-Lout building will cost JD 864.000. Reconstructing the whole university will cost approximately US\$ 1.5 million.

New Campus of the University, Khan Younis Branch

A number of buildings on the new campus, established in 2005, were damaged by IOF artillery shells. Reconstructing the buildings requires US\$ 1,235,000.

University Campus of Tal al-Hawa

The building stands on a 6 donum-area of land and includes the Sports Education and Fine Arts departments. Offices of registration and admission, classrooms, changing rooms and the cafeteria were heavily damaged. Reconstructing the whole building will cost approximately US\$ 100,000.

Al-Harazeen University Campus

The building stands on a 7 donum-area of land located near al-Azhar University and the Islamic University. The buildings of the university president, the Faculty of Science and the library were damaged. Reconstructing the building will cost approximately US\$ 36,000.

The Spanish Institute

The main building of the Spanish Institute, established in 2005, was damaged. Reconstructing the building will cost approximately US\$ 94,000.

Partial Damaging of Al-Quds Open University

The university's buildings located in northern and central Gaza Strip were partially damaged, while those in Gaza City and the southern Gaza Strip sustained light damages.

Artillery Shelling of Palestine University

Palestine University was heavily damaged during the latest offensive. Losses inflicted on the university's furniture were estimated at US\$ 78,686, while losses of the university structures, technical works related to electricity, sanitation, wood ware and glass were estimated at US\$ 116,045. Reconstruction the buildings would cost US \$19,473. According to the university, the total losses incurred by the university during the latest offensive are estimated at US\$ 214,204.

Heavy Damages to the University College for Applied Sciences

IOF targeted the college's buildings, halls and laboratories directly by shelling or indirectly by bombarding its vicinity. The building is located in Tal al-Hawa area where IOF conducted wide scale incursions. The college's administration estimated losses at US\$ 650,000 as the college's buildings of administration, students and playground were bombed. The fifth floor of the administration building was hit by a number of artillery shells due to which most of the administrative books prepared and funded by the World Bank and European Union were destroyed.

The offices of the administrative deputy, personnel affairs, among others, suffered extensive damage. The building of female students was directly hit by a number of artillery shells, destroying 2 classrooms on the fifth floor, 2 others on the sixth floor and the main conference hall. The sixth floor of the male students' building was targeted and classrooms were heavily damaged.

Heavy Damages to the College of Science and Technology

The Khan Yunis-based college was established in 1990 as a higher education institution to teach technical sciences and currently has 1,400 students. The campus was heavily damaged when IOF bombed security posts located in the vicinity of the college. The college's engineering building and storage rooms were completely destroyed while the halls, administrative offices and the building of the science department were damaged.

Building B of the engineering complex was completed in 1990. It includes the material laboratory which was established in 2006, the electricity laboratory which was established in 2005 and the physics laboratories, which are located on the ground floor and include laboratories for electrics, computer engineering, cooling, survey and photocopying, as well as a storage room located on the first floor that serves 200 students.

Building E of the engineering complex was completed in 2008. It includes classrooms where more than 100 students study. IOF completely destroyed the northern side of the building.

The destruction of laboratories negatively affected the college's educational process as the college used to conduct applied research in laboratories. Losses inflicted upon the college's laboratories are estimated at US \$446,535, while damage to buildings are estimated at US\$ 75,000, amounting to a total value of US\$ 521,535.

The direct targeting of educational institutions, as civilian objects constitutes a war crime, as codified in Article 8(2)(b)(ii) of the Statute of the ICC. Equally, launching indiscriminate and disproportionate attacks constitute war crimes, as codified in Articles 51 and 57 of Additional Protocol I.

Article 50 of the Fourth Geneva Convention, also places obligations on an Occupying Power with respect to the provision of education in occupied territory: "The Occupying Power shall, with the cooperation of the national and local authorities, facilitate the proper working of all institutions devoted to the care and education of children ... Should the local institutions be inadequate for the purpose, the Occupying Power shall make arrangements for the maintenance and education, if possible by persons of their own nationality, language and religion."



Suspension of the Educational Process for 28 Days

During the latest offensive academic activity in educational institutions throughout the Gaza Strip was suspended. Classes were suspended in 206 kindergartens, where at least 28,220 children have classes;²⁷ 632 schools where 456,000 students have classes;²⁸ as well as 5 universities and a number of colleges where at least 66,000 students have classes.²⁹ The 28 days of ceased study coincided with the winter holiday, so the Ministry of Education considered the days of suspension as part of the holiday in order to minimize the negative impact of the offensive, and to make up for lost school days. On 24 January 2009, after the end of the offensive, students returned to their educational institutions, but faced tremendous difficulties in resuming study as a result of damage to educational institutions, and the psychological effects of the offensive.

The Ministry of Education and UNRWA decided to cancel the final examinations of the first semester and to base the final evaluation of students' performance on monthly grades. Later, the universities and higher education institutions had to conduct examinations for the first semester under an unstable atmosphere, due to which the second semester was postponed for more than 1 month.

As a result of the manner in which IOF chose to conduct hostilities in the Gaza Strip, IOF violated civilians' rights to education, which must be ensured in all circumstances, including in times of emergency, civil war and armed conflicts.

27 The Annual Book of Educational Statistics 2007-2008 issued by the Ministry of Education.

28 For more details, see the above-mentioned book, which states that number of schools in the Gaza Strip is 621, including 373 public schools with 250,000 students. The latest report, issued in February 2009, states that the number of public schools is 384 with 250,000 students, due to which some changes were made.

29 For more information, see the Annual Guide for Palestinian Higher Education Institutions 2007-2008. The report states that the Gaza Strip has 4 traditional universities: al-Azhar University; the Islamic University; al-Aqsa University and al-Quds Open University. It does not mention Palestine International University.

Attacks against NGOs

Twenty-seven NGOs and charitable societies were attacked by IOF during the latest offensive against the Gaza Strip; 15 of which were directly targeted. These civilian institutions and societies, including the Palestine Red Crescent Society (PRCS) and the Union of Agriculture Relief Committees, provide significant services to Palestinian society.

The most significant attacks were the attack on the PRCS compound³⁰ and the Union of Agriculture Relief Committees in Gaza City on 15 January 2009; these attacks occurred during the Israeli land invasion of the Tal al-Hawa neighborhood. Both institutions were heavily damaged. The PRCS compound is composed of three buildings; a 6-story building housing the central administration, which includes offices of the administration, central finance, personnel's affairs, general archives, ambulance administration, health care, Qatari Red Crescent, mental health, media administration and public relations; the 11-story cultural building includes a kindergarten, a nursery school, a theatre, a cinema, a family club, a museum, a conference hall, a hotel and a restaurant; and the 6-story al-Quds Hospital building. IOF targeted the PRCS compound with conventional and white phosphorous artillery shells, setting fire to al-Quds Hospital and the cultural and administrative buildings and destroying all of the PRCS' central medical stores. The PRCS had to evacuate all patients, staff and civilians to Shifa Hospital.

On the same day, the 3-story building of Union of Agriculture Relief Committees, located in al-Zaytoun neighborhood, was targeted with IOF artillery shells, inflicting heavy damage. Hours later, Israeli troops broke into the building and destroyed the entire interior.

³⁰ For more information concerning the attack on al-Quds Hospital and buildings of PRCS please see <Attacks against Medical Crews.>

PCHR documented further attacks on NGOs and charitable societies in the Gaza Strip as follows:

- On 27 December 2008, the first day of the offensive, the 7-story building of the Palestinian Prisoners' Society, which belongs to the Hussam Society for Prisoners, was bombed. Seven individuals were killed and the building was completely destroyed.
- On the same day, IOF bombed the 3-story building of al-Nour Centre for Families of Martyrs, Prisoners and Wounded located in Yaffa Street in the northeast of Gaza City. The building was heavily damaged.
- On 28 December 2008, IOF bombed a 3-story building of al-Shams Athletic Club, located in the Tal al-Hawa neighborhood of Gaza City; 2 missiles which completely destroyed the building.

On 31 December 2008, IOF bombed the headquarters of the Charitable Clinic located on the ground floor of a 5-story building in the Gizan al-Najjar area in Khan Yunis. The clinic was completely destroyed.

- On 4 January 2009, the 3-story building of al-Karama Society for Children of Martyrs in al-Rimal neighborhood of Gaza City was bombed by IOF. The building was completely destroyed.

- On 5 January 2009, IOF bombed the 2-story building of the Islamic Association located in Bani Suhaila village, east of Khan Yunis. The building was completely destroyed.
- On the same day, the building of the Union of Medical Care Committees located in al-Shati' refugee camp was bombed by IOF warplanes. The building is composed of 3 clinics, all of which were completely destroyed. A Volkswagen car belonging to the union was also destroyed.
- On 6 January 2009, IOF warplanes bombed the offices of al-Moltaqa Educational Society on the third floor of the Matar Building located on Saladdin Street in the central Gaza Strip. Israeli warplanes also bombed the headquarters of the Ibn Baz Islamic Charitable Society – located on the second floor of the same building, causing heavy damages. Other institutions in the building were partially damaged, including the Information Assembly of Palestinian Youth, offices of the Engineers' Syndicate, the headquarters of al-Ihsan Society, and offices of al-Salama Charitable Society.
- On 7 January 2009, IOF attacked al-Mossaddar Athletic Club located in al-Mussaddar village. The building was heavily damaged.
- On 11 January 2009, IOF bombed the building of the Dar al-Fadila Society on Taha Hussein Street in the north of Rafah. The building, which housed an orphanage, the Dal al-Oloom College for Human Sciences, a mosque, a clinic, a computer centre, a library, a center for Quran studies and a dormitory, was completely destroyed.
- On 13 January 2009, IOF bombed the headquarters of the Ahly Club located in al-Nusseirat refugee camp, destroying it completely.

- On 17 January 2009, IOF bombed offices of the Palestine Pioneers' Union located on the second floor of a mall in the center of Khan Yunis. The offices were destroyed.

Twelve NGOs and charitable societies were damaged due to Israeli attacks on nearby targets during the last offensive as follows:³¹

- On 28 December 2008, the 2-story building of the Deaf Club located in Yibna refugee camp in Rafah was heavily damaged when IOF bombed the border area between the Gaza Strip and Egypt.
- On the same day, the offices of the Palestinian Centre for Youth Work and the Palestine International Center for Professional Rehabilitation, both located on the second floor of al-Burno Building near Shifa Hospital, were heavily damaged when IOF bombed the nearby al-Burno Mosque.
- On 31 December 2008, offices of al-Ihsan Charitable Society located in al-Shaboura refugee camp in Rafah and a nearby center for Quran teaching were heavily damaged when IOF bombed the nearby al-Nijma park.
 - On 2 January 2009, offices of the Palestinian Students' Care Society in al-Nussairat refugee camp were heavily damaged when IOF bombed nearby agricultural land.
 - On 5 January 2009, the headquarters of al-Karmel Society for Culture and Social Development located in al-Nussairat refugee camp was heavily damaged when IOF bombed a nearby house belonging Jameel Mizher, a leader of the Popular Front for Liberation of Palestine (PFLP).

³¹ The number includes 4 institutions located in Matar Building.

- On 7 January 2009, offices of al-Maghazi Society for Social Rehabilitation in the centre of al-Maghazi refugee camp were damaged when IOF bombed the nearby buildings of al-Maghazy Municipality and a police station.
- On 17 January 2009, offices of the Tamkeen Center for Women in al-Nusseirat refugee camp were damaged when IOF bombed nearby agricultural land.

Arrests, Torture and Other Forms of Cruel and Degrading Treatment

During the land incursions into Palestinian communities in the Gaza Strip, IOF conducted a large scale campaign of arbitrary arrests against Palestinians, mostly in the northern Gaza Strip and Gaza City. In violation of IHL, IOF transferred those who were arrested to jails and detention centers located inside Israel, subjecting them to cruel and degrading treatment jeopardizing their lives. PCHR followed the cases of 91 detainees arrested during the offensive against the Gaza Strip; 67 of them were released later. However, 14 were classified as “illegitimate combatants,” 3 of whom were later released. IOF claimed that the detainees were resistance fighters. However, investigations conducted by PCHR indicate that the majority of those who were arrested were civilians taken from houses stormed by Israeli troops. Some of those who were arrested, including children and the elderly, were used as human shields.

The detainees, from the moment of arrest, were subjected to torture and cruel, inhuman and degrading treatment, beginning with violent beatings and insults. In detention centers, they were subjected to several rounds of torture.

PCHR documented testimonies given by a number of detainees who were released, affirming that they had gone through various kinds of physical and mental torture, and cruel, inhuman and degrading treatment during detention, such as being handcuffed and blindfolded near tanks in areas of ongoing fighting. Others were quoted as saying that they were exposed to severe cold, starvation, sleeping in the open, insults and beating with gun butts. Other detainees were subject to pressure intended to force them to collaborate with IOF in exchange for their release.

Testimony by Omar al-Qanou', 26, from al-Atatra, Beit Lahia, victim:

“On 4 January 2009, during the land invasion, I was arrested together with my brothers. We were detained with other civilians in Abu Ja'far al-Mansour School for the entire day. All were released except me and another civilian. We were transferred by a tank to another area that was not familiar to us where we were interrogated and beaten. We were deprived of food and were forced us to drink urine. I was brought back to Erez Crossing where they asked me to collaborate with them amidst cycles of torture during which my hand was broken. I remained in Erez the whole night without receiving any medical care. I was released on 11 January 2009.”

Testimony by Mo'tasem Abdallah, 17, from Izbat Abed Rabbu, Jabalya, victim:

“At approximately 10:00 on 12 January 2009, Israeli troops, storming Izbat Abed Rabbu, demanded we get out of our homes with hands up and to take off our clothes. We were led into Nahal Oz crossing area where we were transported in a military jeep to Erez crossing, handcuffed. We were left two days without food or water. Later on, we were taken to Asqalan (Ashkelon) inside Israel

where we were subjected to beating, insults, starvation and sleeping in the open. We were then transferred to Asqalan Prison where we went through interrogation once again, during which we were offered to collaborate with Israeli security services. Seven days later, we were released”.

Testimony by Ahmed Abed Rabbu, 20, from Izbat Abed Rabbu area, victim:

“At approximately 23:30 on 6 January 2009, Israeli undercover units broke into our house amidst intensive shelling of the area. Israeli troops, armed to the teeth and backed by bloodhounds, remained in the house for three days. My four brothers and I were handcuffed and used as human shields. On the fourth day, we were forced to walk on bodies of civilians killed earlier. Later, we, handcuffed and almost naked, were taken on a tank into the Israeli military crossing of Nahal Oz where we remained for three days during which we went through cycles of violence to the extent that an Israeli soldier urinated on us. We were then transferred to an interrogation centre in the Negev where we stayed for seven days with no food, water or medicine. I felt some pains in the abdomen. When I told an Israeli physician about it, he asked me to show the place of pain, and he kicked me seven times to the abdomen. I was put in a cell for seven days. Eventually, I was transferred into al-Ramla Prison in Israel where we stayed for 36 hours after which we were released.”

Investigations conducted by PCHR indicate that a number of those who were released by IOF were forced to go home through risky roads and with no protection, endangering their lives. In one of these cases; a civilian was killed on his way home with his brother after having been released. Yousef Hamad, 31, from Beit Hanoun, stated to PCHR that IOF arrested him, his 2 brothers, Shady and Esam, and around 22 others and detained them in a detention center at Erez Crossing.

Testimony by Yousef Hamad, 31, victim:

My brothers and I were released on the same day. Israeli troops demanded us to go back home alone saying: ‘You must move towards Gaza passing through Saladdin Street only. You are not allowed to go through Beit Hanoun, Izbat Abed Rabbu or Tal al-Za’tar areas as they are closed military zones. We coordinated your passage through Saladdin Road. In you change your route, you will be shot. ...

We walked on Saladin Street with our hands up until we reached Zimmo intersection, where Israeli troops stationed atop houses opened fire at us, but nobody was hurt. We walked 100 meters away reaching the building of PRCS,

where we were directly targeted with fire. We fell down. My brother, Shady, was shot dead with two bullets to the head and the leg. Two other missiles were fired at us, due to which we kept lying on ground until the next day at dawn. Essam managed to walk away when I decided to do the same. On walking away, a missile was fired at me, but I was not hurt.

Testimony by Mahmoud al-Ajramy, 59,
from Beit Lahia, victim:

“After my house had been shelled during the first days of the offensive, Israeli tanks rolled into al-Israa’ neighborhood and took positions atop of a number of houses. I was at home with my wife and my daughter, 15-year-old Yara. On 9 January 2009, I managed to vacate Yara out of the house. On 10 January 2009, IOF, stationed atop the house of my neighbor, Hasan Dahman, opened fire at our house while we were inside. They broke into the house amidst intensive shooting and dealt cruelly with me and my wife. They confiscated my mobile phone and demanded us to get out. On 11 January dawn, Israeli troops led me before them handcuffed and blindfolded. I fell on a heap of stones due to which I fell down unconscious for some time. Later, they brought my neighbor, Abbas Halawa, who led me towards the north.

We were used as human shields against fire shooting until we reached a military post, where we went through harsh interrogation about Hamas, hand-made tunnels, missiles and locations of resistance fighters. On 12 January, two Israeli soldiers led me to the south where they took off my handcuffs and blindfold. They demanded me to go back but not towards my house. They threatened to shoot me if they found me at home. I said to them that it was not safe to go ahead as the area was completely seized by IOF. They paid no consideration. I walked forward to the south for 200 meters when I was fired at indiscriminately. I saw scores of Israeli troops pointing guns at me and demanded me to leave the area quickly. I walked 300 meters forward when an ambush was set where Israeli troops demanded me to leave the area. Eventually, I managed to reach home safe. There, I found the eastern fence of my house and my jeep destroyed.”

Destruction of Civilian Facilities

During latest offensive, IOF launched air, land and sea strikes against governmental buildings and facilities, including ministries, municipalities and local councils. The strikes also targeted civilian facilities, including homes; economic facilities, including factories, stores, companies and workshops; NGOs; tourist facilities; sports clubs; mosques; graveyards; kindergartens; schools; universities; media institutions; medical facilities; agricultural land; irrigation networks; animal and bird farms; beehives; and fishing harbors and boats. Medical facilities and human relief organizations were also systematically targeted, a number of them repeatedly. The strikes targeted media institutions working in Gaza Strip, forcing several media institutions to evacuate their staff.³²

The majority of attacks launched by IOF during the latest offensive against the Gaza Strip, violated fundamental principles of IHL and human rights law. International human rights law seeks to protect individuals' rights at all times, and States Parties are obliged to ensure, protect and respect individuals' human rights. As the Occupying Power and in light of its longstanding control (and the resultant dependence) Israel is obliged to ensure Palestinians' human rights. The International Court of Justice, in its Advisory Opinion on *The Wall*, and the Human Rights Committee³³ confirmed that such obligations are applicable to the OPT. Israel must respect and protect all human rights of all persons living in the OPT.

Israel's extensive destruction of property, not justified by military necessity, constitutes a grave breach of the Fourth Geneva Convention. PCHR believe that a large part of the destruction, particularly in border areas, was intended to create a 'buffer zone' within the Gaza Strip, and to force inhabitants to leave the area.

The individual States of the international community, as High Contracting Parties to the Geneva Conventions, are under an obligation to investigate these actions and to bring the perpetrators to justice in order to ensure respect for IHL³⁴

³² This part of the report does not tackle attacks against medical facilities, human relief organizations and media institutions. For details about such attacks, see the first part of the report.

³³ The Human Rights Committee is the body of independent experts that monitors implementation of the International Covenant on Civil and Political Rights by its State parties. All States parties are obliged to submit regular reports to the Committee on how the rights are being implemented. In addition to the reporting procedure, article 41 of the Covenant provides for the Committee to consider inter-state complaints. Furthermore, the First Optional Protocol to the Covenant gives the Committee competence to examine individual complaints with regard to alleged violations of the Covenant by States parties to the Protocol.

³⁴ Article 1 common to all the Geneva Conventions provides: "The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances." Article 146 of the Convention states: "The High Contracting Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present Convention defined in the following Article. Each High Contracting Party shall be under the obligation to search for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts." Article 147 of the Convention provides: "Grave breaches to which the preceding Article relates shall be those involving any of the following acts, if committed against persons or property protected by the present Convention: willful killing, torture or inhuman treatment, including biological experiments, willfully causing great suffering or serious injury to body or health, unlawful deportation or transfer or unlawful confinement of a protected person, compelling a protected person to serve in the forces of a hostile Power, or willfully depriving a protected person of the rights of fair and regular trial prescribed in the present Convention, taking of hostages and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly."

IOF extensively destroyed several areas of the Gaza Strip, including the industrial zone, al-Zaytoun neighborhood, Tal al-Hawa neighborhood, Jabal al-Rayess area in Jabalya, al-Atatra and al-Twam areas in Beit Lahia, al-Mughraqa village in the central Gaza Strip, Absan and Khuza'a villages and al-Fukhari area in Khan Yunis and areas along the border with Egypt. Many of these areas were destroyed completely, rendering them uninhabitable.

The main characteristic of the offensive was Israel's systematic violation of the principle of distinction and the use of excessive and indiscriminate force, serious violations of IHL. The widespread, systematic nature of these violations of IHL indicate that crimes against humanity may have been committed in the Gaza Strip.

Destruction of Houses and Residential Buildings

IOF launched hundreds of air, land and sea strikes during the latest offensive against the Gaza Strip. As a result of these attacks, 2,114 houses were completely destroyed, (2,864 housing units), affecting 3,114 families (19,592 individuals). Additionally, 3,242 houses were partially destroyed, i.e. rendered uninhabitable, (5,014 housing units), affecting 5,470 families (32,250 individuals). Thus, approximately 50,000 Palestinians were made homeless. A further 16,000 houses were damaged.

The destruction of houses and residential buildings created an unprecedented state of forcible migration, affecting thousands of Palestinian civilians. PCHR field workers reported that approximately 450,000 individuals had to leave their homes looking for secure shelters, recalling scenes of the forced mass migration of the Palestinian people in 1948.

UNRWA and other international humanitarian organizations provided shelters for these families, who were suffering from the psychological impacts of the offensive. Thousands of families lost their property, including personal belongings, identity cards, passports and birth certificates.

According to PCHR's documentation, most house demolitions and destruction took place in the northern Gaza Strip, where 1,920 houses were completely destroyed, (2,818 housing units), affecting 3,359 families (19,515 individuals); and Gaza City, where 1,601 houses were completely destroyed (2,380 housing units), affecting 2,428 families (14,272 individuals).



**Al-Andalus apartment building which was
bombarded by Israeli warplanes**

Table (1): Destruction of Houses in the Gaza Strip

Governorate	Total Destruction	Partial Destruction	Total
North Gaza	845	1,075	1,920
Gaza	646	955	1,601
Central Gaza	92	561	653
Khan Yunis	233	164	397
Rafah	298	487	785
Total	2,114	3,242	5,356

Diagram (11): Destruction of Houses in the Gaza Strip

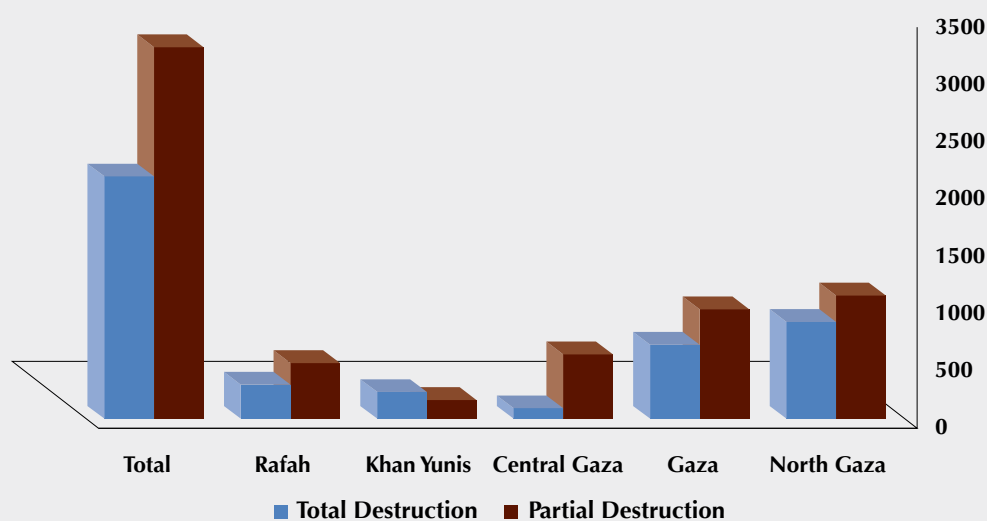


Diagram (12): Percentage of Houses Destroyed in Each Governorate

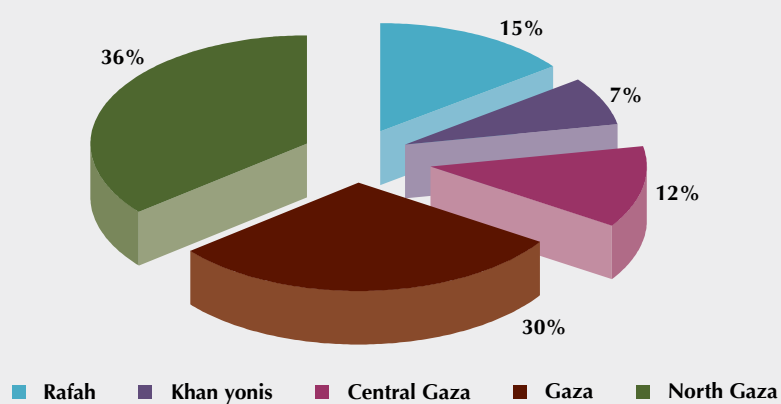


Table (2): Details on Totally and Partially Destroyed Houses in Each Governorate

Governorate	Number of houses	Number of Housing Units	Number of Families	Number of Residents
North Gaza	1,920	2,818	3,359	19,515
Gaza	1,601	2,380	2,428	14,272
Central Gaza	653	1,038	1,134	7,050
Khan Yunis	397	455	535	3,099
Rafah	785	1,142	1,328	7,906
Total	5,356	7,833	8,784	51,842

Diagram (13): Details on Totally and Partially Destroyed Houses in Each Governorate

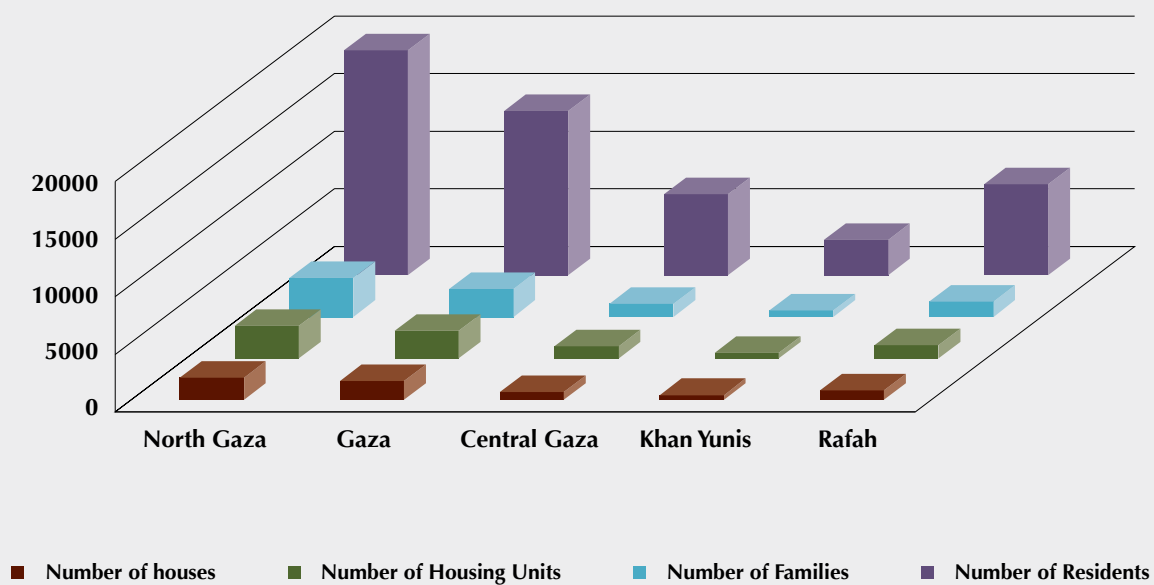


Table (3): Houses Completely Destroyed in Each Governorate

Governorate	Number of houses	Number of Housing Units	Number of Families	Number of Residents
North Gaza	845	1,109	1,443	8,037
Gaza	646	902	942	5,707
Central Gaza	92	157	165	1,444
Khan Yunis	233	275	318	1,769
Rafah	298	403	446	2,635
Total	2,224	2,846	3,314	19,592

Diagram (14): Houses Completely Destroyed in Each Governorate

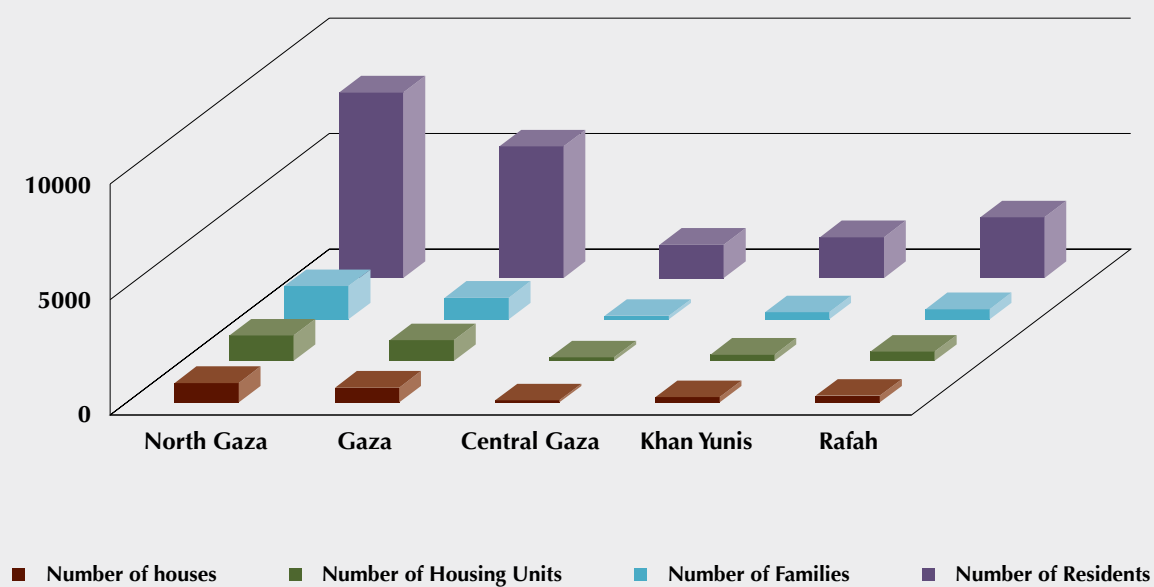


Table (4): Houses Partially Destroyed in Each Governorate

Governorate	Number of houses	Number of Housing Units	Number of Families	Number of Residents
North Gaza	1,075	1,709	1,916	11,478
Gaza	955	1,458	1,466	8,565
Central Gaza	561	928	989	5,606
Khan Yunis	164	180	217	1,330
Rafah	487	739	882	5,271
Total	3,242	5,014	5,470	32,250

Diagram (15): Houses Partially Destroyed in Each Governorate

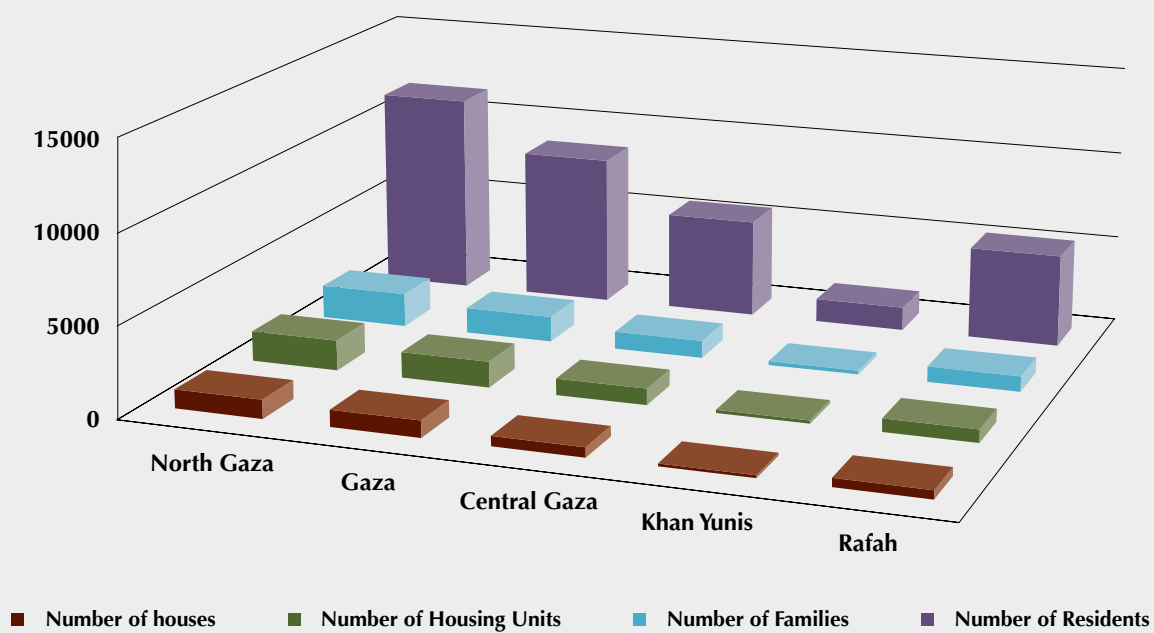


Table (5): Houses That Were Directly Bombed

Governorate	Number of houses	Number of Housing Units	Number of Families	Number of Residents
North Gaza	189	241	313	1,420
Gaza	64	135	158	920
Central Gaza	32	54	65	194
Khan Yunis	25	38	58	317
Rafah	81	148	246	1,499
Total	391	616	840	4,350

Diagram (16): Houses That Were Directly Bombed

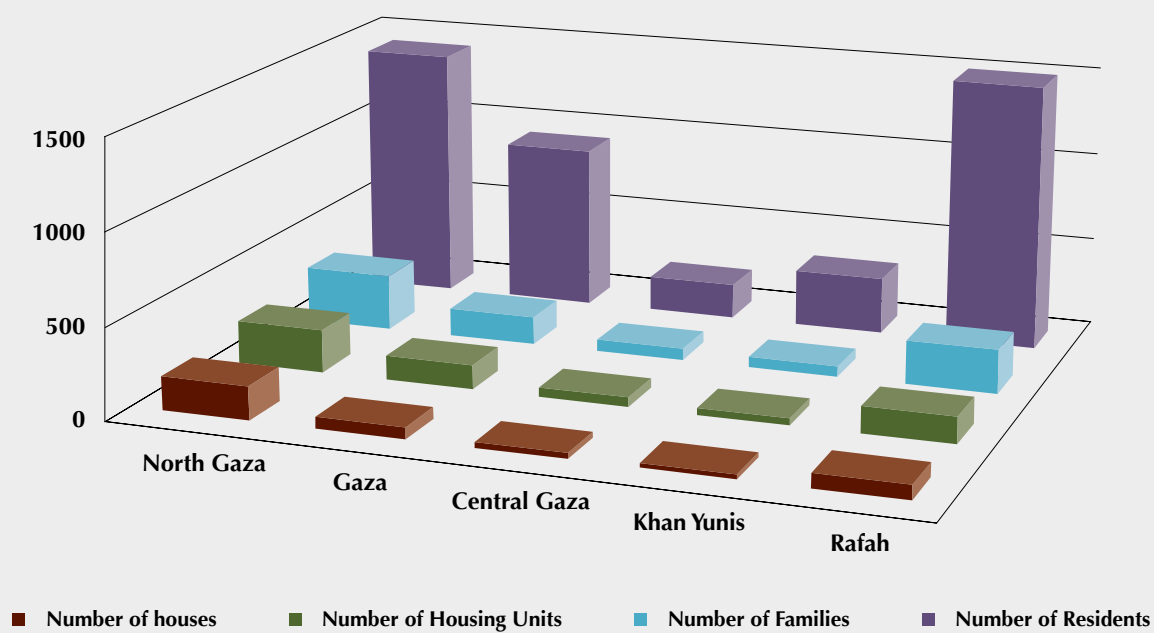
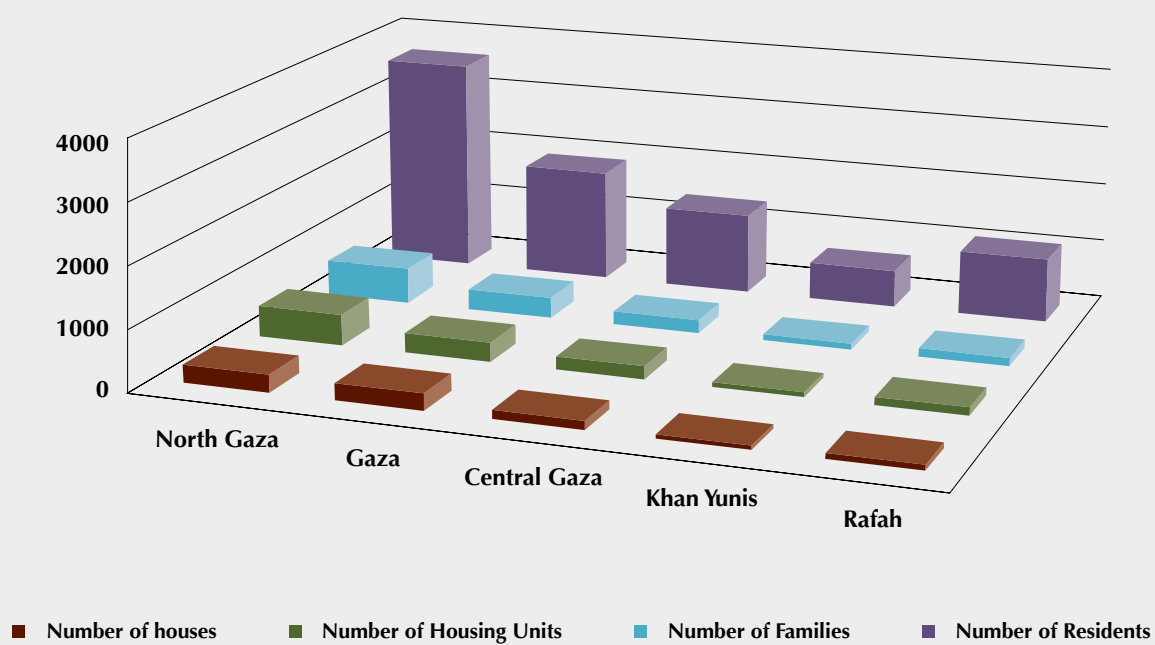


Table (6): Houses That Were Indirectly Bombed

Governorate	Number of houses	Number of Housing Units	Number of Families	Number of Residents
North Gaza	295	522	600	3,607
Gaza	282	325	351	1,886
Central Gaza	145	214	225	1,358
Khan Yunis	66	77	102	625
Rafah	91	134	142	1,078
Total	879	1,272	1,420	8,554

Diagram (17): Houses That Were Indirectly Bombed



Destruction of Governmental Facilities

During the offensive, F-16 fighter jets and helicopters attacked dozens of security and military posts and governmental facilities resulting in the destruction of 60 facilities.

Attacks on Ministries, Governmental Facilities and Local Councils

IOF attacked most civilian facilities of the Palestinian National Authority (PNA), all of which are located in densely-populated areas. IOF's guided raids targeted these facilities which provide daily services to the Palestinian civilian population, including the buildings and facilities of the Palestinian Government in the Gaza Strip. The building of the Palestinian Legislative Council (PLC), ministries and local councils were bombed, destroying files and papers relevant to civilian affairs.



The compound of Palestinian Ministry in Gaza City, which was bombarded by Israeli warplanes



The building of the Palestinian Legislative Council in Gaza City, which was bombarded by Israeli warplanes

Ministries

IOF bombed the ministry compound in the center of Gaza, which includes most of the PNA ministries, including the Ministry of Foreign Affairs, the Ministry of Finance, the Ministry of Planning and the Ministry of Public Works. In addition, IOF raids targeted buildings of ministries located outside the compound as follows:

- On 30 December 2008, Israeli warplanes bombed the buildings of the Interior Ministry, located in the Tal al-Hawa neighborhood, destroying the building, and the records of the department of civilian affairs. On the same day, Israeli warplanes attacked and completely destroyed the building of the Council of Ministers, also located in Tal al-Hawa.
- On 31 December 2008, Israeli warplanes bombed and completely destroyed al-Hakim Palace, President Arafat's former compound, in the west of Gaza

City. On the same day, the building of the Ministry of Justice located in Tal al-Hawa, was bombed and completely destroyed. The 5-story building had been opened only 4 months prior to the offensive and its offices were fully outfitted with computers and other equipment. The attacks destroyed thousands of legal files and other contents. The adjacent Ministry of Education was heavily damaged. On the same day, Israeli warplanes bombed and completely destroyed the building of the Palestinian Legislative Council on Omar al-Mukhtar Street in Gaza City.

Governorates and Municipality Structures

IOF targeted 5 buildings of governorates and local councils as follows:

- On 27 December 2008, Israeli warplanes bombed building of al-Zahra' Municipality, causing heavy damage.
- On 28 December 2008, Israeli warplanes bombed the building of Rafah Governorate located near Rafah international crossing point, completely destroying it. On the same day, the building of Rafah Municipality was bombed. On 8 January 2009, a nearby explosion caused damage to the municipality library. On 9 January, Israeli warplanes bombed the playground of Rafah Municipality, damaging it.
- On 30 December 2008, Israeli warplanes bombed the building of Bani Suhaila Municipality, damaging it.
- On 7 January 2009, Israeli warplanes bombed the old building of al-Maghazy Municipality, destroying it completely.
- On 10 January, a nearby explosion caused damage to the library of al-Nusseirat Municipality.

Destruction of Palestinian Police Facilities

During the latest offensive, IOF launched numerous air strikes against Palestinian police facilities, including stations, fixed and mobile posts, security posts and checkpoints. The raids completely destroyed 74 buildings and posts of the Palestinian police throughout the Gaza Strip: 23 posts in the central Gaza Strip; 17 in Gaza City; 15 in Khan Yunis town; 11 in Rafah; and 8 in the northern Gaza Strip.³⁵

On 27 December 2008, Israeli war planes launched a widespread attack, targeting numerous buildings and posts of the Palestinian police; large numbers of police officers and civilian bystanders were killed and others were wounded.

In Gaza City, IOF air strikes targeted a number of police stations and buildings almost simultaneously. The facilities were completely destroyed and dozens of police officers and civilian bystanders were killed, hundreds more were wounded.

- Arafat Police Compound in the center of Gaza City: The compound housed the central command of the Palestinian police, as well as commands of different police departments. It was targeted by number of air strikes, due to which most of its buildings

³⁵ The numbers do not include paramilitary sites of Palestinian resistance groups, as IOF launched scores of attacks against 70 of such sites, including training sites, completely destroying a number of them.

were destroyed and 50 police officers were killed including Major General Tawfiq Jaber, Chief of the Palestinian Police in the Gaza Strip.

- Hitteen Post (the building of the former Preventive Security Service): The post was targeted by more than 5 air strikes, due to which it was completely destroyed.
- Al-Mashtal Post of the General Intelligence Service: Located in north of al-Shati' refugee camp, the post was subjected to an Israeli air strike that completely destroyed it, killing 3 security officers and wounding 3 others.
- Al-Abbas Police Station: Located in al-Rimal neighborhood of Gaza City, the station was completely destroyed.
- A post of the Security and Protection services: This post, located near the Gaza City beach, was completely destroyed.
- Al-Tufah and al-Daraj Police station: Located in the east of Gaza City, this station was completely destroyed.
- Al-Saraya Building: Located in the center of Gaza City, this building housed the Central Command of Palestinian National Security Forces and Gaza Central Prison, among others. It was completely destroyed.
- Fayez Abu Jarad post of the National Security Forces: The post was located near the Municipality of al-Mughraqa, south of Gaza City. It was completely destroyed.
- A civil defense post in al-Zahra town was completely destroyed.
- A police station in al-Zahra town was completely destroyed.
- A post of the civil defense located at Gaza City beach was completely destroyed.

In the central Gaza Strip, Israeli warplanes launched a series of air strikes against police posts, destroying them all and killing dozens of police officers and civilian bystanders as follows:

- The police station and the adjacent Jenin post of the Internal Security Service, located in Abu Middain area in al-Maghazi refugee camp.
- Posts of the Civil Defense, Intervention and Riot Control Police, General Investigation Bureau, Traffic Police, Naval Police and General Police in Deir al-Balah town.
- The post of Brigade 13 of the National Security Forces in al-Maghazi refugee camp.
- Maqbola post of the Palestinian National Security Forces in al-Boreij refugee camp.

In the northern Gaza Strip, air strikes launched by Israeli warplanes targeted a number of posts belonging to Palestinian security services, destroying them all and killing dozens of police officers and civilian bystanders as follows:

- Abdul Aziz al-Rantissi Post (the post of the former Force 17), located to the west of Jabalya refugee camp, was completely destroyed, 9 police officers were killed and others were wounded.
- The post of the Naval Police, located in al-Sudaniya area, was completely destroyed, 3 police officers were killed and more were wounded.
- The post of the National Security Forces located to the east of Jabalya refugee camp was completely destroyed.

- The post of the National Security Forces located near Beit Hanoun (Erez) crossing, was completely destroyed, but no casualties were reported.

In Khan Yunis, IOF launched a number of air strikes against posts of the Palestinian police, due to which they were completely destroyed. A number of police officers were killed and others were wounded as follows:

- Israeli warplanes targeted the headquarters of the Internal Security Services in the west of Khan Yunis with two missiles, completely destroying it. A security officer and a civilian worker were killed.
- Israeli warplanes bombed the headquarters of the Intervention and Riot Control Police with a missile, completely destroying the structure. Three police officers were killed.
- Israeli warplanes bombed a post of the Security and Protection Service in the south of al-Aqsa University, destroying it completely. A security officer was wounded and dozens of students were under shock following the attacks.
- Israeli warplanes bombed a post of the Naval Police in the west of Khan Yunis, destroying it completely.
- Israeli warplanes bombed the Khan Yunis police station, destroying it completely.

In Rafah, Israeli warplanes fired a number of missiles at the compound of the security services (the National Security Forces, Internal Security Service and Police), located in Abu Baker al-Siddeeq Street. As a result, 5 police officers and 7 civilian bystanders - including a child, a preacher, a physician, a paramedic and a lawyer - were killed. The air strikes also targeted a number of police and security posts, primarily those located along the border with Egypt.

Destruction of Infrastructure

IOF caused massive destruction to the infrastructure in many cities and districts across the Gaza Strip, causing serious disruption to the lives of Palestinian civilians. Particularly in the areas invaded by IOF ground troops, IOF bulldozed several main roads and side streets. IOF also bulldozed and bombed the infrastructure of basic services, including primary and secondary water networks, primary and secondary sewage water networks, high pressure power transformers, high and low pressure power networks, as well as communications networks and facilities. Most of these objects are considered indispensable to the survival of the civilian population.

According to data provided by the Coastal Municipal Water Utility (CMWU), which manages waters and sewage waters in the Gaza Strip, the IOF offensive caused the destruction of numerous water wells, including main drinking water wells in several districts. Military bulldozers, tanks and other vehicles systematically and extensively uprooted primary and secondary water networks in many districts. In addition, IOF destroyed drainage systems, including primary and secondary sewage drains. Many water tanks were either completely destroyed or heavily damaged, and as a result became useless. CMWU estimates that as a result of IOF attacks against CMWU facilities, the losses incurred to the water and sanitation sector in the Gaza Strip stands at approximately US\$ 6 million.

IOF military operations also caused heavy damages to the power and communication sectors. In the power sector, IOF targeted high and low pressure transformers, electricity poles and power networks in many districts in the Gaza Strip. The communications sector was also targeted, destroying wire and wireless communication devices, communications lines, relay stations, as well as internal extensions inside buildings and institutions that were completely or partially destroyed. Power and communications networks were completely destroyed and leveled to the ground in the Industrial Zone, the neighborhoods of al-Zaytoun and Tal al-Hawa in Gaza City, as well as al-Atatra, al-Salatin, and Abed Rabbu in northern Gaza.

Destruction of Economic Infrastructure

IOF attacks heavily damaged these different economic sectors across the Gaza Strip. Data collected from the field indicates that IOF systematically and extensively targeted Gaza's economic establishments and infrastructure. Notably, PCHR fieldworkers witnessed destruction caused to economic infrastructure in the Industrial Zone in Gaza City, al-Fukhari village in Khan Younis and in zones along Gaza's eastern border strip. PCHR concludes that IOF destruction of Gaza's economic sector aimed to prevent the possibility of restoration or development of the Gaza Strip's economy. The local economy was already seriously damaged due to the total ban on imports and exports imposed by the IOF since June 2007. During the offensive, IOF engaged in indiscriminate ground and air attacks, and employed heavy bombs and highly destructive missiles, destroying industrial, agricultural, commercial, tourist and services establishments. This destruction was preplanned and systematic. PCHR fieldworkers observed that IOF focused their attacks on the construction sector, including concrete factories, brick factories and construction material storage facilities. This indicates that IOF willfully caused damage to Gaza's construction sector in order to obstruct any future developments of Gaza's economic infrastructure and to obstruct the reconstruction of destroyed civilian property and objects that IOF destroyed during their offensive.

The extent of the destruction caused to Gaza's economy indicates that IOF sought to severely reduce the productive capacity of Gazan economic establishments, paralyze the Gazan economy and thus ensure Gaza's dependence on Israel.

IOF used different military means to harm Gaza's economy. Air strikes were launched on economic establishments located along Gaza's borders with Israel, while artillery attacks caused heavy destruction. On 4 January 2009, IOF began their ground incursion and intensified attacks against Gaza's economic establishments. Tanks conducted dozens of military attacks with tank shells and bulldozers leveled buildings and economic establishments to the ground.

During the IOF offensive on the Gaza Strip, 286 economic establishments were destroyed, including 178 establishments that were completely destroyed (60.1% of destroyed establishments) and 58 establishments that were heavily damaged (39.9%). Prior to the offensive, 390 establishments were operating, despite the numerous difficulties caused by the illegal closure; 73% of these establishments were destroyed. It also should be noted that prior to tightening the siege on the Gaza strip, 3,900 establishments, mostly small size establishments with less than 10 employees, used to operate in the Gaza Strip. Of these establishments, 90% shut down during the last two last years due to the illegal closure. These 3,900 establishments used to employ approximately 150,000 workers who provided for 0.5 million people. The majority of these workers were laid off. The losses caused by IOF destructions of Gaza economic sectors reached US\$ 309,089,188³⁶ as follows:

³⁶ Estimates of Gaza's Private Sector Coordinating Council indicated that the losses of the different economic sectors, excluding the agricultural sector, due to the Israeli offensive reached US\$ 139,089,188. The losses of the agricultural sector are estimated at US\$ 170,000,000. Thus the grand total of losses incurred by Gaza different economic sectors stand at US\$ 309,089,188.

Table (7): Losses across Economic Sectors

Sector	Losses (US\$)	Percentage
Industrial sector	84,209,712	27.2%
Commercial sector	24,909,289	8.1%
Construction & contracting sector	6,013,138	1.9%
Tourism sector	2,555,857	0.8%
Fuel sector	5,555,169	1.8%
Agricultural sector	170,000,000	55.1%
Other sectors	15,846,023	5.1%
Total	309,089,188	100%

Industrial Sector

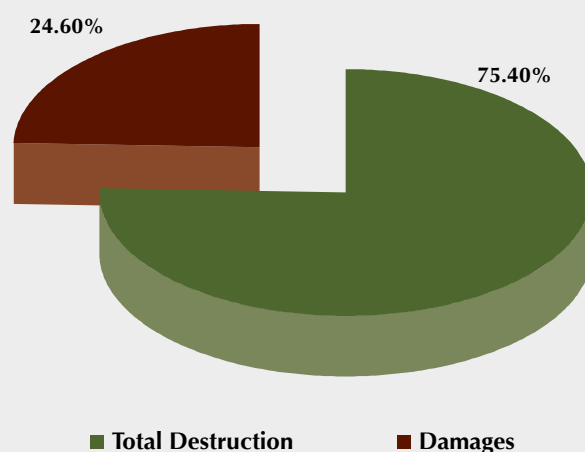
In violation of IHL, IOF launched intentional and indiscriminate attacks against Gaza's industrial sector. IOF not only targeted factories and industrial establishments in border areas, but also industrial establishments deep inside residential areas across the Gaza Strip.

PCHR documented the destruction of 167 industrial establishments, including 119 establishments that were completely destroyed (71.25% of destroyed industrial establishments) and 48 establishments that sustained heavy damages (28.75%). Destruction was widespread and included 26 metal businesses, 15 food production businesses, 6 plastic businesses, 4 sanitary ware businesses, 23 carpentry workshops, 14 mechanic workshops, 5 construction and contracting businesses, 7 concrete production businesses, 9 sewing and textile businesses, 3 aluminum workshops, 12 brick and construction material production businesses, as well as 43 industrial businesses working in different areas.

Table (8): Degree of Destruction Caused to Industrial Businesses during IOF Offensive

	Complete destruction	Partial damages	Total
# of destroyed establishments	178	58	286
Percentage	60.1%	39.9%	100%

Diagram (18): Degree of Destruction Caused to Industrial Businesses during IOF Offensive



Preliminary estimates indicate that the losses incurred by the industrial sector reached US\$ 84,209,712, which represents 27.2% of the total losses incurred by Gaza's different economic sectors (US\$ 309,089,188). The following table and diagrams illustrate the losses incurred by Gaza's various economic sectors:

Table (9): Losses incurred by Gaza's different economic sectors

Sector	Losses	Percentage
Industrial sector	84,209,712	27.2%
Commercial sector	24,909,289	8.1%
Construction & contracting sector	6,013,138	1.9%
Tourism sector	2,555,857	0.8%
Fuel sector	5,555,169	1.8%
Agricultural sector	170,000,000	55.1%
Other sectors	15,846,023	5.1%
Total	309,089,188	100%

Diagram (19): Losses incurred by Gaza's different economic sectors

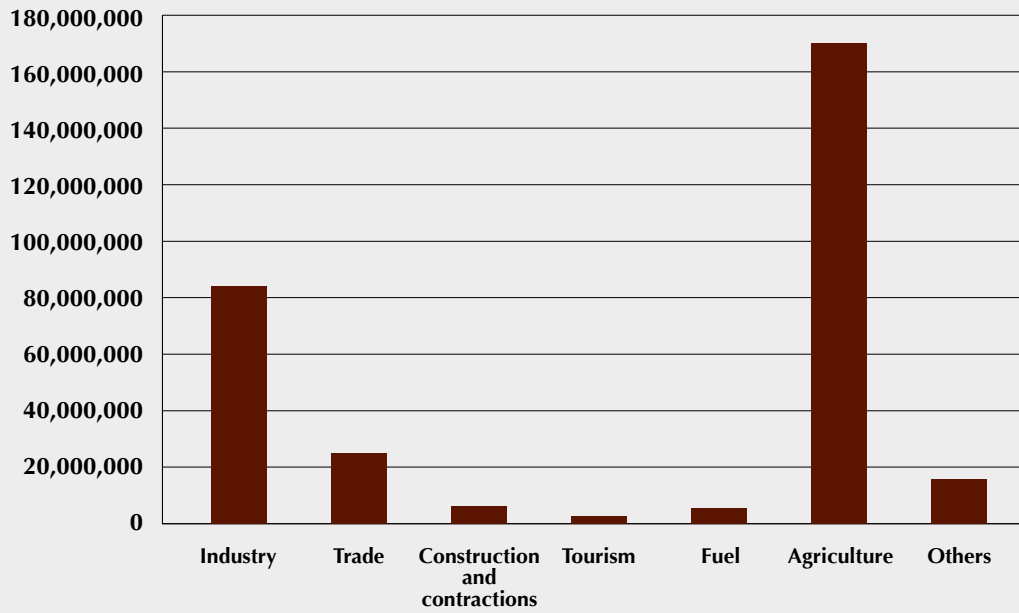
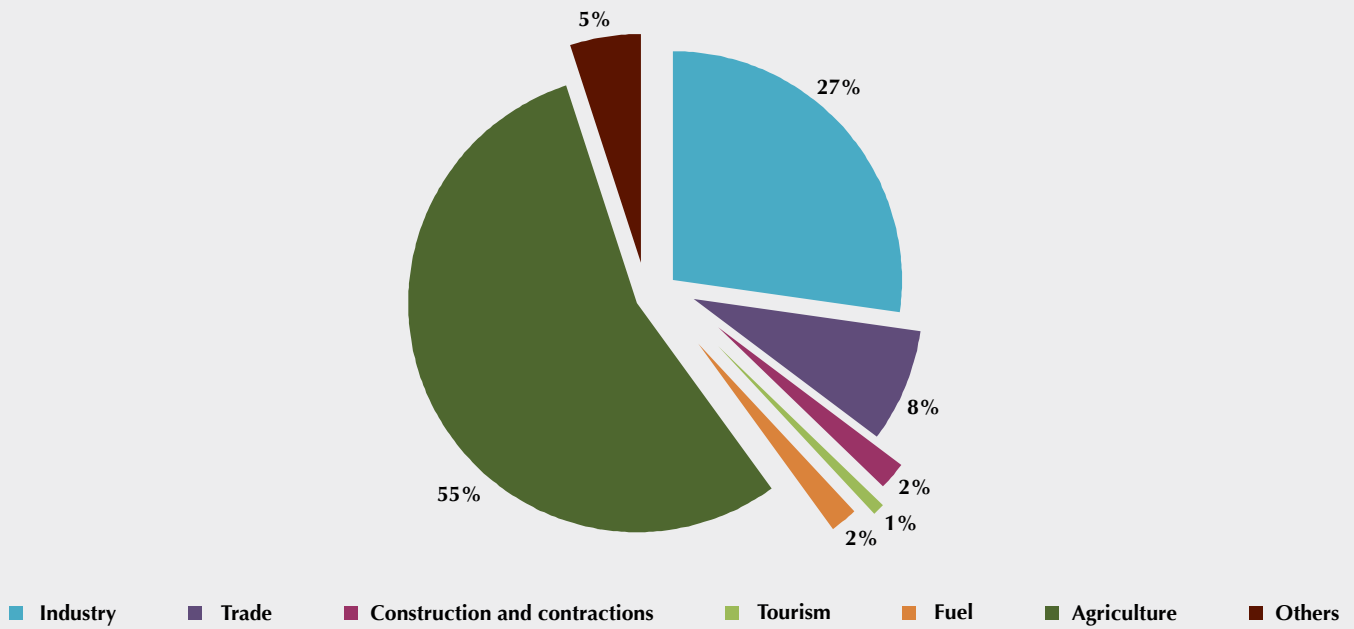


Diagram (20): Distribution of losses incurred by Gaza's different economic sectors



In the Industrial Zone in the east of Gaza City, IOF completely destroyed all industrial establishments; 60 industrial establishments, mostly large factories, were completely destroyed.

Prior to the imposition of the illegal closure, approximately 65,000 workers were employed by Gaza's industrial sector (figures from June 2006). The number was reduced to approximately 35,000 workers because many industrial establishments shut off due to the continued siege. After the Israeli offensive, only 1,878 (5.36%)³⁷ workers continued to be employed by the industrial sector, contributing to unemployment levels which are among the highest in the world. The following table and diagram illustrate the impact of IOF offensive on industrial sector's workers and provide comparison with previous times:



Table (10): Local workers employed by Gaza's industrial sector at different times

Time	June 2006	During siege, prior to IOF offensive	After IOF offensive
Number of workers	65,000	35,000	1,878

³⁷ Report by Gaza' Private Sector Coordinating Council on losses caused by the Israeli offensive, February 2009.

Diagram (21): Local workers employed by Gaza's industrial sector at different times

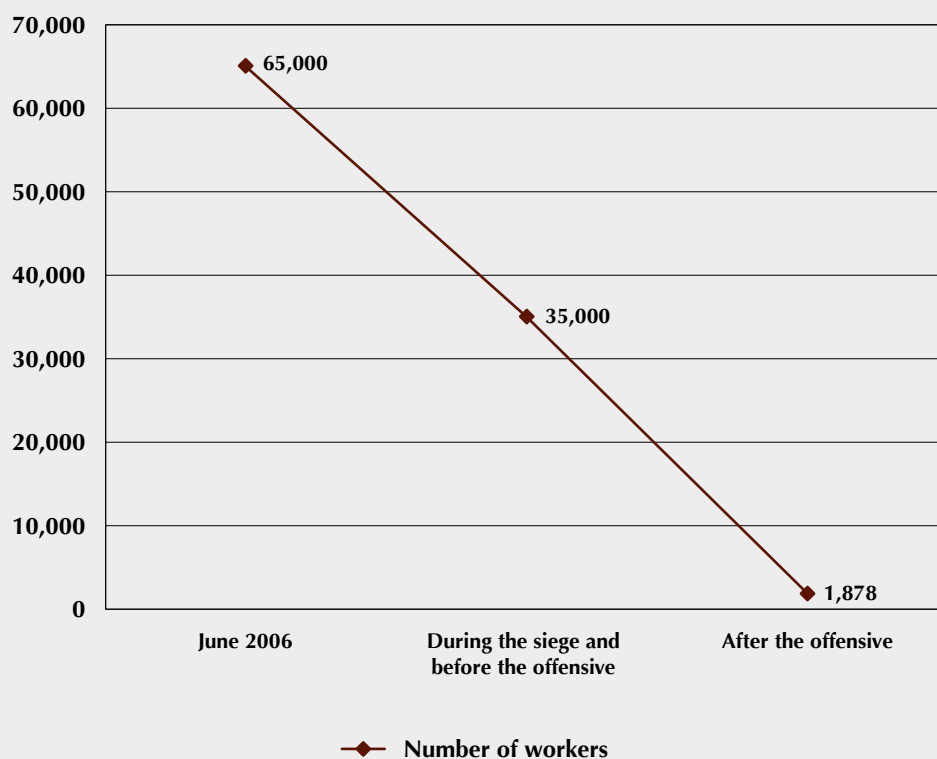
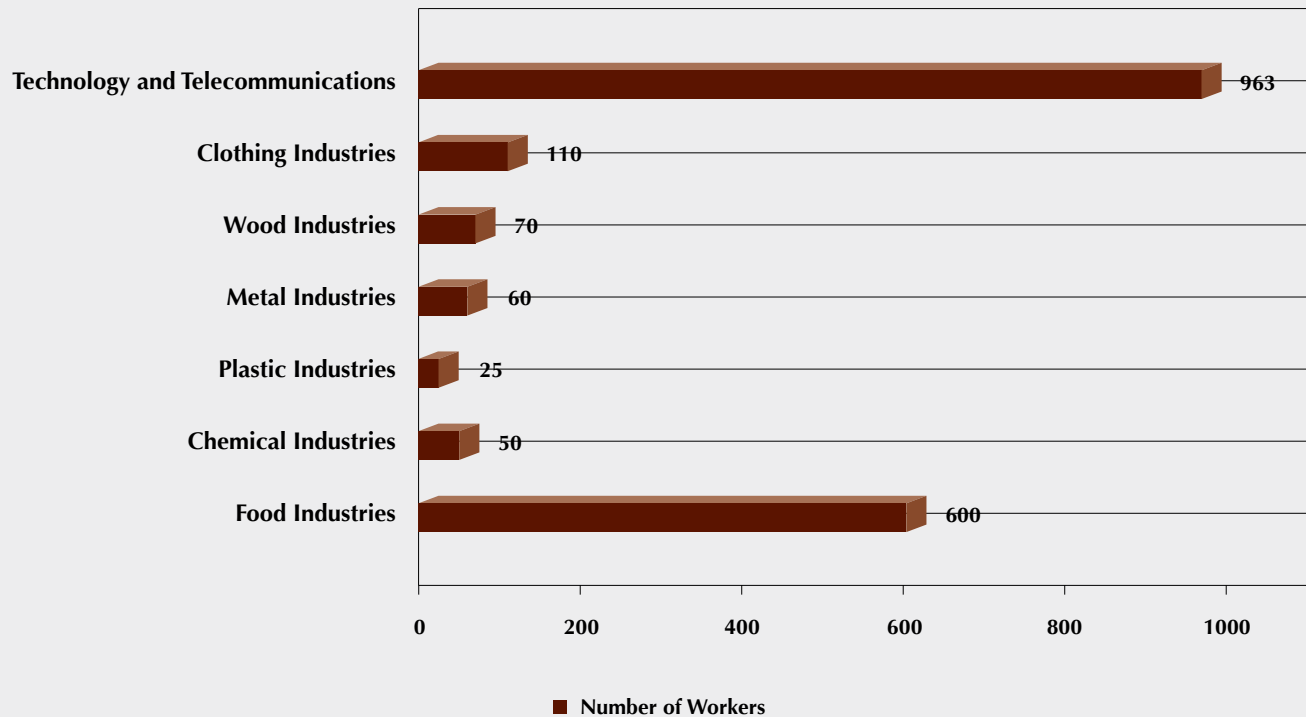


Table (11): Distribution of Gazan workers by industrial activities after IOF offensive

Industry	Food	Chemical	Plastic	Metal	Wood	Clothes & textile	Technology & communications	Total
# of workers	600	50	25	60	70	110	963	1,878
Percentage	13.95%	2.66%	1.33%	3.19%	3.73%	8.86%	51.28%	100%

Diagram (22): Distribution of Gazan workers by industrial activities after IOF offensive



The above table and diagram illustrate that companies working in the field of technology and communications employ 963 workers (51.27% of workers currently employed by the industrial sector), the largest number of workers who continued to be employed in the industrial sector. The majority of technology and communications workers in the Gaza Strip are employed by a Palestinian communication company (PALTEL Group) that was not seriously affected during the IOF offensive. Companies that work in other types of activities employed approximately 35,000 workers prior to the IOF offensive. The food sector, previously the largest industrial sector in the Gaza Strip, currently employs only 600 workers. The clothes and textile sector, which Gaza used to be famous for, currently employs only 110 workers. The wood industry sector that used to have a good reputation for its high quality products, currently employs only 70 workers. Finally, a mere 60 workers continue to be employed in the metal industry sector, 50 workers in the chemical industry sector, and 25 workers in the plastic industry sector.

PCHR fieldworkers closely followed up and documented destruction of the industrial sector in Gaza. The following is a review of some cases:

Destruction of the Engineering Company for Concrete

During IOF offensive on Gaza, IOF tanks and bulldozers destroyed the concrete factory that belongs to the Engineering Company for Concrete in the east of Gaza City. Heavy losses were caused to the factory that used to employ 40 workers. Under normal conditions, the factory, which was established with a total cost of US\$ 3 million, used to produce 5,000 cubic metres of concrete per month. The factory, like all the factories that were completely destroyed in the east of Gaza City, is located in an open area, indicating that its destruction was intentional.

Hamdan Abu 'Ereiban, the guard of the factory, was in the factory when IOF tanks moved into the Industrial Zone. He stated that IOF tanks moved towards al-Shuhada intersection and took position there. He added that the tanks fired shells in all directions. Many shells landed on the factory.

According to the statements of Abu 'Ereiban, military bulldozers moved towards the factory and destroyed the building and the trucks without any prior warning. Abu 'Ereiban said that IOF were not under attack and that there were no resistance fighters in the vicinity. He stated that the factory lies in an open area that IOF can easily observe. IOF destroyed the majority of the contents of the factory, including expensive machinery such as mixing machines, trucks and levers.

The cement factory of the Engineering Company for Concrete is owned by Palestinian businessmen and supplies the construction sector with a large portion of its concrete needs. Thus, the reconstruction of the Engineering Company for Concrete in particular and the construction materials production sector as a whole is a prerequisite for the reconstruction of Gaza.

Targeting of a Smith Workshop and the Death of Seven Civilians

At approximately 14:30 pm on 29 December 2008, IOF warplanes bombed a smith workshop belonging to 'Imad Sammour in Zemmu Street in the east of Jabalya. The workshop was heavily damaged. Approximately half an hour later, the owner of the workshop and a group of young men headed to the workshop and tried to transfer the contents of the workshop, including oxygen cylinders, into a small Mercedes vehicle. At approximately 15:20 pm, IOF bombed the workshop again. Seven civilians, including 2 children, were killed as a result. In addition, 4 other civilians were seriously injured and sustained burns because the oxygen bottles that were inside the workshop exploded.

IOF launched a series of continued attacks that targeted economic establishments. The following is a review of most significant incidents:

- On 28 December 2008, IOF warplanes bombed 2 smith workshops belonging to the Khawaja family and to the Abu Jahel family in the center of Gaza City. The two workshops were completely destroyed.

- On 28 December 2008, IOF warplanes bombed a lubrication workshop belonging to Eyad 'Abdul Hadi Rajab in Yaffa Street. The workshop was completely destroyed. At the same time, IOF warplanes bombed a smith workshop belonging to Shareef Loulu and another workshop belonging to his brother. The 2 workshops were completely destroyed.
- On 29 December 2008 at dawn, IOF warplanes bombed a smith workshop belonging to Mahmoud al-Bahtiti near 'Asqoula intersection. The workshop was completely destroyed.
- At approximately 03:30 am on 29 December 2008, IOF warplanes bombed an oxygen packing factory belonging to Waset 'Abdul Qader, behind the Islamic Compound in al-Sabra district. The factory that was built on an area of 300 m² was completely destroyed.
- On 28 December 2008, IOF warplanes bombed a smith workshop belonging to Ihab Hasan Wishah. The workshop is located inside a 5-story house belonging to the father of Wishah. The workshop was destroyed and the house was damaged. No casualties were reported.
- On 28 December 2008, IOF warplanes bombed a smith workshop belonging to Ibrahim Suleiman Radwan Baraka in the al-Amal district of Khan Yunis. The workshop was heavily damaged.
- At dawn on Sunday, 28 December 2008, IOF warplanes bombed a smith workshop belonging to Mohammed Yousef Abou Mousa in al-Juneina neighborhood in the north of Rafah city. The workshop was seriously damaged and no casualties were reported.
- On 28 December 2008, an IOF warplane fired a missile at a carpentry workshop belonging to the Abu Taha family in 'Umar Ibn al-Khattab Street in Rafah city. The workshop was destroyed and neighboring houses and shops were damaged.
- On Monday, 29 December 2008, at midnight, IOF bombed a smith workshop belonging to Ibrahim Suleiman Radwan Baraka in Bani Suheila in the east of Khan Younis. The workshop was heavily damaged. The workshop was bombed earlier at dawn on the same day.
- On 31 December 2008, IOF warplanes bombed a smith workshop belonging to the al-Jabri family in al-Helal Old Street in Khan Younis. The workshop was destroyed and 2 civilians were injured in the incident.
- On 1 January 2009, IOF warplanes bombed a smith workshop belonging to Khaled al-Zir near the Civil Defense building in Jabaliya. The workshop was established in a rented store of 100 m². The store which belongs to Mohammed Nazmi Rabi'a Rihan was completely destroyed. In addition, an adjacent 2-story house belonging to Mohammed Nazmi Rabi'a Rihan and other several neighboring houses were heavily damaged. The house of the Rihan family stands on an area of 200 m² and is home to 9 family members.
- At night on 1 January 2009, IOF warplanes bombed a smith workshop belonging to Taha Dalloul near Abu Shbak Petrol Station in Jabaliya. The workshop was completely destroyed and a number of nearby workshops and houses were damaged.
- On 3 January 2009, an IOF helicopter attacked a printing house belonging to Abdul Nabi Sa'id al-Rantisi in al-Rimal neighborhood of Gaza City. The printing house was completely destroyed and a neighboring building was damaged.
- On 4 January 2009, IOF warplanes fired 2 missiles at a vehicle maintenance workshop belonging to Ahmed Khalil Baroud in al-Salam neighborhood of Rafah. The workshop was completely destroyed.
- On 5 January 2009, while moving into al-Tufah district in Gaza City, IOF targeted al-Yazji Group Company for Soft Drinks. A

missile fired from a warplane landed on the main store of the company. The company was set on fire and all the raw materials inside the building were damaged. In addition, some equipment and machines were destroyed.

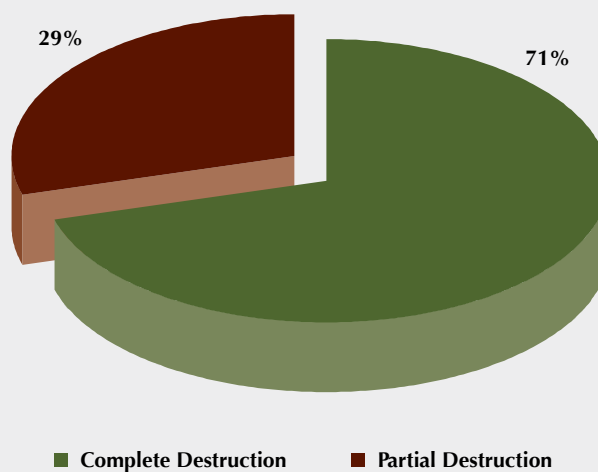
Commercial Sector

IOF mass destruction also seriously affected the commercial sector. The majority of commercial establishments that IOF destroyed are located in the centers of residential areas across the Gaza Strip. IOF targeted 92 commercial establishments. 70% of the targeted establishments (65 establishments) were completely destroyed while the other 30% (27 establishments) sustained partial damage. Losses incurred to the commercial sector, including construction companies, are estimated at US\$ 30,922,427. This number represents 10% of the total losses incurred by the economic sector (US\$ 309,089,188). The following table and diagram illustrate the size of destruction caused to commercial establishments during the IOF offensive on Gaza:

Table (12): Degree of Destruction of Gaza's Commercial Establishments from IOF Offensive

	Complete destruction	Partial damages	Total
# of targeted establishments	65	27	92
Percentage	70.65%	29.35%	100%

Diagram (23): Degree of Destruction of Gaza's Commercial Establishments from IOF Offensive



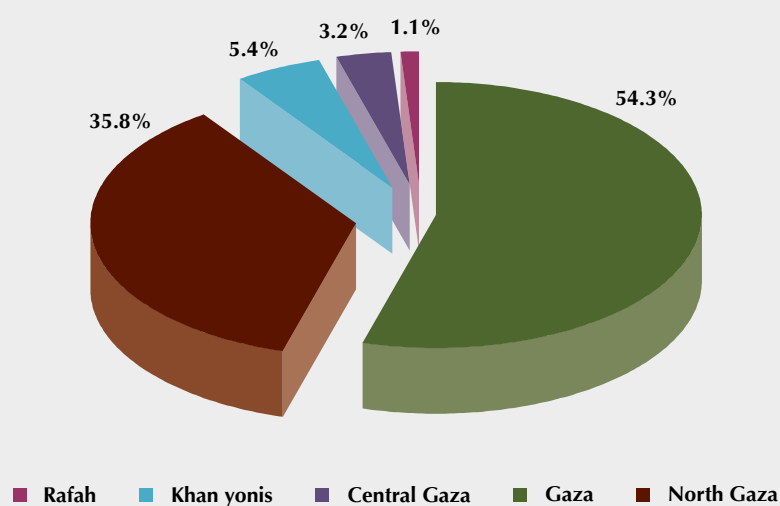
The distribution of destroyed commercial establishments by type of activity is as follows: 21 groceries, supermarkets and food retail and wholesale stores (22.8% of destroyed commercial establishments); 4 clothes and textile shops (4.3%); 5 vehicle spare parts stores (5.4%); 8 construction material stores (8.7%); 7 money exchange establishments (7.6%); 5 contracting and real estate companies (5.4%); and 42 establishments working in different activities (45.6%); including barber shops; shoe shops; electrical fittings shops, medicine and medical supply stores, computers stores; perfumes stores; mobiles stores; furniture stores; spectacles stores and glass stores.

Although the destroyed commercial establishments are distributed across the different areas of the Gaza Strip, Gaza and northern Gaza suffered the majority of losses. In Gaza, 50 commercial establishments (54.3% of destroyed commercial establishments) were destroyed, and 33 (35.8%) establishments were destroyed in northern Gaza. While 5 (5.4%), 3 (3.2%) and one (1.1%) establishments were destroyed in Khan Yunis, middle Gaza and Rafah respectively. The following table and diagram illustrate the size of destruction of Gaza commercial establishments by governorate:

Table (13): Size of destruction of Gaza commercial establishments by governorate

Governorate	Gaza	Northern Gaza	Khan Yunis	Middle Gaza	Rafah	Total
# of destroyed establishments	50	33	5	3	1	92
Percent	54.3%	35.8%	5.4%	3.2%	1.1%	100%

Diagram (24): Size of destruction of Gaza commercial establishments by governorate



The following is a review of some instances of destruction of commercial establishments during IOF offensive as documented by PCHR:

Bombing of Central Market in al-Boreij Results in the Death of 5 Civilians

At approximately 21:50 on 5 January 2009, IOF fired 5 artillery shells at the central market and a residential area in Block 4 in the center of al-Boreij Refugee Camp. Heavy damage was caused to the market and 5 civilians, including 2 children, were killed.³⁸

Bombardment PALTEL Group Installation Results in the Death of 3 PALTEL Employees

On 27 December 2008, an IOF warplane bombed an installation belonging to the Palestinian Communications Company (PALTEL Group) near the site of the National Security in the east of Jabaliya Refugee Camp. The compartment was completely destroyed. In the same incident, a site of the Izz Addin al-Qassam Brigades and the site of the National Security were destroyed. 7 persons were killed, including 3 PALTEL employees.

Bombardment of al-Yarmouk Market

On 14 January 2009, an IOF F-16 aircraft bombed the popular al-Yarmouk market, to the east of al-Yarmouk Playground in al-Yarmouk neighborhood in the center of Gaza City. The market, which was under construction, was completely destroyed. The market included 400 stands and was intended to replace random markets inside crowded areas in the center of Gaza City.

F-16 Aircraft Target Food Stores

At approximately 05:00 on Thursday, 1 January 2009, an IOF aircraft fired a missile at food stores opposite to the Ministry of the Interior in al-Quds Street in Jabaliya. The food stores are located in the ground floor of a house belonging to Fathi Deyab Abed Rabbu. The stores were destroyed and partial damage was caused to the 3-story house that stands on an area of 250 m² and is inhabited by a family of 17 members. In addition, several nearby houses and stores were partially damaged. No casualties were reported.

Bombing and Destruction of a Medicines Store

At approximately 06:50 on 28 December 2008, IOF warplanes bombed a medicine store belonging to Husam Abu Hashem in

³⁸ The dead in the incident are: Jihad 'Ali Abu Jbara, 54, Basel Jihad Abu Jbara, 29, and Usama Jihad Abu Jbara, 21 who were all killed inside their house, as well as Ibrahim Rawhi 'Aqel, 16, and Naji Nedhal al-Hamalawi, 16, who were killed whilst in the street. In addition, 16 civilians were wounded and damage was caused to a number of houses.

al-Salam neighbor in Rafah city. The store was completely destroyed and all medicine inside was burnt. The bombing destroyed the benzene tanks that were inside the store. This resulted in a fire which extended to 5 neighboring houses. All contents of the 5 neighboring houses were burnt.

Complete Destruction of Commercial Stores

At 20:30 on 27 December 2008, IOF warplanes bombed commercial stores that distributed coffee and cappuccino machines in Jalal Street in the center of Khan Younis city. The stores and their contents were completely destroyed. In addition, a policeman who was in the vicinity of the stores was injured.

Bombardment of Fuel Stores Result in their Complete Destruction

At approximately 02:25 on 31 December 2008, IOF warplanes fired 3 missiles at stores that contained fuel tanks in Kherbat al-Adas village in the north of Rafah city. The stores were set on fire and completely destroyed. All contents of the stores were destroyed by the fire.

Agricultural Sector

IOF attacks targeted civilian properties and objects including dozens of commercial stores, factories, and animal farms in addition to public facilities such as clubs, zoos, parks, schools and mosques. Agricultural lands that produced different types of fruits and vegetables were extensively bulldozed by IOF. 6,855 dunums, including almond farms and export-oriented flower farms, were destroyed. In addition, IOF destroyed greenhouses, stores for keeping agricultural equipment, irrigation networks, water pumps and agricultural water wells.

IOF targeted both the animal and botanical sectors. The agricultural sector, the most vital economic sector in the Gaza Strip, sustained the greatest share of losses incurred by all economic sectors in Gaza. Losses incurred to the agricultural sector are estimated at US\$ 170 million, making up 55% of the total amount losses incurred by all of Gaza economic sectors (US\$ 309,089,188). These losses were the result of thousands of razed dunums of agricultural land, uprooted trees, and damaged crops as well as the destruction caused to greenhouses, irrigation water networks, animal and poultry farms, egg incubators and hatcheries, and fishing ports and fishing boats.

Thousands of civilians depending on agricultural activities and agricultural workers were deprived of their livelihoods. It should be noted that Gaza's agricultural sector used to create job opportunities for more than 40,000 civilians. It further provided food for 25% of Gaza's population before it was so severely damaged.

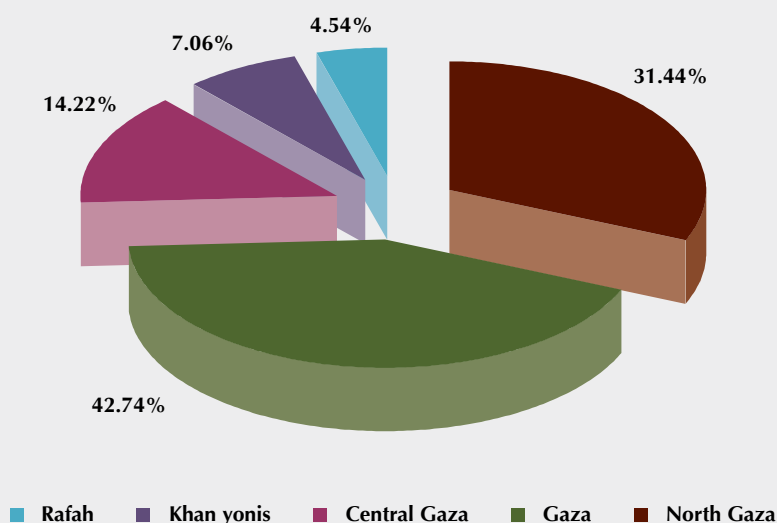
Bulldozing of Agricultural Lands and Destruction of Irrigation Water Networks

During the course of the IOF offensive on the Gaza Strip, IOF bulldozers razed 6,855 dunums of agricultural land. Gaza City governorate sustained 43.0% of the losses caused by the razing of agricultural lands (2,947 dunums), northern Gaza sustained 30.4% (2,084 dunums), central Gaza sustained 14.0% (960 dunums), Khan Younis 7.4% (507 dunums), and Rafah sustained 5.2% (357 dunums). The table and diagram below illustrate the size of land razing by governorate.

Table (14): Area of destroyed lands in dunums by governorate

Northern Gaza	Gaza	Middle Gaza	Khan Younis	Rafah	Total
2,084	2,947	960	507	357	6,855

Diagram (25): Area of destroyed lands in dunums by governorate



IOF military tanks and bulldozers destroyed 875 irrigation water networks across the Gaza Strip, including 495 networks in northern Gaza (56.6%); 332 networks in Gaza (37.4%); 13 networks in middle Gaza (1.5%); 27 networks in Khan Younis (3%); and 8 networks in Rafah (less than 1%). Since the razing of agricultural lands took place during the course of the IOF offensive on Gaza, precise times of destruction are unknown. However, the majority of lands were destroyed following the ground incursion that took place on 4 January 2009.

In addition, the destruction of open fields and fruit farms, IOF destroyed 206 greenhouses, 151 agricultural water wells and 40

agricultural water collection pools.

The following is a review of some attacks against civilians' agricultural property:

- On 28 December 2008, IOF warplanes bombed a greenhouse in the north of al-Qarara. The greenhouse was set on fire and completely destroyed.
- On 29 December 2008, an IOF F-16 aircraft fired a missile at an agricultural store located on a piece of agricultural land belonging to 'Abed Abu Mhadi, 53, in the west of al-Nuseirat Refugee Camp. The store was completely destroyed as a result.
- On 30 December 2008, IOF F-16 aircrafts bombed an agricultural area in the Fad'ous neighborhood in the north of Beit Lahia. Greenhouses in the area were set alight as a result.
- On 1 January 2009, IOF gunboats fired several shells at a site of the Navy Police in the west of Khan Younis. Several shells landed in an agricultural area in al-Mawasi and in some open fields in the west of Khan Younis. Heavy damage was caused to fields and agricultural lands as a result.
- On 3 January 2009, IOF gunboats fired shells at agricultural lands and civilians houses in al-Sawarha area in the west of al-Nuseirat. Three greenhouses were destroyed as a result. The al-Sawarha area was repeatedly bombed during IOF offensive on Gaza.³⁹
- On 3 January 2009, IOF bombed and destroyed greenhouses in al-Zawayda village.⁴⁰
- On 6 January 2009, IOF warplanes bombed an area in Abu Te'aima neighborhood to the east of Khza'a village. IOF also bombed a greenhouse in the village. No casualties were reported.
- On 6 January 2009, IOF warplanes fired missiles at agricultural lands in the 'Ereiba area in the northwest of Rafah city. The firing caused material damages to the agricultural area and to a number of civilians' houses.

Livestock Farms

During their offensive on Gaza, IOF destroyed 54 cattle and poultry farms, auxiliary stores, hatcheries and incubators, as well as apiaries. IOF destroyed livestock farms while animals were inside, resulting in their death. Fifty of the targeted establishments were completely destroyed (92.5%) and 4 establishments (7.5%) sustained partial damages. The distribution of the destroyed establishments by governorates is as follows: 35 establishments in northern Gaza (64.8%), 18 establishments in Gaza City (33.3%) and 1 establishment in Khan Younis (1.8%).

IOF destruction of animal and poultry farms resulted in the death of 427 cows and sheep and of approximately 45,000 chickens. IOF also destroyed 174 bee hives. The destruction of large and household cattle and poultry farms deprived 20,000 families

³⁹ These greenhouses belong to Bashir 'Ali Shalat and his relatives.

⁴⁰ The destroyed greenhouses belong to the Sharaf family. Because of the bombardment, Nesrine Sleiman Abu Swereh was seriously wounded. She died of her wounds on 6 January 2009.

across the Gaza Strip of the basis of their livelihoods. In addition, the destruction of the livestock sector resulted in a pronounced increase in prices of meat and eggs. Civilians were unable to ensure their needs of animal protein due to the steep price increase of meat and eggs. The lack of affordable fresh protein has a direct negative impact on the health of Gazan families, and children in particular.

Some Examples of Livestock Farm Destruction

- On 29 December 2008, IOF warplanes bombed a cattle farm belonging to Eyad Abdul Hadi Helmi Rajab. A number of animals were killed as a result.
- On 2 January 2009, an IOF warplane fired a missile at a poultry farm belonging to Zaki Mahmoud Ja'arour in al-Yarmouk Street in the center of Gaza City. The farm was completely destroyed as a result.⁴¹



Destruction of agricultural land

⁴¹ The bombardment also resulted in the death of Christine Wadi'a al-Turk, 16, who died of a heart attack since her house is close to the targeted farm.

Fishing Sector

During their offensive on the Gaza Strip, IOF directly targeted elements of the fishing industry and caused damage to the sector estimated at US\$ 8,400,000.

IOF gunboats bombed fishing ports, especially the Gaza City seaport, damaging fishing boats and different equipment belonging to local fishermen. These attacks caused losses estimated at US\$ 8 million.⁴² Nezar 'Ayash, head of the Gaza Syndicate of Marine Fishers, said that direct losses incurred by Gaza fishermen due to IOF attacks against their boats and equipment during the offensive reached US\$ 400,000. He added that since the beginning of the second Intifada, Gaza fishermen have sustained direct losses estimated at US\$ 17 million. There are 3,500 fishers registered in the Gaza Syndicate of Marine Fishers, using 700 fishing boats of different sizes. In addition, there are approximately 2,000 workers who work in activities relating to the fishing industry and who provide for approximately 40,000 individuals.

The hardship Gazan fishers face has increased in the wake of the IOF withdrawal, as further restrictions have been imposed by IOF on the area in which they permit Gaza fishers to fish. IOF restricted the permissible distance to 2 nautical miles in best conditions, while 20 nautical miles were permissible before the outbreak of the second *Intifada*. Further, IOF have continued to fire at fishermen and fishing boats sailing off the Gaza coast.

Only 10% of fishing boats used before the IOF offensive have resumed fishing activities; the rest have stopped going to sea due to the damages incurred and because of the restricted fishing distance, within which barely any fish can be found. As a result, Gaza fishers' income and living conditions have been seriously affected. It should be noted that Gaza fishers have been suffering as a result of the illegal closure. Severe shortage of fuel seriously affected fishing activities. Gaza fishermen have suffered serious shortages of spare parts and fishing equipment, especially fishing nets.

Under the Oslo Accords, fishing off Gaza was allowed within 20 nautical miles of the coast. Two years ago, this distance was restricted to 3 nautical miles. A total ban was imposed on fishing activities during the course of the IOF offensive. After the offensive, the distance permissible to Gaza fishers has been further restricted to 2 nautical miles. IOF gunboats continue to harass and to fire on Palestinian fishing boats, especially small paddle boats. Many local fishers have been killed or wounded because of IOF attacks. Other fishers are arrested and taken to Ashdod Seaport inside Israel, with the fishing boats and assets of the arrested fishermen being confiscated.

42 Report on direct economic losses inflicted by IOF offensive on Gaza, Palestinian Economic Council for Development and Reconstruction (PECDAR), 2009.

Transportation

IOF attacks launched during the offensive inflicted heavy losses on the transportation sector in the Gaza Strip. Deliberate IOF attacks targeted means of transportation used to transfer individuals, vehicles used for commercial, industrial, and agricultural activities, as well as vehicles belonging to governmental institutions. Further, IOF targeted vehicles belonging to medical and humanitarian institutions, including ambulances, fire trucks and civil defense vehicles. PCHR documented IOF targeting of 1,629. Of the targeted vehicles, 1,085 vehicles sustained partial damages while the remaining 544 vehicles were completely destroyed.

The size and fashion of destruction caused to commercial and industrial lorries and to heavy vehicles owned by Palestinian construction companies indicate that IOF attacks may have been aimed at eliminating the potential to develop Gaza's construction sector and at creating obstacles to post-offensive reconstruction. IOF attacks damaged the majority of commercial and industrial means of transport and machines owned by construction companies. In addition, military bulldozers and tanks also played a major role in destroying these vehicles and machines, especially in the Industrial Zone and its proximity in the east of Gaza City and in the Tal al-Hawa district in the southwest of Gaza City. Furthermore, IOF used missiles to bomb vehicles. They also bombed governmental, non-governmental and private institutions using heavy artillery shells. This resulted in the destruction of dozens of private and public vehicles and vehicles belonging to humanitarian organizations. The following table illustrates the size of destruction and damage caused to vehicles in Gaza during IOF offensive:

Table (15): Detailed list of damaged vehicles and value of sustained damages

Type of vehicle	Total number of affected vehicles	Number of partially damaged vehicles	Value of damaged in US\$	Number of completely destroyed vehicles	Value of damaged in US\$	Total of estimated damages value
Private	734	546	490,312	188	1,569,850	2,060,162
Taxis	94	78	59,450	16	133,500	192,950
Commercial	92	68	107,150	24	370,800	478,150
Governmental	58	11	24,300	47	1,132,000	1,156,300
Bus	13	11	40,700	2	60,000	100,700
Truck	175	133	366,050	42	756,000	1,122,050
Concrete Truck	39	20	124,250	19	547,000	671,250
Concrete Pump	13	5	480,000	8	875,000	1,355,000
Engineering Tools	53	36	83,600	17	449,000	532,600
Trilled Vehicle	30	24	101,500	6	54,000	155,500
Tractor	27	18	41,550	9	81,000	122,550
Concrete Container	6	6	9,700	-	-	9,700
Vault	13	12	13,300	1	30,000	43,300
Motorcycle	129	14	5,450	115	150,900	156,350
Unregistered Vehicles	51	31	27,500	20	123,500	151,000
Others	102	72	82,850	30	138,200	220,850
Total	1,629	1,085	2,057,662	544	6,470,750	8,528,412

Tourism

The large-scale IOF offensive also affected tourist facilities. Deliberate and indiscriminate attacks by the IOF affected 16 tourism and entertainment establishments including 4 wedding halls, 3 restaurants, 3 coffee shops, 3 cafeterias, 2 resorts, and 1 hotel. Eight of these establishments were completely destroyed while the others were partially damaged. Eleven of these establishments were in Gaza City (68.7% of the affected tourist establishments). Initial losses to the tourism sector are estimated at US\$ 20 million.⁴³

The following are some cases of IOF targeting of tourist and entertainment establishments in Gaza during the IOF offensive:

- On 30 December 2008, IOF gunboats bombed coastal areas in al-Sheikh 'Ejlin in the west of Gaza City. The shelling caused damages to a number of tourist establishments in the area. The 5-story Golden Star Building, which contains a coffee shop, a wedding hall, and furnished apartments for rent, was damaged. The bombardment also caused partial damage to al-Shera'a cafeteria and to al-Sawafiri cafeteria.
- On 4 January 2009, IOF gunboats bombed the vicinity of al-Ma'amoura wedding hall. The hall, which is built on an area of 600 m² and is composed of 2 floors, was partially damaged.
- On 9 January 2009, IOF gunboats fired shells at al-Sheikh 'Ejlin area. Several shells hit the 6-dunum al-Mahrousa Resort which includes a hotel, wedding hall and a restaurant. The resort was partially damaged.
- On 10 January 2009, IOF gunboats bombed coastal areas in al-Sheikh 'Ejlin area in the west of Gaza City. As a result, the Sea Star Coffee Shop was heavily damaged. In addition, al-Rejensi Building, which includes a restaurant and a wedding hall and is built on an area of 600 m², was partially damaged.
- On 13 January 2009, IOF gunboats targeted al-Jazira wedding hall near the Gaza Seaport. As a result, a 3-story building built on an area of 70 m² was completely destroyed.
- On 13 January 2009, IOF gunboats targeted the 2-story Shehab Palace that occupied an area of 700 m². The building was completely destroyed.

43 Report on direct economic losses inflicted by IOF offensive on Gaza, Palestinian Economic Council for Development and Reconstruction (PECDAR), 2009.

Destruction of Cultural Property

International law provides special protection to cultural property. As a State Party to the Convention for the Protection of Cultural Property in Time of Armed Conflict (1954), and as an Occupying Power, Israel has obligations to respect property that constitutes a part of the cultural heritage of occupied territories. This includes movable and immovable property, such as monuments of architecture, art or history, whether religious or secular, archaeological sites, groups of buildings which are of historical or artistic interest, works of art, manuscripts, books and other objects of artistic, historical or archaeological interest, as well as scientific collections and important collections of books or archives. Cultural property also covers buildings whose main and effective purpose is to preserve or exhibit the movable cultural property such as museums, large libraries, and depositories of archives, refuges intended to shelter, in the event of armed conflict, the movable cultural property, as well as centers containing a large amount of cultural property and that are known as centers containing monuments.⁴⁴

The offensive resulted in the destruction of a significant number of cultural sites. IOF air, sea and ground attacks did not consider the particular status of archaeological and historical sites that were targeted daily throughout the offensive. Cultural heritage in the Gaza Strip constitutes an important part of Palestinian culture, as well as of the human cultural heritage in general. The willful destruction of these objects inflicted severe damages on historical and archaeological buildings, places of worship and museums, in violation of international law, including, the Convention for the Protection of Cultural Property in Time of Armed Conflict, Article 53 of Additional Protocol I, and the UNESCO Declaration concerning the Intentional Destruction of Cultural Heritage of 2003.

Archaeological Buildings and Museums

Numerous archaeological sites were damaged due to IOF bombardment during their military offensive on the Gaza Strip. PCHR documented IOF bombardment of some important archaeological sites as follows:

Heavy Damages Inflicted to Gaza's Only Antiquities Museum

The only antiquities museum in the Gaza Strip is located in al-Soudaneyya area, in the northwest of al-Shati Refugee Camp. The museum contains many historical monuments, including many dating back to the Bronze Age, the Mameluk era, and the Islamic era. The museum also contains dozens of antiques, including crockery, points of spears and arrows and grapnels from the Roman era, vessels from the Bronze age, Byzantine columns, and tools from the Mameluk and the Islamic eras. These monuments had been collected over 2 decades. The museum is private property owned by engineer Jawdat al-Khudary. It was opened in April

⁴⁴ Definition of cultural property as in Article 1 of the Convention for the Protection of Cultural Property in the Event of Armed Conflict. The Hague, 14 May 1954. See the International Committee of the Red Cross Office in Cairo, Encyclopedia of International Humanitarian Law Conventions, Official Texts of Conventions and Signatory and Ratifying States, 2002, Page 390.

2006 and it was intended to be a national antiquities museum in the future.

During the offensive, IOF targeted facilities in the vicinity of the museum, partially damaging it as a result. The strong explosions that took place only a few meters from the museum resulted in the destruction of a number of antiques inside the museum, including pottery amphorae from the Byzantine Age (3rd Century AD), a table from the Mameluke era, 2 tableaus - one from the Iron Age (1200 BC) and the other from the Hellenistic era (300 BC) - as well as 2 bottles from the Hellenistic era. Further, the nearby explosions resulted in the destruction of the glass windows and doors of the museum.

Bombing of Anthedon Historic Site (Tell Iblakhiye)

The underground historic site of Anthedon is located in the northwest of al-Shati Refugee Camp. The site contains the old Gaza port dating back to Greek and Roman times, the Flower City, and a Byzantine cemetery with a grave decorated with fresco plant trappings and a cross inside a crown with two cypress trees. The site also included walls made of clay and other walls of sand stones. Anthedon was damaged due to IOF attacks on nearby sites during the offensive. At the moment, the entire extent of the damage caused to the site is not known. Specialists in archaeology are needed to assess the harm caused to this important archaeological site.

Repeated Bombardment of Tel el-Ajull Archaeological Site

Tel el-Ajull site is an underground archaeological site on the northern side of the Gaza valley to the south of Gaza City. It is one of the most important archaeological sites in the Gaza Strip, as the Canaanite city of Beth Eglaim was built here. It is also believed that ancient Gaza was built on this site in 2000 BC. The most important findings at the site include a wall 50 feet in height, tombs in which horses were buried with their riders, a tunnel of 500 feet length, and 5 enormous palaces built on top of one another. The oldest palace dates back to 3000 BC and contains a wide bathroom. The other palaces date back to the time of the 12th, 15th, 16th and 18th Pharonic dynasties of ancient Egypt.

The site was subject to numerous air strikes during the first week of the IOF offensive. It was also subject to IOF artillery shelling. The site needs specialized experts to estimate the inflicted damage.

Repeated Bombardment of Tel As-Sakan Archaeological Site

Tel As-Sakan, an underground archaeological site 5 kilometers to the southeast of Gaza City, is one of the most important archaeological sites in the area. In 1998, Palestinian-French excavations were conducted at the site. Scientific diggings in the site found out that the site was inhabited during 2 main periods: the early Bronze Age (3200-3000 BC) and the early 3rd millennium (2650-2200 BC). It was subjected to air strikes several times during the IOF offensive on the Gaza Strip. Specialized experts are required to estimate the extent of damages inflicted on the site due to IOF attacks.

Religious Sites

Throughout their offensive on the Gaza Strip, IOF targeted mosques across the Gaza Strip. IOF used warplanes to launch air strikes on mosques, and further demolished and damaged a number of mosques during their ground incursions. During the offensive, approximately 100 mosques were destroyed or partially damaged. Some of the mosques were bombed at prayer time, resulting in the death and injury of a large number of civilians inside or in the vicinity of the targeted mosques. The targeting of places of worship is in violation of Article 53 of Additional Protocol I.

Direct Targeting of Mosques

IOF directly targeted 45 mosques in the Gaza Strip resulting in their total destruction (PCHR maintains a list of the destroyed mosques). Dozens of civilians were killed or injured inside these mosques or in adjacent or nearby houses. The following is a review of some of the instances of destroyed mosques:

‘Imad ‘Aqel Mosque Bombed: 5 Children Killed and 17 Civilians Injured

At approximately 23:50 on 28 December 2008, IOF warplanes bombed the 3-story ‘Imad ‘Aqel Mosque in Block 5 of Jabalya Refugee Camp, one of the most densely populated areas in the Gaza Strip. The targeted Mosque was completely destroyed. In addition, an adjacent asbestos house belonging to Anwar Khalil Ba‘alousha was destroyed over the heads of its residents. Five girls were killed in the house and their parents and 3 of their siblings were injured. The dead are: Jawaher, 4, Dina, 8, Samar, 12, Ikram, 14, and Tahrir, 17. 17 civilians, including 5 children, were injured in their houses which were located close to the targeted mosque and were heavily damaged.

Al-Zawya Mosque Bombed

At approximately 09:05 on 29 December 2008, IOF warplanes bombed al-Rawda Mosque (also known as al-Zawya Mosque) in al-Zawya street in ‘Izbat ‘Abed Rabbu in the east of Jabalia. The targeted mosque was completely destroyed and the muezzin, who was in the proximity of the mosque, was injured.

Al-Farouq Mosque Destroyed and Neighboring Facilities Damaged

At approximately 02:00 on 30 December 2008, an Israeli F-16 warplane fired a missile at al-Farouq ‘Umar Ibn al-Khattab Mosque in Block 9 of al-Bureij Refugee Camp. The first floor in the Mosque was destroyed as a result, and heavy damage was caused to the 600 m² Sanabel al-Aqsa Kindergarten on the ground floor of the Mosque’s building. A water desalination plant, established on the rooftop of the building, was affected as well. The contents of al-Bureij Governmental Clinic, adjacent to the Mosque, were

heavily damaged. Doors and windows of the nearby al-Bureij School broke as a result of the bombardment, while neighboring houses sustained damage. No casualties were reported in the attack.

‘Izz Addin al-Qassam Mosque in New ‘Abasan Town Destroyed

At approximately 20:15, IOF warplanes fired 2 missiles at ‘Izz Addin al-Qassam Mosque in New ‘Abasan town, in the east of Khan Younis. The Mosque was completely destroyed as a result. In addition, nearby houses and a kindergarten sustained damages.

Al-Khulafa’a al-Rashedin Mosque in Jabalya Destroyed

At approximately 23:30 on 1 January 2009, IOF F-16 warplanes fired several projectiles at al-Khulafa’a al-Rashedin Mosque in Jabalia. The mosque was almost completely destroyed. Al-Khulafa’a al-Rashedin Mosque is one of the largest mosques in the Gaza Strip. It is close to the house of Dr. Nezar Rayan who was killed during the course of this offensive when IOF bombed his house just a few hours prior to the attack on the mosque. The bombardment of the mosque inflicted heavy damage on dozens of neighboring houses.

- At approximately 04:15 on 2 January 2009, IOF F-16 warplanes attacked al-Salam Mosque in the east of al-Qerem Street, east of Jabalia town. The mosque was completely destroyed as a result.
- At approximately 17:20 on 3 January 2009, an IOF drone fired a missile at the western gate of Martyr Ibrahim al-Maqadma Mosque in the north of Jabalia Refugee Camp, near Martyr Kamal ‘Odwan Hospital. The missile landed only 2 meters away from the mosque’s gate. 12 civilians, including 4 children and a father with his son, who were praying at the time of the attack, were immediately killed. Another 30 civilians were injured in the attack. A number of the injured were transferred to al-Shifa Hospital in Gaza City. Later, medical sources announced that 3 had died. A total of 15 civilians were killed in this attack.
- At approximately 23:10 on 4 January 2009, IOF bombed ‘Umar Ibn ‘Abdul ‘Aziz Mosque to the south of Khalil al-Wazir street in Beit Hanoun. The Mosque was completely destroyed and damage was caused to several neighboring houses. It should be noted that the mosque is surrounded by densely inhabited houses and that Beit Hanoun Sports Club lies to the south of the Mosque.
- At approximately 21:00 on 7 January 2009, IOF planes bombed al-Taqwa Mosque in al-Sheikh Radwan neighborhood of Gaza City. Four hours later, IOF planes bombed the mosque again. Heavy damage was caused to the mosque and to neighboring houses as a result of the bombardment.

Historical Mosque Targeted and Totally Destroyed

On 2 January 2009, IOF targeted the historical al-Naser Mosque in Beit Hanoun in the north of the Gaza Strip. The Mosque, which was built in 736 AD, was completely destroyed.

IOF Shelling Destroys Dar al-Fadila Association, including a Mosque

On 11 January 2009, IOF F-16 warplanes fired several missiles at Dar al-Fadila Mosque that belongs to the Dar al-Fadila Association for Orphans. The Association, located on Taha Hussein Street in Kherbat al'Adas village in the northeast of Rafah, also includes a school, a human sciences college and a computer center. IOF bombardment resulted in the complete destruction of Dar al-Fadila Mosque and the different facilities of Dar al-Fadila Association for Orphans.

Al-Abrar Mosque in Rafah Central Market is Heavily Damaged

At approximately 00:35 on Thursday, 15 January 2009, IOF F-16 warplanes dropped several heavy bombs on Al-Abrar Mosque in Rafah's Central Market in al-Shaboura Refugee Camp. The bombardment caused heavy damage to the main columns and walls in the three floors of the mosque. The Mosque was made structurally insecure as a result. Many neighboring houses and shops were destroyed.



Dar al-Fadila School for Orphans after bombardment by IOF

Indirect Targeting of Mosques

IOF military operations conducted during the offensive on the Gaza Strip inflicted partial damage to a large number of mosques across the Gaza Strip. The heavy bombing of many locations across the Gaza Strip, the targeting of institutions and facilities in the vicinity of mosques, and ground incursions into different areas across the Gaza Strip inflicted heavy damages on approximately 55 mosques. (PCHR maintains a list of the damaged mosques).

- On 27 December 2008, IOF bombed al-Abbas Police Station in Gaza City. The bombardment resulted in serious damage to al-Abbas Mosque which is adjacent to the targeted police station.
- The targeting of al-Saraya Security Compound in Gaza City on 27 December 2008 and later throughout IOF offensive resulted in very serious damages to al-Saraya Mosque.
- On 3 January 2009, a missile fired from an Israeli drone landed near al-Tawba Mosque in Beit Lahia Housing Project. The missile caused partial damage to the Mosque. In addition, a number of nearby houses were damaged and two civilians were injured, including Mohammed al-Madhoun, 15, who sustained serious injuries.
- On 5 January 2009, IOF warplanes indiscriminately bombed 'Abasan al-Kabira village in the east of Khan Younis. As a result, al-Nour Mosque and a number of houses were damaged.
- At approximately 05:30 on 6 January 2009, an IOF warplane bombed a target behind Ibn 'Umeir Mosque in al-Zaytoun district. The Mosque sustained serious damage and a civilian, Husein 'Arafat, 55, was killed as a result.
- At approximately 08:00 on 7 January 2009, IOF tanks attacked the vicinity of Mus'ab Ibn 'Umeir Mosque. Two civilians; Mohammed Maher Qasem, 19, and Abdul Rahman Jamil Badawi "Qasem", 25, were killed as a result and the Mosque was heavily damaged.

Ancient Buildings and Heritage Centers

During the IOF offensive on the Gaza Strip, many historic establishments and ancient buildings were completely destroyed after being directly targeted. The Presidential Palace, located within the Ansar Security Compound, was directly targeted and was completely destroyed as a result. The Palace is of historic value as it was the former Egyptian Governor's residence and it has a distinctive architectural design.

Al-Saraya Security Compound was also directly targeted by IOF. Large parts of the Compound were completely destroyed while other parts were heavily damaged. The historic Gaza municipality building was also directly targeted. The building dates back to the 1940s, the time of the British mandate. It was established by Fehmi Beck al-Huseini, the then director of Gaza municipality. Upon its establishment, it was used as a court for Gaza municipality. After that, the building was used as headquarters for the policemen employed by Gaza municipality. Parts of the building were completely destroyed and other parts were heavily damaged. Dr. Nehad al-Mughani, Assistant of the Director of Civilian Planning Division of the Gaza municipality, said the

ancient building of the Gaza municipality has a distinctive location since it directly overlooks 'Umar al-Mukhtar Street. The building includes 3 floors; the ground floor contains commercial stores while the 2 upper floors contain administrative offices. Dr. al-Mughani also explained that the front part of the building was decorated with colored tiles and had long windows with arcuate tops and that the building contained numerous small balconies.

Further, many historic buildings, especially ancient buildings in the old city of Gaza, were partially damaged due to IOF airstrikes. Engineer Mahmoud al-Bal'awi stated that dozens of ancient buildings in the old city of Gaza were affected by IOF attacks. Walls in the affected buildings were cracked; as a result, a number of the structures are in danger of collapsing. They are at risk because they are old, and because no preservation work can be carried out to maintain these buildings. They are architecturally valuable because they contain important elements, such as corridors with broken entrances, coverings with criss-cross decorations, broad open front yards, and other rare Islamic features. In addition, these buildings are distinctive because they were built according to the Islamic architectural style of the Ottoman Empire.

The extent of damages differed from one building to another. While in some affected buildings, complete parts were destroyed because of strong tremors resulting from nearby explosions, in other buildings the walls cracked. Some of the cracked buildings sustained significant structural damage, creating the fear that these buildings may completely collapse. Concerned authorities are urged to conduct rehabilitation and restoration work in order to save these buildings.

Heritage Maintenance Institutions

A number of the most important and major heritage institutions were targeted by IOF. The building of the Heritage Center in the Islamic University was targeted. According to statements given by Engineer Husam Dawood, director of the center, the building housed the largest database dedicated to the documentation of archaeological buildings and sites in the old city of Gaza. In addition, the library in the building contained numerous books in the area of architectural heritage and in the area of restoration and monuments sciences. The building also contained equipment and tools used for the restoration of historical objects. The damages in the building were caused by direct IOF targeting of the laboratory building of the Architecture College in the Islamic University.

Attack on the Ministry of Tourism and Antiquities

IOF bombed the headquarters of the Palestinian Ministry of Tourism and Antiquities in the Palestinian ministry compound. The direct targeting of the compound resulted in the destruction of significant amounts of data and equipment in the Ministry of Tourism and Antiquities.

Aggravation of Humanitarian Crisis in the Gaza Strip during IOF Offensive

During the IOF offensive on the Gaza Strip, catastrophic humanitarian conditions affected the entire civilian population across the Gaza Strip. Different aspects of civilian life deteriorated as never before. During this offensive, the lives of approximately 1.5 million civilians were at serious risk. Prior to the offensive, Gaza civilians had already faced difficult humanitarian conditions due to the illegal closure imposed since June 2007, and the resultant denial of their economic, social and cultural rights, and civil and political rights. During the offensive, civilians' main concern was ensuring their safety, and that of their families; there was no where safe in the Gaza Strip. Ensuring basic humanitarian needs, including food, medicine, electricity and fuel, became a difficult and complicated task, due to the continued closure of all Gaza border crossings, and the dangers caused by constant, widespread attacks.

The scale of the IOF offensive, and the associated serious violations of IHL, resulted in the unprecedented forced displacement of thousands of civilians. The IOF committed different types of crimes during their offensive on the civilian population who had been suffering poverty, unemployment and deprivation caused by the 18-month imposition of collective punishment in the form of the illegal closure. As the offensive continued, Gaza's civilians were denied access to food, medicine and other basic needs, in explicit violation of the requirements of IHL.

During its offensive, Israel disregarded its legally binding obligations as an Occupying Power, and a Party to the conflict. For example, Article 33 of the Fourth Geneva Convention prohibits collective punishment, while Article 55 requires that: "To the fullest extent of the means available to it, the Occupying Power has the duty of ensuring the food and medical supplies of the population; it should, in particular, bring in the necessary foodstuffs, medical stores and other articles if the resources of the occupied territory are inadequate. The Occupying Power may not requisition foodstuffs, articles or medical supplies available in the occupied territory..." Further, High Contracting Parties to the Geneva Conventions have not fulfilled their obligations under Article 1 requiring that they respect and ensure respect for the Convention.

With grave concern, PCHR observed the exacerbation of the humanitarian crisis that affected Gaza's civilians as a result of war crimes committed by IOF during, and prior to the offensive. Gazan civilians' basic needs were not met, and their fundamental protections under both IHL and international human rights law were ignored. Civilians were denied access to food, medicine and water, including drinking water. They were denied their right to adequate and safe shelters, as a result of the destruction caused by the offensive, and the continuing effects of the illegal closure, they are denied, *inter alia*, their right to education, the right to work, the right to health, and the right to live in basic human dignity. PCHR documented aspects of the humanitarian crisis in the Gaza strip during the IOF offensive as follows:

Nutrition

The Gaza Strip suffered a catastrophic nutritional status at all levels during the IOF offensive. The suffering of the civilian population was aggravated due to the restricted flow of food consignments to cities, villages and refugee camps in the Gaza Strip. According to various official sources, the shortage of grains and flour seriously affected the work of Gaza flourmills, a situation exacerbated by the danger to civilians when they were forced to leave their homes in search of bread or flour. The following is a review of the deteriorated nutritional conditions resulting from tightening the total closure of all Gaza border crossings during the Israeli offensive on Gaza:

Flour mills

Throughout IO offensive, Gaza flourmills and bakeries suffered chronic shortages in their stocks of grains and flour. The grains and flour crisis was not the result of the offensive, as the crisis had begun 2 months before the offensive when IOF reduced Gaza supplies of grains and wheat to minimal levels. The Bakery Owners Association and the Ministry of Economy were both forced to ration the distribution of grains.⁴⁵ The Palestinian Flourmill Company, the biggest flourmill in the Gaza Strip, was forced to shut down on 1 January 2009, when it ran out of flour. On that day, the company had 1,050 bags of flour (60 kg per bag), which it distributed to bakeries on the same day. Also on 1 January 2009, al-Huda Flourmill shut down after it had run out of wheat. Al-Huda Flourmill received the last shipment of wheat, 1,000 bags, on the first day of the offensive and distributed it on 1 January 2009. On 2 January 2009, al-Iman flourmill stopped working after it had distributed its last 500 bags of flour to bakeries on 1 January 2009. On 2 January 2009, al-Salam flourmill stopped working after having distributed its last 950 bags of flour to bakeries on 1 January 2009. On 3 January 2009, al-Fayha'a flourmill shut down after it had distributed its last 1,100 bags of flour to bakeries.

During the offensive, only 6,800 tons of flour (62% of Gaza's needs of flour for the time-period of offensive) was available in the Gaza Strip. During the 23-day offensive, Gaza would normally have needed 11,500 tons of flour; i.e., 500 tons per day. It should be noted that Gaza's civilian population started to suffer shortages of food shipments, especially wheat and flour shipments, 2 months prior to the beginning of the offensive. During the 2 weeks preceding the offensive, only 1,000 tons of flour and wheat were allowed to enter to Gaza - an amount that covers the needs of the Gazan population for a mere 2 days. On 18 December 2008, Gaza's flourmills shut down because their stocks ran out of wheat. The last shipment of wheat delivered to Gaza before the offensive arrived on 14 December 2008. Between 26 and 30 December 2008, IOF allowed the delivery of very limited quantities of grains and flour to Gaza (90 truckloads).

45 Interview with Mr. Abdul Naser al-Ajrami, head of Bakeries Owners Association in the Gaza Strip, on 3 January 2009.

Bakeries

During the IOF offensive, 10 out of 47 bakeries producing Shami bread in Gaza completely shut down because of the unavailability of cooking gas on which their work depends. The other 37 bakeries worked at reduced capacity ranging between 10 and 16 hours per day, depending on the available quantities of flour. Approximately 2 months before the beginning of the offensive, on 4 November 2008, IOF stopped supplying cooking gas to Gaza. Over the course of this 2-month period, quantities of cooking gas sufficient only for 5 days were allowed into the Gaza Strip. As a result, the Gaza Strip suffered from a severe and long-lasting shortage in cooking gas. This shortage affected the work of Gaza's bakeries, which already had reduced productive capacity. Gazan bakeries depend on cooking gas, diesel and electricity to operate their ovens.

Gazan civilians were forced to wait for hours in long lines in front of those bakeries that managed to continue bread production in order to obtain a reduced number of loaves under dangerous security conditions. Bread is a basic staple food in the Gaza Strip. PCHR fieldworkers reported that civilians endured hardships while trying to obtain bread for their families. Many of them were forced to look for other resources to ensure bread, often making wood fires to produce their own bread and food.



Palestinians waiting in front of a bakery to buy bread, as flour was lacking

Scarcity and Price Increase of Basic Food Items in Gazan Markets

With the beginning of the IOF offensive, Gazan civilians rushed to stores and markets to cover their needs of basic foods. However, different types of food items were only available in scarce quantities and at severely increased prices. The prices of basic foods available in Gaza markets increased dramatically because of their limited quantities, the effects of the illegal closure, and because IOF reduced delivery of basic goods to Gaza to minimal levels. Hundreds of items, mainly food items, ran out from Gaza markets while the price of other goods rose exponentially in comparison with their prices before the beginning of IOF offensive.⁴⁶

Gaza stores and markets suffered severe shortages of many basic goods and needs necessary for the civilian population in the Gaza Strip. According to statements given by many traders and owners of commercial stores in Gaza, civilians' request on basic goods increased prior to and during IOF offensive. Several days before the beginning of the offensive, Gaza traders suffered from the expiry of wheat and flour. Further, Gaza stores ran out of different basic goods, including baby milk, pasteurized milk and dairy products. In addition, many other basic items ran out from local markets, including batteries used for lighting, as civilians suffered continued power cutoffs.⁴⁷

Fuel and petroleum products that used to be supplied to Gaza from Egypt via tunnels were reduced, mainly because IOF had launched intensive raids, since the beginning of their offensive on the Gaza Strip on 27 December 2008, on tunnels under the border between the Gaza Strip and Egypt. The Gaza Strip suffered from a chronic shortage in cooking gas, benzene and diesel, which used to be supplied to the Gaza Strip via Nahal Ouz crossing, east of Gaza City before the offensive. The prices of the quantities of Egyptian benzene and diesel available in Gaza markets sharply increased. Demand on kerosene increased because thousands of Gazan families use it in kerosene stoves to compensate the chronic shortage in cooking gas. The price of a liter of diesel increased from 2.5 NIS prior to IOF offensive to 5 NIS, while the price of a liter of kerosene increased from 2.5 NIS prior to IOF offensive to more than 5 NIS during IOF offensive.

Numerous residential areas were denied access to basic goods, especially food items, during the ground offensive. Civilians in areas where IOF ground troops were operating were forced to stay inside their houses for extended periods. Many of them were detained in rooms inside their houses under very serious conditions. Civilians who tried to leave their houses in invaded areas to move to safer areas or to look for food were directly fired at. Such incidents took place repeatedly in many areas, mainly in al-Twam area, Salatin area, al-Atatra area and Izbat 'Abed Rabbu in the north of the Gaza Strip, al-Zaytoun district in the east of Gaza City, Tal al-Hawa district in the west of Gaza City, al-Mughraqa village, Wadi al-Salqa area, and Khuza'a and al-Fukhari villages in Khan Younis.

46 For more details about the humanitarian crisis in the Gaza Strip during IOF offensive, please see report on: the Aggravation of Humanitarian Crisis in the Gaza Strip as IOF Offensive Continues, PCHR, issued on 3 January 2009 on www.pchrgaza.org

47 For more details, please see PCHR press releases: Gaza Border Crossings Have Been Closed for the 6th Consecutive Day; 30% of Gaza's Neighborhoods Plunges into Deep Darkness While Shortage of Flour Presages Closure of Gaza's Bakeries, issued on 11 November 2008; PCHR Warns of Further Deterioration to Humanitarian Conditions in the Gaza Strip, issued on 19 November 2008; and Gaza Border Crossings are closed for 27th consecutive day, issued on 2 December 2008.

Suspension of UNRWA's Food Aid Program and Deprivation of Thousands of Gaza Refugees of Food Supplies

During the offensive on the Gaza Strip, the biggest food aid program, run by the UN Relief and Works Agency for Palestine Refugees, was twice suspended for four days in total. Sources from UNRWA stated that the targeting of UNRWA personnel, the closure of Gaza's border crossings, and the ban imposed on the delivery of food and medicine consignments or reducing these consignments to minimal levels were the main reasons for the suspension of UNRWA food aid program. The same sources also stated that the security conditions plaguing the different locations in the Gaza Strip hindered operations in UNRWA's distribution centers. This situation was aggravated as indiscriminate and violent bombardments continued to escalate. UNRWA staff charged with transferring and distributing food aid were not able to fulfil their duties. As a result, the lives of hundreds of thousands of Gaza refugees in eight refugee camps, including their health and ability to access their needs of necessary foods, were seriously affected.

On 8 January 2009, UNRWA announced the suspension of all its activities in the Gaza Strip when members of its staff were directly targeted. In the afternoon of 8 January 2009, IOF opened fire at UNRWA trucks while waiting near Beit Hanoun (Erez) crossing to get food aid for UNRWA. A UNRWA contract truck driver was killed and another driver was injured as a result.⁴⁸ Following repeated attacks launched by IOF on UNRWA facilities in Gaza, UNRWA decided to suspend all its operations and activities that target approximately 750,000 Palestinian refugees and that target UNRWA schools and institutes in Gaza. Mr. John Ging, Director of UNRWA's operations in Gaza, called for the application of the Fourth Geneva Convention, especially those provisions relative to the protection of humanitarian teams and organizations. A UNRWA spokesman said that UNRWA decided to suspend all its humanitarian operations in the Gaza Strip because of the increasing hostile actions launched by Israel in the Gaza Strip. Ging affirmed that UNRWA trucks near Erez crossing came under attack from Israeli forces, despite prior coordination. Ging also affirmed that a truck driver was killed while another was wounded and that the two drivers are employed by a transport company that is a contractor working with UNRWA. Further, IOF fired at a car driven by Judy Clark, the Assistant to UNRWA director in Gaza. The car was armored and Clark was not hurt. After UNRWA suspended its operations, Karm Abu Salem (Kerem Shalom) crossing was completely closed as none of the UNRWA operating personnel remained at the crossing as they protested the death of their colleague.

UNRWA decided to resume its operations on 10 January 2009 after IOF had given assurances in a meeting with UNRWA Commissioner General that the security of UN personnel, installations and humanitarian operations in Gaza would be fully respected.

UNRWA suspended its works again on 15 January 2009 in the wake of the IOF shelling of UNRWA headquarters office in Gaza City. UNRWA's main humanitarian aid stores were set alight in the attack. A UNRWA spokesman announced that UNRWA

⁴⁸ For more details about this incident, please see the section of this report relative to the targeting of medical personnel and employees of humanitarian organizations.



Displaced Palestinian families in a shelter established in an UNRWA school

decided to suspend its operations again after IOF had targeted UNRWA facilities and humanitarian personnel in violations of IOF undertakings relative to the respect of UNRWA work and movement of UNRWA personnel. In this attack, three members of UNRWA personnel were injured and transferred to local hospitals. White phosphorous shells landed in UNRWA's main humanitarian aid stores in UNRWA Headquarters Office that had been targeted by IOF. A huge fire erupted in the stores as a result and all UNRWA's humanitarian aid was destroyed, including food and relief supplies. At the time, UNRWA expressed its fears that fire extends to nearby fuel stores inside UNRWA Headquarters Office. It should be noted that UNRWA had managed to fill its tanks with thousands liters of fuel a few days before this attack to ensure UNRWA staffs movement for the transfer and distribution of food, medicine and other humanitarian aid to Gaza civilians. A white phosphorus shell fired by IOF landed near the stores used to keep fuel tanks. UNRWA Headquarters Office is in the middle of a crowded residential area and there are nearby university buildings. Setting fire to the fuel stores could have resulted in a disaster.

Before the beginning of the offensive, UNRWA had suspended its food aid program twice due to the illegal closure imposed on Gaza and the reduction of aid supplies delivered to Gaza.

IOF repeatedly targeted UNRWA facilities and establishments. IOF bombed UNRWA schools, including those used to shelter thousands of internally displaced civilians. IOF also targeted UNRWA medical clinics. UNRWA use clearly visible signs in Arabic and English to distinguish its facilities. Further, UNRWA had provided IOF with electronic maps and geographical coordinates of its facilities which also carry blue UN flags. At night, UNRWA facilities are lightened with distinguished lights.

The Humanitarian Ceasefire

International criticism of IOF actions increased after IOF targeted humanitarian and medical personnel across the Gaza Strip during the offensive. This criticism further increased as a result of the severe shortages of food, medicine and basic needs, including drinking water, supplied to Gaza civilians, resulting in the further deterioration of humanitarian conditions as civilians were forced to leave their houses in fear of IOF operations. Twelve days after the start of IOF offensive, IOF were forced to announce the creation of a humanitarian ceasefire for three hours daily, in order to allow humanitarian personnel to move with their vehicles to deliver basic supplies; including food, medicines and blankets, to Gaza civilians and to hospitals and medical centers. Israel also announced that the opening of the humanitarian route would be in force on 7 January 2009 to allow civilians to obtain food and other basic needs, and to allow humanitarian aid to be delivered to Gaza via Karm Abu Salem (Kerem Shalom) crossing. However, IOF immediately violated the ceasefire, and continued to conduct military operations and to attack civilians.

Changing ceasefire hours also caused confusion. For example, on the first day, IOF announced these hours to be between 13:00 pm and 16:00 pm. Then IOF changed the hours to be between 11:00 am to 14:00 pm on one day, and between 12:00 am and 15:00 pm on another day and so on.

PCHR documented the death or injury of dozens of civilians during the hours specified for the humanitarian ceasefire. Following is a review of most significant incidents occurring during the hours specified for the humanitarian ceasefire:

- On 7 January 2009, the first day of the application of the announcement of the humanitarian route, IOF killed seven civilians during the hours specified for the humanitarian route between 13:00 pm and 16:00 pm. PCHR documented these deaths as follows:
 - Approximately half an hour after the suspension of military operation came into force, i.e.; at approximately 13:30 pm, IOF fired artillery shells at civilians' houses in al-Amal neighborhood in Beit Lahia. The shelling resulted in the death of Wejoud Rajab Sweilem Abu Wadi, 31. The body of the killed woman remained at the scene till the morning of the following day.
 - At approximately 14:00 pm, IOF who had moved into the east of Jabali fired bullets in the area. As a result, three children, who are sisters, were killed in their house in 'Izbat 'Abed Rabbu. The dead are: Su'ad Khaled Munib 'Abed Rabbu, 10, Amal Khaled Munib 'Abed Rabbu, 3, and Samar Khaled Munib 'Abed Rabbu, 2.
 - Also at approximately 14:00 pm, IOF drones bombed al-Salatin area in the north of the Gaza Strip. Mohammed 'Ali Ahmed al-Sultan, 55, who was near his house was killed as a result.
 - At approximately 14:30 pm, IOF killed two elderly men, one in al-Sekka Street and the other near Zemmu roundabout in the east of Jabali, when IOF indiscriminately shelled the area. The dead are: Mohammed Abu Rukba, 87, who was killed in al-Sekka Street, and Musbah Ayoub Ayoub, 60, who was killed near Zemmu roundabout.

- On 8 January 2009, IOF breached the announcement of the suspension of their military operations in the Gaza Strip. At approximately 14:30 pm, IOF tanks positioned along the border in the east of Khan Younis fired artillery shells at civilian houses and at farms in 'Abasan al-Kabira. Drone attacks also occurred. These attacks resulted in the deaths of two children, who are brothers, whilst in their land near al-Karama Sports Club in al-Farahin area in 'Abasan al-Kabira. The killed children are: Mohammed Akram Abu Daqqa, 14, and Ibrahim Akram Abu Daqqa. In the same attack, Ibrahim Mohammed Abu Teir, 50, was seriously injured. He died of his wounds at approximately 22:00 pm on the same day.
- At approximately 15:40 pm on 11 January 2009; approximately 20 minutes before the expiry of the suspension of IOF operations, IOF fired artillery shells at civilian houses near al-Jurun roundabout in Jabalia. The shelling hit two houses belonging to Ahmed Mohammed Faraj Saleh and Marwan Mohammed Shehada. Three children were killed in the two houses, and a number of other children were injured. In addition, damage was caused to a number of neighboring houses. The dead are: Fawzeya Fawwaz Ahmed Saleh, 2, and her brother Ahmed Fawwaz Ahmed Saleh, 10, and Anwar Mohammed Shehada, 15.
- At approximately 14:00 pm on 16 January 2009, IOF warplanes bombed civilians' houses in block 7 in al-Bureij Refugee Camp. A shell landed on the house of child Muhannad 'Amer al-Jdeili, 8, who was killed in this attack. Also his brothers Abdul Hadi, 15, and Khalil, 16, and his grandmother, Madallah, 85, were injured in the same attack.
- Also on 16 January 2009, during the hours of the ceasefire, IOF soldiers fired bullets at a red jeep traveling in al-Fukhari village in the southeast of Khan Younis. A father and two of his sons were traveling in the jeep. The three civilians were hit by the bullets. The father made several appeals by cell phone to radio and TV stations asking for help. All his appeals were to no avail. The International Committee of the Red Cross (ICRC) reported that there were injured members of the Shurab family and started to make attempts to coordinate with IOF in the afternoon to evacuate the injured, while medical personnel from the Palestinian Ministry of Health attempted to arrange coordination with the Gaza Civil Liaison Office. The father kept making appeals via his mobile till the battery died at midnight on the same day. At approximately 10:30 am on the following day, 17 January 2009, special coordination was achieved from IOF and an ambulance from the Palestinian Ministry of Health was permitted to access the injured and evacuate them. When the medical personnel arrived at the scene, they found that the father, Mohammed Shurab, was seriously injured, his two sons had bled to death. The dead are: Kassab Mohammed Shurab, 28, and Ibrahim Mohammed Shurab, 18.

Humanitarian Conditions

During the offensive, thousands of civilians were forced to flee their homes in search of safety. However, a number of humanitarian shelters were subsequently attacked; there was nowhere safe in the Gaza Strip.

IOF started the imposition of further restrictions on the movement of employees in international humanitarian organizations several weeks before the beginning of the offensive on the Gaza Strip. These restrictions reached a peak when IOF took a decision to prevent delegations from international humanitarian organizations to enter to Gaza. This measure hindered the implementation of many humanitarian projects, both relief and developmental, targeting civilians in the Gaza Strip.

On 18 November 2008, A delegation, that included delegates representing the Coordination Forum of The Association of International Development Agencies (AIDA), arrived at Beit Hanoun (Erez) Crossing. The delegates wanted to enter to Gaza to observe the humanitarian crisis there. The Coordination Forum represents more than 20 international humanitarian organizations. However, IOF prevented the delegates from entering Gaza, saying they did not have permission to do so. Michael Bailey, media officer at Oxfam International, and also a member of the AIDA delegation, said the delegates had submitted a request to IOF for permits, and coordination, to enter Gaza a week before their arrival at the crossing. He confirmed the delegates did not receive a reply from IOF until 10:00 pm on 17 November 2008.⁴⁹

Forced Displacement of Thousands of Civilians

Hundreds of thousands of civilians were forced to leave their houses during the offensive on Gaza. They fled their houses after they had been directly or indirectly attacked by IOF. In addition, IOF dropped thousands of leaflets requiring civilians to evacuate their houses, and sent registered messages to civilians through phones requiring civilians to leave their areas. The use of white phosphorous caused widespread panic. Approximately 55,000 civilians living in Rafah, near the border between Egypt and the Gaza Strip were forced to leave their houses as IOF bombed underground tunnels. More than 0.5 million civilians were forced to flee their homes throughout the Gaza Strip.



Palestinian families live in tents as their houses were destroyed by IOF

⁴⁹ For more information, see PCHR press release ref. 104/2008 published on 20 November 2008.

IOF only allowed 200 women holders of foreign nationalities and married to Palestinians from Gaza to leave Gaza via Beit Hanoun (Erez) crossing. IOF confined approximately 1.5 million civilians within a strip of land that is considered one of the highest populated areas in the world.⁵⁰

Forced displacement of Gaza civilians took place in several stages. By the beginning of the offensive, many civilians were forced to leave their houses due to IOF air strikes launched against security sites and civilian facilities in the center of residential areas. IOF attacks launched in the beginning of the offensive affected numerous civilian houses and property. Forced displacement of civilians increased as IOF ground troops moved into Gaza's villages and towns. The majority of displaced civilians went to their relatives' houses. While thousands of civilians resorted to civil establishments, such as UNRWA schools; hospitals and offices of international humanitarian organizations. Thousands of other civilians were forced to remain homeless and spent the duration of the offensive on the streets.

Due to the lack of designated shelters, limited numbers of civilians fled their houses in the initial days of the offensive. The majority of those who were forced to leave their houses in the beginning of the offensive are those civilians whose houses are adjacent to or in the vicinity of targeted ministries and governmental institutions. These displaced civilians found refuge in their relatives' houses. However, as IOF attacks increased, the number of displaced civilians sharply increased.

On 3 January 2009, IOF ground troops began to move into Gaza. In areas where IOF troop moved into, thousands of civilians were forced to move to city centers to stay with their relatives. Thousands of others headed to UNRWA schools and facilities. The number of the displaced population in UNRWA shelters increased from 12,000 civilians in the beginning of the offensive to 51,000 civilians distributed across 50 shelters. The shelters that were used to host the displaced population were not equipped to accommodate this number of civilians. UNRWA tried to provide basic needs for the displaced, especially drinking water, bread, blankets and mattresses. However, UNRWA was not able to provide all the needs necessary for the displaced population.

Bombardment of Shelters and Humanitarian personnel

IOF attacked a number of shelters established by UNRWA. Many civilians were killed or injured as a result. These attacks occurred despite the fact that UNRWA installations were clearly marked on IOF maps, and in many instances, had been designated as shelters. Humanitarian personnel and facilities belonging to humanitarian organization were also targeted by IOF. A number of humanitarian personnel were killed or injured and humanitarian operations were suspended as IOF attacked aid stores belonging to humanitarian organizations.

⁵⁰ Population density in Gaza: 3,881 capita/ km²

Three Displaced Civilians Killed in UNRWA School in al-Shati camp

At approximately 01:00 am on 6 January 2009, an IOF drone fired a missile at a UNRWA school in al-Shati Refugee Camp, targeting and killing three displaced civilians. The dead were: 'Abed Samir al-Sultan, 17, Husein Mahmoud al-Sultan, 24, and Rawhi Jamal al-Sultan, 26.

Dozens of Civilians Killed or Injured in al-Fakhoura school

At approximately 15:30 pm on 6 January 2009, IOF tanks in the east of Jabalia fired four shells at Jabalia Refugee Camp. Three of the shells landed on the southwestern side of al-Fakhoura school. In the school, there were hundreds of Palestinian families who were forced to leave their houses and who found refuge in the school. The shelling resulted in the deaths of 24 civilians, including 8 children. Eight civilians were injured.⁵¹

Several Refugees Injured in attack on UNRWA School in Jabalia Refugee Camp

At approximately 13:00 pm on 8 January 2009, IOF fired artillery shells at the vicinity of a UNRWA school in Jabalia Refugee Camp. Four displaced civilians were killed.

Two Children Killed and 36 Civilians Injured in attack on UNRWA School in Beit Lahia

At approximately 06:30 am on 17 January 2009, IOF fired conventional and white phosphorous artillery shells at UNRWA Beit Lahia School in the center of Beit Lahia Housing Project. There were approximately 320 displaced Palestinian families sheltered in the school. A number of classrooms were set alight as a result of the shelling. Two children were killed in the attack and 36 other civilians were injured. The dead are: Mohammed Hamad Shehda al-Ashqar, 4, and Belal Hamad Shehda al-Ashqar, 5. Nejoud Sha'aban al-Ashqar, 24, who is the mother of the dead children, also sustained serious injuries, as a result of which her hand was

⁵¹ For more details about this incident, please see the first section of this report.



Civil defense crews attempt to extinguish fire in UNRWA warehouses which were bombed by IOF

amputated. The shelling also hit a number of neighboring houses, many of which were set alight. Displaced families who were in the school were forced to flee to Kamal 'Odwan Hospital and then return to the school because they had no alternative.

Hostilities Cease and Displaced Families Begin to Return Home

As IOF declared a unilateral ceasefire on 18 January 2009, thousands of displaced civilians who were staying with their relatives or in sheltering centers began to return home. However, the extent of the destruction meant that many civilians had no homes to return to. Thousands of displaced civilians in Gaza are still staying with their relatives, under conditions of extreme hardship.

The end of the offensive resulted in a gradual reduction in the number of displaced civilians in sheltering centers established during the offensive by UNRWA and international humanitarian organizations. On 18 January 2009, the number of displaced civilians in sheltering centers registered 25,000 persons. On 20 January, the number dropped to approximately 18,000 civilians distributed across 30 shelters. On 23 January 2009, the number registered 8,500 civilians distributed across 15 emergency shelters. As schools resumed education on 24 January 2009, UNRWA found alternatives to shelter displaced civilians who were still staying in UNRWA schools. UNRWA used its youth centers and non-educational facilities to shelter approximately 500 civilians in Jabalia Refugee Camp, al-Shati Refugee Camp and in Deir al-Balah.

Targeting of Humanitarian Personnel and Humanitarian Organizations' Facilities

During their offensive, IOF targeted humanitarian personnel, belonging to non-governmental humanitarian organizations, and UN institutions. A member of humanitarian personnel was killed and a number of them were injured while on duty. Means of transportation belonging to humanitarian organizations were also damaged as a result of IOF attacks. It should be noted that IOF launched attacks on humanitarian personnel and means of transport despite prior coordination with Israeli authorities. In addition, IOF targeted facilities of humanitarian organizations in which humanitarian aid, including food, medicines, and blankets, were stored. According to UNRWA, 5 members of its full-time personnel and 3 of its contract workers were killed while on duty. UNRWA further stated that 11 members of its full-time personnel and 4 of its contract workers were injured. UNRWA reported 4 incidents in which IOF directly fired at UNRWA trucks that were transferring humanitarian aid at the time. Additionally, 53 UNRWA buildings were either completely or partially destroyed during the IOF offensive on the Gaza Strip.⁵²

UNRWA Headquarters Compound Bombed and Main Humanitarian Aid Stores Set on Fire

On 15 January 2009, IOF repeatedly fired conventional and white phosphorous artillery shells at the UNRWA headquarters compound in the center of Gaza City. The main humanitarian aid store was set on fire and completely destroyed as a result. Hundreds of tons of food and medicine were burned. The destroyed humanitarian aid was supposed to be distributed to tens of thousands of civilians in UNRWA shelters.

When the attack took place, UNRWA fuel trucks were parked near the targeted stores inside the UNRWA headquarters compound. Fortunately, the trucks did not explode, otherwise a disaster would have broken out. Because of IOF shelling of the UNRWA headquarters compound, approximately 700 civilians who were had sought shelter there were forced to leave in fear for their lives.

IOF targeted UNRWA's headquarters after they had informed UNRWA that the compound was not a target for IOF.⁵³ UN Secretary General, Ban Ki-moon, expressed his condemnation of the incident. During his visit to UNRWA headquarters, Ban Ki-Moon said: "I am just appalled," adding, "It is an outrageous and totally unacceptable attack against the United Nations."⁵⁴

⁵² The Humanitarian Monitor, OCHA, January 2009.

⁵³ <http://www.un.org>

⁵⁴ Michèle Montas, Spokesperson for the Secretary-General, Department of Public Information, News and Media Division, New York, 20 January 2009.

Deterioration of Basic Services and Exacerbation of Humanitarian Conditions

During their offensive, IOF systematically targeted basic services facilities necessary for the civilian population in the Gaza Strip. Different power and communications facilities, water wells, including drinking water wells, main and branch water networks, as well as sanitation facilities, including treatment plants and networks, were destroyed on a broad scale, especially in areas invaded by IOF ground troops. IOF used military bulldozers to raze lands, destroying sanitation networks and installations, as well as electrical poles, high pressure transformers, telephone networks and water wells.

Power Network

During the offensive, IOF launched attacks that resulted in extensive damage to the electricity network that supplies Gaza. Main electrical lines, electrical poles, transformers and electrical fittings and extensions in buildings and facilities targeted by IOF were partially or completely destroyed. PCHR fieldworkers reported that damage was inflicted to the power distribution network across the Gaza Strip, depriving hundreds of thousands of civilians of electricity and other related services, including water and sanitation services. During the military offensive, the Gaza power plant completely shut down due to the ban on the delivery of industrial fuel used to operate the plant. During the offensive, technicians from the Gaza Electricity Distribution Company (GEDCO) attempted to repair high-pressure power networks, power sub-networks and transformers as far as was possible under the circumstances. They performed such repairs under dangerous security conditions and using materials and equipment available only in small quantities and low quality. As Gaza had been subject to total closure and as the IOF offensive continued, GEDCO technicians had not been able to perform integral repairs of the basic infrastructure of Gaza's power network. When the military offensive ceased and IOF withdrew from Gaza, GEDCO discovered the full extent of the destruction caused to its facilities. GEDCO estimated the loss the company incurred due to the Israeli offensive at US\$ 10,412,500. The GEDCO technical committee estimated GEDCO losses as follows:⁵⁵

- Partial damages to large parts of the power network.
- Complete destruction of the infrastructure of the power network. In some areas, the power network was leveled to ground.
- 155 external and internal electrical transformers with different capacities were destroyed.
- 196,000 meters of ABC aluminum cables of different sizes were destroyed.
- 110,000 meters of aluminum wires of different sizes were destroyed.
- 40,000 meters of braided copper wires of different sizes were destroyed.
- 2,500 wooden poles of different lengths were destroyed.
- 600 iron columns of different pressure capacities were destroyed.

⁵⁵ PCHR maintains a detailed list of GEDCO losses.

- 1,500 intermediate pressure insulators were destroyed.
- 670 electrical levers with different pressure capacities were destroyed.
- 5,500 fuses with different pressure capacities were destroyed.
- Links, equipment, rods, bases and other iron and concrete fittings and accessories were destroyed.

During and shortly after the IOF offensive, 40% of Gaza's civilian population remained without power due to total or partial damages caused to power networks in their areas, while 60% of Gaza civilians had only an intermittent supply. After GEDCO technical teams conducted temporary repairs of partial damages, the power supply was significantly improved. Approximately 10% of Gaza population remained without power because networks in their areas had been entirely destroyed. GEDCO has not been able to repair total destructions because of the ban imposed by Israel on the delivery of required equipment and materials. GEDCO has been suffering from shortages of necessary spare parts and equipment for approximately two years.

According to GEDCO experts, the provisional repairs to partially damaged areas – often without required equipment and material – resulted in the increase of technical losses by 25-30%. This will also shorten the lifetime of the parts of the repaired power networks, increase the waste of electricity, and will make power networks prone to collapse at any time in the future.

The conducted temporary repairs and their negative impacts include the following:

- GEDCO was forced to install wood columns instead of iron columns that are not available in GEDCO warehouses. In addition, cement that is required to install these columns is not available in Gaza. Using wood instead of iron columns, especially in high-pressure power networks, does not allow the installation of side rods to keep electrical wires away from civilians houses. This poses risks to civilians' lives. In addition, wood columns can more easily break, which also increases risks posed to the lives of civilians.
- Due to the unavailability of electrical wires, low quality wires were used to repair destroyed ones. This results in power wastage.
- GEDCO was forced to use dozens of links to connect high-pressure and low-pressure wires. This results in the waste of electricity and increased damage.
- Due to shortage of links required for wires and valves, aluminum and copper wires were connected with iron links that do not comply with technical specifications. This results in the waste of electricity and increased damage.
- Because many transformers were destroyed during the IOF offensive and there are no new transformers to replace them, the load of the destroyed transformers was shifted to remaining transformers, increasing their load to 150% of their capacity. Thus, the remaining transformers will be prone to severe damage.
- In spite of all the present risks, GEDCO maintenance teams were forced to carry out preliminary repairs below technical standards, using tools and equipment available, in order to alleviate the suffering of the civilian population across the Gaza Strip, especially those who were directly affected.

Jamal al-Dardasawi, Director of Public Relations and Information at GEDCO, told PCHR that GEDCO, in an attempt to restore power, began conducting repairs and maintenance in areas where power networks were partially damaged. According to al-Dardasawi, the severe shortage in spare parts and required tools forced GEDCO to conduct temporary repairs on damaged power networks. He warned of suspending maintenance and repair work due to the lack of different required supplies, especially low-pressure transformers and cables. The destruction of low-pressure transformers and cables across the Gaza Strip resulted in the loss of electricity for hundreds of thousands of civilians, while many public and private service facilities - mainly water and sanitation facilities, healthcare centers and hospitals - had to close. Al-Dardasawi said that a large number of power projects for the water and sanitation sector were suspended due to the lack of required low-pressure transformers and cables. He affirmed that required transformers and cables had been obtained, but that IOF prevented their delivery to Gaza. He explained that no facilitation had been made to allow the delivery of electrical supplies needed by GEDCO, which is solely responsible for the provision of power to civilians and to different civil facilities. He also explained that GEDCO's current needs are pressing and required for the temporary provision of power to local civilians. He continued that the entire power network in the Gaza Strip is in need of full maintenance and repairs because it was heavily damaged due to closures, direct targeting of power networks by IOF, and due to inappropriate use of electrical facilities, including distribution of overloads to transformers. He said the preliminary repairs conducted could never ensure the sustainability of power provision throughout Gaza.

Al-Dardasawi stated that GEDCO was unable to conduct maintenance and repairs in residential areas where the power networks were completely destroyed. These areas, which are still deprived of power and other related services, are:

- Northern Gaza: Izbet Abed Rabbu, al-Qerem area, al-Atatra area, al-Soudaneyya area, and the vicinity of the American School.
- Gaza City: the vicinity of the new slaughterhouse, the area to the east of al-Wafa Hospital, Malaka area, al-Hadba area, Qureish area, and al-Jaru area.
- Border areas in central Gaza: al-Mughraqa village and Jühr al-Diq village.
- Khan Younis: Khza'a village.

Water and Sanitation Sector

During the IOF offensive, Gaza's civilian population suffered from continued electricity outages. This situation gravely affected civilians' ability to access water, including drinking water. Hundreds of thousands of civilians in the Gaza Strip suffered immensely while looking for ways to obtain and store water for the duration of the offensive, mainly under security risks posed by IOF bombardment. Crews of the Gaza Strip's municipalities and the Coastal Municipalities Water Utility (CMWU) were unable to access water wells and sewage water treatment plants because of risks posed by the security conditions and because these wells and plants are located in remote areas.

Engineer Monther Shublaq, CMWU Director General, stated the following:

“Before the start of the IOF offensive, water and sanitation conditions in the Gaza Strip faced complicated problems. These problems were aggravating over the time. Our chronic problem is the ban imposed by IOF on the needs of water and sewage water facilities, including tools, equipment and spare parts. However, the offensive made the situation more complicated. As a result, we were forced to appeal to the residents of the Gaza Strip to ration the use of water available in their tanks, since CMWU was not able to deliver water to broad areas in the Gaza Strip in view of the serious security conditions at that time. During the offensive, approximately 70% of civilians in the Gaza Strip, mostly in Gaza City, lacked water, including drinking water.”

According to sources from CMWU, the status of water supplies and sewage can be summarized as follows:

Drinking Water

- Due to continued electricity cutoffs, the water production from water wells, including 150 water wells supervised by CMWU, dropped from 220,000 m³ per day to 120,000 m³. As a result, all civilians in Gaza suffered from severe shortages in water supplies. The Gaza Strip had already suffered a chronic shortage in water prior to the IOF offensive.
- CMWU was forced to reduce water distribution hours to a single hour per day in areas that had electricity. The continued electricity outages, for several days in some areas, created several problems in the distribution of water to broad areas of the Gaza Strip. CMWU was not able to deliver water to many residential neighborhoods.
- CMWU stocks ran out of diesel. CMWU uses diesel to operate wells that are not supplied with power. Five water wells in the northern Gaza Strip had run out of diesel. These wells provide approximately 40% of water needs of Gaza City (3 of them are in the northeast of northern Gaza and the remaining 2 are in Beer al-Na’aja area). Four water wells in al-Mughraqa village, south of Gaza City, had also run out of diesel. These wells provide water to al-Mughraqa village, al-Nussairat refugee camp, al-Zahra’a town and al-Boreij Refugees Camp.

According to reports prepared by PCHR fieldworkers, many complaints submitted by civilians throughout the Gaza Strip stated that civilians had suffered from electricity cutoffs and shortages in water. Residents of al-Shoja’eya, al-Zaytoun, al-Tufah, Sheikh Radwan neighborhoods and parts of the Southern al-Remal neighborhood had suffered electricity and water cutoffs almost throughout the entire offensive. Residents of al-Mughraqa village, al-Zahra’a town and large parts of al-Nuseirat Refugee Camp stated that they had suffered electricity cutoffs for several consecutive days, and that they had been unable to access water, including drinking water.

Sewage Water

- The electricity cutoffs in the majority of the Gaza Strip, including the areas where there are sewage water treatment plants, caused a drop of the of sewage water treatment efficiency, which had already dropped by 50%.
- Due to the acute shortage in diesel, CMWU was unable to provide sewage water treatment plants with diesel, which is needed to operate the plants when compensating for electricity shortages.
- CMWU was not able to ensure a sufficient quantity of fuel during the IOF offensive. As a result, the plant was shut down.
- The sewage water treatment plant in the Sheikh 'Ejleen area needs approximately 3,000 liters daily to operate in case of power cutoffs. During the course of the offensive, CMWU could source this quantity of diesel. As a result, CMWU was forced to shut down the plant. The plant only received sewage water and then pumped it into the sea, after primary treatment with deposit planktons. Hence, the sewage water pumped into sea off the Gazan coast without more than primary treatment increased to approximately 40,000 liters per day. CMWU was forced to do this out of concern of flooding Gaza with sewage water. There are real concerns about the environmental risks caused by the pumping of untreated sewage water into the Mediterranean Sea. The waters off Gaza will be polluted and marine life and fisheries will be severely affected.

Concerning the sewage water treatment plant in Beit Lahia, CMWU was obliged to operate the plant at any cost to avoid the recurrence of the disaster that broke out in the Bedouin (Um al-Nasser) Village in March 2007, when a sewage water cesspool positioned near the village broke and sank dozens of houses and killed a number of civilians. This needed to be ensured although the plant continuously experienced electricity cutoffs. CMWU exerted its best efforts to provide 700 liters of diesel per day to operate the plant in Beit Lahia Town.

In light of the continuous deterioration of the security conditions, CMWU was forced to establish 5 emergency areas, each headed by the director of that area. The heads of the emergency areas, in cooperation with the CMWU Director General and the International Committee of the Red Cross in Gaza, monitored the status of water supplies and sewage in the Gaza Strip. CMWU managed to 48 of the required 60 tons of chloride, which is used to decontaminate drinking water. The delivered quantity of chloride is sufficient for 3 weeks only. CMWU technical crews continued their work amidst complications and critical security conditions, ensuring the decontamination of drinking water with chloride and the provision of sewage water treatment plants with the diesel required to operate them.

IOF Offensive Inflicts Heavy Losses on the Water and Sanitation Sector

The water and sanitation sector in the Gaza Strip was severely damaged by the IOF offensive. These damages were concentrated in northern Gaza. Water wells, water networks, and waste water treatment plants were severely affected. The Palestinian Water Authority was unable to conduct any rehabilitation and reconstruction work in this sector due to the closure of crossings and the ban imposed on the delivery of required equipment and materials.

Engineer Rebhi al-Sheikh, Deputy Director of the Palestinian Water Authority, stated that total losses incurred by the water and sanitation sector reached US\$ 6 millions. He explained that 3 water wells were completely destroyed and 10 wells were partially destroyed in the northern Gaza Strip. He also added that damages had been caused to water networks in the east of Jabalia Refugee Camp as well as in the southern Gaza Strip. In addition, damages were caused to sewage water treatment basins in al-Sheikh 'Ejlin area in the southwest of Gaza City.

Al-Sheikh explained that because of the fractures caused to the sewage water treatment basins in al-Sheikh 'Ejlin area, approximately 20,000 m³ of sewage water flowed into the groundwater aquifer every day of the IOF offensive. This means that approximately 0.5 million m³ of sewage water contaminated the groundwater aquifer. Further, IOF tanks destroyed a fuel stock resulting in the intrusion of approximately 3,000 m³ of fuel into the groundwater aquifer. The groundwater aquifer was seriously polluted as a result.

Al-Sheikh stated that the Palestinian Water Authority had repaired damages in a way that stops sewage water mixing with drinking water and that water networks had been repaired for this purpose. Al-Sheikh added that the majority of the damages had not been prepared and that the Authority was waiting for the delivery of necessary supplies. IOF continue to impose a ban on the delivery of supplies needed for the sector although they are aware of the damages caused to the infrastructure of the water sector. Al-Sheikh reiterated that it is imperative that IOF open Gaza's border crossings and allow the delivery of reconstruction supplies required for Gaza's various sectors, including the water sector. He said that several months ago, the Palestinian Water Authority provided the IOF with a list of basic needs required for the implementation of different projects in the water sector.

Tightening Restrictions on the Freedom of Movement

In conjunction with the offensive, IOF imposed an unprecedented closure on all of Gaza's border crossings, affecting the movement of civilians and goods. IOF did not allow civilians to leave or to return to Gaza. Further, they obstructed the delivery of supplies, including food and medicine consignments and other basic needs items, to the Gaza Strip and reduced these supplies to minimal levels. IOF restrictions were also applied to the delivery of humanitarian aid provided to the affected population in the Gaza Strip by various donor countries and humanitarian organizations. During the offensive, Rafah crossing was closed for Gazan civilians in general, but was opened to allow limited numbers of civilians with serious injuries to leave Gaza for urgent medical treatment. Humanitarian delegations and Gazan civilians trapped on the Egyptian side, who were mostly patients returning from medical referrals abroad, were also allowed to return to Gaza via the Rafah crossing after their access to Gaza was delayed for several days. Beit Hanoun (Erez) crossing was completely closed throughout the course of the offensive for Gazans who wanted to travel to the West Bank and/or Israel for commercial purposes or for familial or religious visits. IOF also closed Beit Hanoun for the movement of all diplomatic missions, delegations from international humanitarian organizations and journalists throughout the offensive's duration. These groups were forced to travel to Egypt and to enter Gaza via the Rafah crossing. IOF imposed a total ban on the movement of Gazan medical patients via Beit Hanoun crossing to access hospitals in the West Bank and/or Israel. IOF closed all border crossings leading to and from the Gaza Strip. Al-Mentar (Karni) crossing remained completely closed, while Karm Abu Salem (Kerem Shalom) crossing was partially opened for a few days for limited hours to allow the delivery of limited quantities of humanitarian aid. Sofa crossing, which is dedicated for the importation of fuel, was completely closed for diesel and benzene throughout the offensive, and was partially opened to allow the delivery of limited quantities of cooking gas and of industrial fuel for the Gaza Power Plant.

Rafah International Crossing Point

The Egyptian authorities opened Rafah International Crossing Point during the first week of IOF offensive to allow Gazan civilians with serious injuries to leave Gaza for medical treatment. Hundreds of Palestinian trapped on the Egyptian side, mostly patients returning from medical referrals abroad, were not allowed to return to Gaza during the first week of the offensive. Several days later, the crossing was opened to allow Gaza patients returning from medical treatment in foreign hospitals to return to Gaza. The crossing was then opened to allow Gazans on the Egyptian side to return to their houses in Gaza. The movement at Rafah crossing during IOF offensive was as follows:

Wounded and other Medical Patients

During the IOF offensive and during the few following days, the Egyptian authorities allowed 1,200 Palestinians who sustained serious injuries during the offensive to be transferred via the crossing to foreign hospitals for treatment. These patients were accompanied by a member of their family who could assist them during their stay in Egyptian hospitals. During the IOF offensive,

more than 5,000 Palestinians were injured. In the meantime, Gaza's hospitals were suffering from severe shortages of medications, medical supplies, and medical personnel. This was due to the imposition of very tight closure on all Gaza border crossings with Israel, especially Beit Hanoon (Erez) crossing, and the denial of access for Palestinian patients to Israel for treatment.

Arab and other Foreign Delegations

During the IOF offensive, the Egyptian authorities allowed several delegations, mainly from Arab countries, to enter to Gaza via the Rafah crossing in order to provide assistance to Gazan civilians. Approximately 750 physicians and employees of humanitarian organizations were allowed to enter to Gaza via Rafah crossing. This was in line with unprecedented increase in the number of Palestinians who sustained injuries and in line with Gaza medical personnel inability to deal with resulting injuries due to IOF use of weapons such as white phosphorous. In addition, Approximately 200 journalists who were denied access to Gaza via Beit Hanoon crossing were allowed to enter Gaza via Rafah crossing.

Transferring the Injured and the Bodies of Victims

The majority of the injured who were transferred to Egyptian hospitals for treatment suffered from severe injuries. Due to the shortage of medical equipment, they were transferred under less than ideal conditions. As a result, most of the serious cases arrived at Egyptian hospitals in very serious condition. In spite of intensive healthcare offered to serious cases, 36 wounded Palestinians died in Egyptian hospitals. Egyptian authorities made the necessary arrangements to transfer the dead to Gaza via Rafa crossing. During the second week of IOF offensive, Egyptian authorities opened the crossing for Gaza patients who left Gaza before the offensive for treatment to return to Gaza. The Egyptian authorities also allowed 1,200 civilians who had been trapped on the Egyptian side one month before the start of the offensive to return to their homes in Gaza.

Beit Hanoun (Erez) Crossing

IOF completely closed the Erez crossing throughout the 23-day offensive. The movement of foreigners, employees of international humanitarian, relief, and developmental organizations was completely stopped, putting their important activities on hold. In addition, IOF prevented journalists and employees of international media institutions to enter Gaza and cover the events going on at that time.

Movement of Patients

During the IOF offensive, Gazan patients suffering from serious diseases were denied to move via Beit Hanoon crossing to access hospitals in Israel and/or the West Bank, including Jerusalem. Only 22 patients were allowed to cross Beit Hanoun in the beginning of the offensive, then IOF completely closed the crossing for Gaza patients for 19 consecutive days.

Border Crossings Dedicated to Delivery of Goods and Humanitarian Aid

IOF completely closed all Gaza border crossings, including al-Mentar crossing, which was completely closed for goods and humanitarian aid. Karm Abu Salem crossing was completely closed for goods for Gazan traders, while it was partially opened during few days for limited hours to allow the delivery of limited quantities of humanitarian aid. Sofa crossing, which is dedicated to the delivery of construction materials, remained completely shut throughout the offensive.

Nahal Oz Crossing

On 27 December 2008, Nahal Oz crossing, which is used for the delivery of fuel supplies, remained closed. Before the beginning of the offensive, Gaza petrol stations had run out of fuel and the stock of the Gaza power Plant also had run out of industrial fuel due to the repeated closure of the crossing before the offensive. The crossing was completely closed for benzene and diesel supplies for nine consecutive days. The crossing was partially reopened on 5 and 7 January 2009 to allow the delivery of limited quantities of cooking gas and industrial fuel; only 91.140 tons of cooking gas and 577,400 liters of industrial fuel were allowed to enter to Gaza. This amount of cooking gas represents only 26% of Gaza's daily needs in cooking gas. The delivered quantity of industrial fuel was enough to operate Gaza's power plant for 2 days only.

Beginning on 8 January 2009, the crossing was completely closed for 12 consecutive days. It was partially reopened to allow the delivery of limited quantities of cooking gas and industrial fuel. Since then, the crossing has been operating with reduced capacity and is sporadically closed for 2 or 3 days.

During the offensive, IOF imposed a ban on the delivery of industrial fuel to Gaza, except for small quantities that were enough to operate Gaza Power Plant for a mere 2 days. As a result, Gaza Power Plant shut down during the IOF offensive after its stocks had run out of industrial fuel. Many residential areas in the Gaza Strip, particularly in Gaza City where 570,000 Palestinian civilians live, was plunged into complete darkness. GEDCO experienced a severe shortage of power. The company was forced to make schedules for the distribution of power to Gaza areas in order to confront the power shortage resulting from closing the Gaza Power Plant.