



The Palestinian Centre for Human Rights

An Education Denied: Report on the Impact of the Closure of Border Crossings on Students from the Gaza Strip Studying Abroad



Palestinian Centre for Human Rights

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Introduction

The illegal, Israeli-imposed, closure of the Gaza Strip, severely impacts upon the ability of Palestinian students to pursue third-level education abroad. The closure denies students from the Gaza Strip access to educational institutions both in foreign countries, and in the West Bank, jeopardizing their educational future. Students denied permission to travel to further their education face an uncertain future; their suffering is compounded by the fact that they risk losing scholarships, or having their university registration cancelled.

The closure of the Gaza Strip's border crossings has deprived thousands of students of the opportunity to pursue further study in their chosen fields abroad. This restriction of third-level educational opportunities will have evident long-term repercussions for the Palestinian population in the Gaza Strip. Hundreds of students have been forced to sacrifice studying their chosen majors, in order to pursue the more limited options available in the Gaza Strip; this is a compromise which often comes into conflict with students' skills, dreams, and ambitions. Arbitrary measures imposed by Israeli Occupation Force's (IOF) have deprived thousands of Gazan students from beginning third level study in West Bank, while hundreds of other students have been denied permission to return to the West Bank to resume their studies. About 250 students from higher education levels (BA, MA, Ph.D), who study in universities abroad or have joined universities lately, are not able to travel abroad to continue their education at institutions and universities in various foreign countries¹.

This report highlights the impact of the tightened IOF-imposed closure the Gaza Strip on the hundreds of university student, who have been denied access to universities in the West Bank, and around the world².

Moreover, this report intends to draw the attention of the international community and international organizations, especially those concerned about human rights, to continuing illegal closure imposed by IOF on the civilian population in the Gaza Strip³.

Reducing Ways of Traveling Abroad Gradually

Prior to the second (Al-Aqsa) Intifada, students from Gaza studying abroad used a number of different crossings, including: Rafah International Crossing Point (on the border with Egypt), Ben-Gurion

¹ During closure period, hundreds of students were not able to travel abroad for education. About 500 students could travel after severe suffering in the past two years.

² In addition to students' suffering, the comprehensive siege and closure of border crossings affect all aspects of life in the Gaza Strip. For more information on the impact of the siege and closure of border crossings imposed on the Gaza Strip, see reports issued by PCHR on state of the Gaza Strip border crossings on PCHR's website: http://www.pchrgaza.org/portal/en/index.php?option=com_content&view=category&id=63&Itemid=227

³ The closure has been imposed continuously since June 2007. It is a form of collective punishment, in explicit violation of Article 33 of the Fourth Geneva Convention. The far-reaching impact of the closure makes the attainment of human rights in the Gaza Strip an impossibility.

Airport, al-Karama International Crossing Point (Allenby Bridge, at the Jordanian border), and Gaza International Airport. However, during the Al-Aqsa Intifada, IOF measures gradually

reduced the availability of these crossings. Beit Hanoon (Erez) crossing, the only passenger crossing point between Gaza and Israel, was completely closed, preventing Gazan students from traveling through Ben-Gurion Airport and al-Karama International Crossing Point (Allenby Bridge). This measure also prevented Gazan students studying in the West Bank from accessing their universities.

Additionally, shortly after the beginning of the second Intifada, IOF destroyed Gaza International Airport, removing the possibility of air travel for Palestinians. As a result, Rafah International Crossing Point has become the sole travel outlet for the Gaza Strip. However, the closure of Rafah International Crossing Point has prevented students from joining their universities.

The following is a detailed review of the Gaza Strip's passenger crossings:

Beit Hanoun (Erez) Crossing⁴: The crossing was completely closed to Palestinians from the Gaza Strip on 29 September 2000, following the outbreak of the second Intifada; thus denying access to Israel and the West Bank, including Jerusalem. Later, IOF began to allow the movement of foreign diplomats, international employees, international organizations' workers, and international journalists following prior coordination through the Israeli liaison office at the crossing. IOF also periodically allowed the irregular movement of prisoners' families according to visitation programs coordinated with the International Committee of the Red Cross (ICRC). Limited numbers of traders, persons suffering from critical diseases and workers (who were prevented from entering Israel in 2004) were also allowed to move through Beit Hanoun crossing. However, students were not included as IOF did not consider them to be 'humanitarian cases', thereby jeopardizing their academic future.

On 16 February 2007, IOF declared Beit Hanoun (Erez) crossing to be an international crossing, and the limited numbers of Gazans who were allowed to pass through the crossing were obliged to obtain permits from IOF. At the same time, however, the number of patients allowed to travel through the crossing was reduced to the minimum level, and prisoners' families were totally deprived from visiting prisoners in Israeli prisons.

Palestinians who were allowed to pass through the crossing have been subjected to cruel and degrading treatment by IOF. They have endured interrogation, searching, and extortion, including pressure to collaborate. This ordeal necessarily makes the process of crossing through Erez an exhausting one, as

⁴ It is located northwest of Beit Hanoun town in the Northern Gaza Strip. It was designated for different purposes, like: travel to the West Bank or Israel, passage of workers into Israel and the industrial area in Erez, passage of international aid workers and representatives of international organizations working in the Gaza Strip, passage of diplomatic delegations and journalists visiting Gaza, passage of patients to be treated in hospitals in the West Bank or Israel, passage of limited humanitarian cases who were given permits to visit relatives in the West Bank, Islamic or Christian religious sites, or prisoners in Israeli prisons. Before the outbreak of Al-Aqsa Intifada, this crossing was also used as a safe passage for a short period in accordance with a protocol signed between the Palestine Liberation Organization (PLO) and Israeli Occupation Authorities on 5 October 1999.

Palestinian are often forced to wait for long hours at the crossing to pass, while others are prevented from traveling although they had obtained the needed permits.

Gaza International Airport⁵: Since the beginning of Al-Aqsa Intifada in September 2000, IOF have launched repeated attacks on the airport. On 4 December 2001, Israeli tanks and bulldozers destroyed the runway, including cables, manholes and the external lighting network.

On 12 December 2001, Israeli war planes bombarded and completely destroyed the radar building, including its power plant, control equipment, the radar antenna, electricity network, fire alarm, air-conditioning, and meteorological information services office.

On 15 December 2001, IOF attacked the runway and destroyed it completely, rendering the airport inoperational. On 14 February 2004, IOF destroyed the rest of the runway facilities.

On 26 July 2006, IOF occupied the airport and used it as a military base for their operations in the southern Gaza Strip. While IOF were there, they destroyed and raided all equipment, in addition to causing further destruction to the main buildings of the airport.

Rafah International Crossing Point⁶: On 9 October 2000, shortly after the outbreak of Al-Aqsa Intifada, IOF first closed Rafah International Crossing Point and all crossings that connect the Gaza Strip with the outside world, the West Bank and Israel. Since then and until the issuance of this report, IOF have continued to close Rafah International Crossing Point, which is designed for the movement of passengers and goods, either totally or partially.

On 7 September 2005, IOF completely closed Rafah crossing and prevented people from traveling abroad or getting into Gaza. This came following IOF's redeployment outside the Gaza Strip implementing the Disengagement Plan.

On 15 November 2005, the Palestinian Authority (PA) and Israeli Authorities reached an agreement under the auspices of the U.S. Secretary of State regarding border crossings in the Gaza Strip. The agreement provided for opening Rafah International Crossing Point from 25 November 2005 onward to allow people to travel to Egypt and the outside world. According to the agreement, Palestinians and observers from the European Union (EU) would operate the Palestinian side of the crossing. It was also agreed on that live video footage would be taken through monitoring cameras by EU observers. Officers from the PA and IOF, and EU observers, would monitor the live feed coming from the cameras

⁵ It is located in the east of Rafah, close to the Egyptian-Palestinian border, 36 km away from Gaza City. The airport included a runway, a departure hall, a VIP hall, an administrative hall, maintenance facilities, a radar building, a cargo building, meteorological information services, fuel warehouses, ambulance, fire brigades, electricity and sanitation stations, and car parks. The official opening of Gaza International airport was on 24 November 1998 according to Wye River Memorandum, which was signed between PLO and Israel. Palestinian airplanes started regular flights to 'Amman, Cairo, Jeddah, Doha, Abu Dhabi, Dubai, Larnaca and Istanbul. The Airport received regular weekly flights from Royal Air Maroc, Romania Airlines and Russian Airlines in accordance with the agreements of flights' exchange with the Arab and foreign airlines.

⁶ It is in the far south of Rafah, on the Egyptian-Palestinian border. It is considered now as the sole outlet for the Gaza Strip to the outside world after closing Beit Hanoun (Erez) crossing and destroying Gaza International Airport.

from a control room at Karm Abu Salem (Kerem Shalom) crossing, several kilometers away from Rafah International Crossing Point.

In the period following the agreement, work at the crossing improved to a large extent and people could easily travel. However, on 25 June 2006, IOF completely closed the crossing following an armed attack by the Palestinian resistance against an Israeli military post at Karm Abu Salem crossing, east of Rafah. Three Israeli soldiers were killed and a fourth was kidnapped. Later, IOF opened Rafah International Crossing Point partially and sporadically under complicated conditions.

On 10 June 2007, following the internal fighting between Hamas and Fatah movements, which led to the former's takeover of the Gaza Strip on 15 June 2007, IOF closed Rafah International Crossing Point completely. This period of closure has been the longest since the beginning of Al-Aqsa Intifada on 29 September 2000. The crossing point has been closed since 10 June 2007, except for sporadic openings by the Egyptian authorities for humanitarian reasons. The Egyptians' opening of the crossing has been partial and sporadic, occurring for only limited periods of time and under complicated conditions. A limited number of people, who fulfilled strict conditions (patients, students and persons who have residency in other countries), could travel through Rafah International Crossing Point.

Due to complicated measures and obstacles, people in the Gaza Strip began to think twice before traveling. Only people with urgent needs were traveling; typically they are only successful after several attempts and months of delays.

Education outside the Gaza Strip is an Indispensable Need

The students of the Gaza Strip are heavily dependent on outside universities, particularly with respect to certain majors and postgraduate courses that are not available in the Gaza Strip. This is primarily the result of the unavailability of many vital and necessary BA programs in the Gaza Strip; particularly, modern medical, sciences, and engineering courses. Additionally, universities in the Gaza Strip do not grant students a Ph.D degree in any field of study, while only a limited number of MA programs are available.

As a result of over 40 years of occupation, universities in the Gaza Strip suffer from a lack of expertise, as IOF prevent lecturers and academics from entering and working in the Gaza Strip. Equally, lecturers and academics in the Gaza Strip are prevented from traveling abroad, whether to participate in scientific conferences, or to obtain academic degrees which develop their capacities, or for scientific exchange with other universities in the West Bank or abroad.

The wide-scale Israeli offensive on the Gaza Strip (27 December 2008 – 18 January 2009) had a negative impact on universities, colleges and other educational institutions, as many of their facilities and buildings were bombarded and destroyed, and reconstruction has been impossible due to the ban imposed on the import of construction materials into the Gaza Strip. As a result of the prolonged illegal closure, and last year's offensive, educational institutions have been suffering from an acute shortage in educational tools and laboratory' equipment.

The Current Situation and Uncertain Future for Gazan Students Studying Abroad

As a result of this situation, Gazan students studying, or seeking to study, abroad suffer from a bitter reality and an uncertain future at education and work levels. This reality threatens their ambitions and aspirations. The situation was at its worst at the beginning and the end of the first semester 2009\2010, as prospective students were not able to travel; in certain cases the universities cancelled their registration. PCHR met a group of these students, who talked about their problems, the impact of siege on their education, and risks facing their future.

- **Closure of the Crossing Point Changes Future and Limits Ambitions**

Rashid Jamal Hmeidan Sha'at, 18, a student from Khan Yunis in the southern Gaza Strip dreamed of being an engineer. After finishing high school, he joined the Arab Academy for Science, Technology and Maritime Transport in Egypt. However, the closure of border crossings denied him access to the Academy. Due to continuous closure of crossings, he gave up hope of leaving the Gaza Strip. As a result, he changed his major and gave up his ambition of studying the major he liked. What happened with Rashid had frequently happened before with hundreds of students, whose future changed due to the continued closure of Rafah International Crossing Point. Rashid Sha'at stated to a PCHR researcher:

"After getting the results of high school exams last July, I applied to the faculty of engineering at the Arab Academy for Science, Technology and Maritime Transport. I received an admission letter in August. I immediately registered my name at the Ministry of Interior in Gaza to travel when Rafah International Crossing Point is open for urgent cases. In fact, we knew that a large number of people had registered before and they were waiting; nonetheless, I registered. When Rafah International Crossing Point was opened in Ramadan, I went with my father to the crossing point to try to travel to Egypt. I waited for so long before the crossing point closed, then I went home. I gave up hope due to what I had seen at Rafah International Crossing Point. As a result, in light of the crossing's unstable conditions, I joined the Faculty of Commerce at Al-Azhar University. At the university, I found many students who preferred to study majors available in Gaza to waiting for an unknown future."

- **Al-Jadi was denied resuming his study when he entered Gaza to visit his family**

Osama Al-Jadi, 22, from Al-Boreij refugee camp in the central Gaza Strip is worried about losing his place at Cairo University. He returned to Gaza after studying for 4 years in order to visit his family. He got stuck in Gaza due to the closure of Rafah International Crossing Point. Al-Jadi said,

"I joined the Faculty of Medicine at Cairo University 4 years ago. I have not left Egypt since I started my study, staying away from my family for 4 consecutive years. On 3 August 2009, after I finished the fourth year exams, I returned to Gaza due to urgent family circumstances. I decided to stay in Gaza for one or two weeks because the first semester would start in September and I must be in Egypt before the beginning of the semester. Cairo University is a governmental one and it does not accept excuses. Consequently, I registered my name at the Ministry of Interior on 19 August 2009 to ensure traveling with the groups allowed to travel when the crossing point is opened. However, I could not travel until this moment due to opening the crossing at infrequent periods and due to the large number of people registered and subject to travel conditions. My visit to Gaza extended to 3 compulsory months and I do not know when this visit will end. If I stay longer, my

future will be devastated because the new semester started 2 months ago. My colleagues sat for the mid-term exam; as a result, my marks and study level will be negatively affected in the fifth year in case I could travel in this period. If I get more late to university, I will fail in the fifth year, and I will be obliged to pay the full fees, which are high in light of the bad economic situation in the Gaza Strip, especially as I study at my own expense. Denying access to Egypt had complicated things. Even if I was able to get out of Gaza, access to Egypt is not ensured due to end of my residency in Cairo. I must have traveled on 24 October 2009 before it finished."

- **Asma' fulfilled travel conditions and then joined thousands of people waiting**

Asma' Emadeddin 'Awad Shhada, 18, from Jabalya refugee camp in the northern Gaza Strip, stated to a PCHR researcher:

"Although I was admitted at Damascus University – Faculty of Law – over 3 months ago, I have not been able to travel to Syria through Rafah International Crossing Point. The opening of Rafah only for limited groups, including students intending to study abroad, who have obtained visas, and at infrequent periods arouses my concern. For me, I have all required documents. Besides, in September, I went to the Ministry of Interior to register my name so as to travel before the beginning of study there. However, concerned bodies in the Ministry informed me that I could not register then because of the large number of people, who had already registered. In addition, opening the crossing point at infrequent periods and for short time would not be enough to allow half of the registered people to travel. So, I was not registered in spite of having all necessary documents and fulfilling travel conditions. Now, after two months of waiting among people waiting to travel, I do not expect to travel in the near future due to the closure of the crossing point, and its infrequent opening periods."

- **We were granted scholarships in Medicine, but the crossing point decides our fates**

Mohammed Mahmoud Tabasha, 'Amid 'Elyan Fares Abu M'eleq and Khalil Zoheir Ibrahim Bashir are three excellent students, who were granted scholarships to study Medicine in Yemen. They are worried about losing the scholarships due to the continuous closure of Rafah International Crossing Point.

Mohammed Mahmoud Tabasha, 18, from Al-Breij camp in central Gaza said to a PCHR researcher:

"After succeeding in high school exams and getting 92.4%, I obtained a scholarship to study medicine at Hodeidah University in Yemen. I immediately sent my passport to Egypt so as to obtain a visa from the Embassy of Yemen in Cairo. I got the visa, which allows me to enter Yemen within a month and a half. The visa expires on 20 November 2009. So, I had enough time to join the university, in which study starts in September, in case conditions were stable and crossings were open. However, the situation in the Gaza Strip is different. The closure of Rafah International Crossing Point and having no other alternative to travel deprive me of access to the university in Yemen. I registered my name at the Ministry of Interior to travel when the crossing point is exceptionally open. However, opening the crossing point infrequently and allowing limited groups of people to pass have so far delayed my travel. This means destroying my future as I will lose the scholarship and I will lose the chance of studying my favorite major."

His colleague, 'Amid 'Elyan Fares Abu M'eleq, added:

"I thought that obtaining a scholarship to study Medicine at Tamar University in Yemen was the start of achieving my dreams. However, I am worried that these dreams may be destroyed due to the continued closure of the Gaza Strip's crossings, especially, Rafah International Crossing Point. Not getting access to the university soon means giving up hope of joining the first year at the university and, perhaps, losing the scholarship."

His other colleague, Khalil Zoheir Ibrahim Bashir, from Deir al-Balah town in the central Gaza Strip said:

"The Palestinian embassy in Yemen informed me that non-access to university by the end of November would make me lose my scholarship to study Medicine at Hadramout University in Yemen. I am afraid that all my study efforts would go in vain if Rafah International Crossing Point continues to be closed and I am denied access to Yemen."

- **The Israeli offensive proved the importance of specialization and the closure prevented me from studying it**

Dr. Mohammed 'Adnan Abdul Fatah 'Azzam, 33, from Rafah town in the southern Gaza Strip had a scholarship to obtain the Jordanian Board Certificate from the Islamic Hospital. He is not able to travel to Jordan due to the closure of Rafah International Crossing Point. His major – surgery – is important and needed in the Gaza Strip because of Israeli attacks. Dr. 'Azzam said to a PCHR researcher:

"The intensity and kinds of serious injuries caused to people in the Gaza Strip during the Israeli attacks, especially, during the latest Israeli offensive, have proved the urgent need in the Gaza Strip for physicians who are specialized in treating critical injuries, including injuries in the head and brain. I chose this major for my postgraduate study, and obtained a scholarship for that, but I am not able to travel due to the closure of Rafah International Crossing Point."

- **Ameer missed the 1st semester; he is afraid to miss the 2nd one**

Ameer Mohammed Abdullah Al-Dini, 18, registered at Sinai University in Egypt. He tried many times to travel to Egypt in order to join the university, but he failed due to the closure of the Gaza Strip crossings. Ameer paid fees of the 1st semester and tried to travel before the beginning of the semester, but all his attempts failed. He was not able to access his university, unlike other students from different countries. The 1st semester was about to finish without Ameer having access to the university. Ameer is still dreaming of traveling from Gaza to join the university in the 2nd semester. He said:

"Last June, I passed the high school exams and got 82.2%. In the same month, I applied to Sinai University in Egypt to study Dentistry. On 12 August 2009, I received an admission letter from the university informing me that the study would begin in September 2009. I immediately registered my name at the Ministry of Interior on 18 August 2009. I got a receipt, in which my name was included in bus # 40. I wished to access the university when the crossing point opened. However, overcrowding of passengers due to continued closure of Rafah International Crossing Point prevented me from traveling although it is infrequently open for exceptional cases like patients, students and people having residency in other countries. Nowadays, I live

under hard conditions; these conditions aggravated when the 1st semester started and I was still in Gaza. Besides, things are getting worse. This limits the chance of joining the university in the 1st semester, whose fees, amounting to US \$2,800, were paid. Being stuck in Gaza prevented me from joining the university in the 1st semester, I tried to delay my study, especially, after the start of November and inability to travel due to the closure of Rafah International Crossing Point. The university's administration informed me that I could not delay my study because the time specified for delay had finished. Now, I have two options; first, to travel and join the university in the semester which is about to finish and this is so hard, and second, staying in Gaza, which would make me miss the semester and maybe the whole year, in addition to the fees which were paid."

- **I was dismissed from an institute due to the closure of the crossing point, so I joined another institute. I am afraid the same thing will happen again.**

Shaima' Yusuf Rezeq Hassan, 26, from Sheikh Zayed neighborhood in the northern Gaza Strip said to a PCHR researcher:

"A year ago, I was accepted at Al-Salam Institute in Cairo to study Computer Science. I obtained a registration certificate so as to allow me travel through Rafah International Crossing Point when it is exceptionally open. I headed to the Ministry of Interior to register my name on the lists of those wishing to travel and fulfilling travel conditions. I went twice to Rafah International Crossing Point on buses of the Ministry of Interior, which carry hundreds of passengers. I was prevented from access to Egypt both times. One year later, the Institute informed me that my registration was cancelled as I was not able to access on time. As a result, I joined the Language Institute for Technology and Information, but I am afraid that Rafah International Crossing Point will continue to be closed, and that I will face the same situation as before."

- **Gaza lacks needed but rare majors**

Mohammed Ibrahim Hussein Sroor, 32, from Beit Lahya housing project in the northern Gaza Strip is waiting to travel to Malaysia. He joined a Ph.D program at University of Kuala Lumpur a year and a half ago. During that period, he registered his name several times, but the situation at Rafah crossing is still hindering his traveling. Sroor stated:

"I joined a Ph.D program in Food Science at University of Kuala Lumpur a year and a half ago. I chose this field of study because it is rare in the Gaza Strip. Besides, the Gaza Strip lacks plans and strategies to elevate food levels, especially, for women and children. As soon as I was accepted in the university, I obtained all documents needed for traveling through Rafah International Crossing Point when it is open. I registered my name at the Ministry of Interior many times to be included on the lists of people allowed to travel; however, the closure of Rafah, and the overcrowding of passengers during its infrequent openings, prevented me from leaving the Gaza Strip until this moment. Depriving me of access to Malaysia to start my study led to delaying my registration twice. I am afraid of not being accepted at all if I am kept detained in Gaza, which will consequently result in exerting efforts vainly for this year."

- **Closure deprives student from achieving her scientific and work ambitions**

Sarah Mohammed Khalil 'Amer, 19, from Gaza City registered at October the 6th University in Egypt. She stated:

"I joined Faculty of Economics and Political Science at October 6 University 4 months ago. I paid the fees so as to travel from the Gaza Strip and join the university. I obtained a registration certificate and submitted my documents to the Ministry of Interior in Gaza to travel when the crossing point is exceptionally open. Due to the closure of the crossing point for long periods, the number of passengers fulfilling travel conditions has increased. As a result, I have not been able to leave the Gaza Strip so far although the 1st semester started over two months ago. I am afraid of being unable to join the university and losing the fees that I paid, due to which, I would lose the chance of studying and achieving my ambitions related to continuing my education."

- **Pediatrics is denied**

Haitham Salem Soliman 'Omran, 33, and Hosam Abdul Rahman Hussein Al-'Asouli, 37, are doctors from Khan Yunis in the southern Gaza Strip. They had a common concern about their future in light of their inability to travel to Ukraine. They want to join the MA program they are registered in. The two doctors are afraid that inability to travel within a short period would make them lose their right to join the university this year. Registration for the coming year requires complicated procedures and additional expenses.

Dr. Haitham 'Omran said to a PCHR researcher:

"After the latest Israeli offensive on the Gaza Strip, which resulted in thousands of deaths and injuries including hundreds of children, it became evident that the Gaza Strip lacks doctors specialized in Pediatrics. Consequently, I decided to study Neurosurgery and I joined the MA program in Pediatrics at Berakov University in Ukraine. I paid the initial fees and obtained a visa to enter Ukraine. The visa expires on 15 November 2009. I headed to the Ministry of Interior about 2 months ago to register my name for traveling. The large number of passengers waiting, and the continued closure and infrequent opening of Rafah International Crossing Point still prevent me from traveling and joining my study on time."

His colleague, Dr. Hosam Al-'Asouli, added:

"If we cannot travel by 15 November 2009, we will face difficulties which could be overcome if Rafah was regularly open. Even when the crossing is closed, we fulfilled the travel conditions imposed by the authorities in order to allow limited numbers of people to travel. However, we are not able to travel due to the large numbers of passengers fulfilling these travel conditions and the limited numbers allowed to pass. Being stuck in Gaza until expiration date of joining the MA program requires us to start registration again and to pay the fees again in spite of the hard economic situation in the Gaza Strip, in addition to waiting for another year."

The closure hinders postgraduate studies

Yusuf 'Awad Yusuf 'Awad, 37, from Al-Boreij refugee camp in the central Gaza Strip said to a PCHR researcher:

"In 2005, I joined the MA program in Agriculture at Al-Azhar University in Gaza, which is run in coordination with Cairo University. I was supposed to finish my study in 2007, but the closure of Rafah International Crossing Point and inability to leave the Gaza Strip resulted in postponing my study for more than a year. The closure of the crossing point meant that I was unable to meet my second supervisor, who is an Egyptian Professor. Besides, the research I am working on depends on the results of sample analysis in the Central Laboratory of Pesticides in Cairo. Such analysis cannot be done in the Gaza Strip due to the unavailability of specialized laboratories. As a result, my registration was extended for another semester to enable me to travel. However, I have not been able to travel so far. I am afraid that Rafah will continue to be closed, preventing me from traveling to Cairo and accomplishing my work on the research. This would make my efforts exerted through years of work in vain."

Escalation of Israeli Measures against Gaza's Students Denies Access to West Bank Universities

Israel's arbitrary measures aimed at preventing students from the Gaza Strip from studying at universities in the West Bank have continued. As a result, thousands of students have been prevented from travelling to the West Bank to pursue third level education. Equally, hundreds of students who had already begun studying in the West Bank, have been unable to return to resume their study. In a serious development, IOF have recently searched for the limited number of Gazan students in the West Bank, and expelled some of them to the Gaza Strip.

The percentage of Gazan students studying in the West Bank was as high as 26% before IOF began imposing restrictions; before 1994 more than 3,000 Gazan students were studying in West Bank universities.

In 1996, IOF started executing its policy against students. On 12 March 1996, IOF issued an order expelling all Gazan students who were in the West Bank before imposing a comprehensive closure on the Gaza Strip. IOF raided students' homes and arrested dozens of them. 32 students were transferred to (Erez) crossing in the northern Gaza Strip, where they were handed over to the Palestinian side. Due to these measures, more than 1,200 Gazan students were arbitrarily deprived of the right to continue their education at universities and institutions in the West Bank. In addition, all Gazan students, who had started studying in the West Bank universities, were prevented from traveling from the Gaza Strip to the West Bank to continue their study. As a result, the number of Gazan students wishing to study in the West Bank has significantly decreased. Their numbers did not exceed dozens.

In 2000, IOF again escalated restrictions on movement between the Gaza Strip and the West Bank, due to which, the number of Gazan students registered in the West Bank universities decreased once more. Hundreds of Gazan students, including dozens of MA students, studying in the West Bank were denied access to universities to continue their study.

In spite of IOF's claims of professed willingness to accommodate 'humanitarian cases', Gazan students, who entered Gaza during vacations, were prevented from traveling and were deprived of obtaining permits to return to their universities. These students may lose the whole year.

Figures from 2005 illustrate the extent of the problem, the number of Gazan students registered in Birzeit University stood at 30 students, while they exceeded 500 before 1994. These students faced many problems resulting from not being given permits to access to their universities. Some of them were forced to travel to Egypt and then to Jordan to have access to the West Bank.

In a new development, IOF have started searching for Gazan students in the West Bank, and detaining them. The students are then expelled to the Gaza Strip through Beit Hanoun (Erez) crossing.

On 28 October 2009, IOF deported Berlanti Jaris Boulus 'Azzam, 21, to the Gaza Strip. She was stopped and detained at a military checkpoint for many hours with the claim that she was illegally staying in the West Bank.

According to field investigations conducted by PCHR, at 13:00 on 28 October 2009, IOF stationed at the "Container" military checkpoint at the eastern Sawahrah intersection, on Wadi al-Nar road, in north of Bethlehem, arrested Berlanti 'Azzam while passing through the checkpoint. After checking her ID and noting that she is from Gaza, IOF interrogated her regarding the reason of her presence in the West Bank. After that, she was handcuffed, blindfolded and detained for about 8 hours. She was transferred first by a jeep, and then by an Israeli police car to Beit Hanoun (Erez) crossing. She was expelled to the Gaza Strip. She reached Gaza at midnight, on Thursday, 29 October 2009.

'Azzam stated via a phone call with a PCHR researcher after expelling her that she had stayed in Bethlehem since 2005. She was a business administration student at Bethlehem University. She was in the last semester and was due to graduate two months after her expulsion. She was informed that she was detained due to her "illegal presence" in the West Bank. She was then forced to sit on an iron bench near the checkpoint. At about 16:30, Berlanti suffered from low blood pressure and limbs relaxation due to non-access to food and fear. She was afraid from the fact of her detention and from the apparent uncertainty of her future. IOF offered her water only and asked her to move her limbs.

'Azzam said: "At about 20:00, a jeep carrying some female soldiers came. One of them started searching me and my bag before handcuffing my hands and blindfolding me with the scarf on my shoulders. I was transported in the jeep for about an hour and a half, and I was then moved to Israeli police vehicle. I was taken to the Gaza Strip border, where I was forcibly expelled through (Erez) crossing at about 23:00. IOF gave me my ID card and bag. I was then forced to enter the Gaza Strip. I reached home in Gaza City at midnight after I had called my family while I was at the crossing. 'Azzam indicated that during transferring her to the crossing the handcuffs got tightened as she was moving. Israeli female soldiers refused to loose them, and they were only removed at Erez crossing.

The administration of Bethlehem University, through its Director of Public Relations, Dina 'Awwad, confirmed what had been said by 'Azzam. 'Awwad indicated that IOF expelled 'Azzam to the Gaza Strip

despite the fact that "Gisha - Israeli Legal Center for Freedom of Movement" had intervened. Gisha was shocked by 'Azzam's expulsion, as the IOF had agreed to transfer her to "Netanya" detention center in order to meet Gisha's representatives to consider her case. 'Awwad highlighted to PCHR that Gisha had filed a petition challenging her expulsion to Israel's Supreme Court.

In an unprecedented step undertaken in response to an order issued by the Israeli Supreme Court, on 17 November 2009, IOF held a court session at Beit Hanoun (Erez) to consider the case of Berlanti 'Azzam. The Court held that IOF did not follow proper procedure and Berlanti was not given the chance to present her case.

'Azzam said to a PCHR researcher that her lawyer informed her of the session date and she went to attend it. Once there, she was subjected to interrogation on how she traveled to the West Bank, which was through an official permit issued by IOF. She added that IOF would inform the Supreme Court of their decision on 22 November 2009.

The administration of Bethlehem University condemned the measures taken by IOF, which denied Berlanti the opportunity to continue her education and to graduate. The administration called for allowing her to resume her study at the University. Besides, it considered what happened with Berlanti as a violation of the rights of freedom of movement and education.

Gazan Students' Deprivation of Access to Education Abroad Is Illegal

Depriving Palestinian students of their right to education constitutes a serious violation of human rights principles, as recognized in, *inter alia*, the International Bill of Human Rights and international humanitarian law. Every person has the right to education and "higher education shall be equally accessible to all on the basis of merit" according to article 26 of the Universal Declaration of Human Rights. Article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) recognizes every individual's right to education and that higher education shall be made equally accessible to all. Israel is a State Party to ICESCR, and is thus legally bound to ensure its implementation and application.

However, the total closure imposed on the OPT, and the Gaza Strip in particular, since the beginning of Al-Aqsa Intifada on 29 September 2000 has constituted a flagrant violation of Palestinians' right to education. Israel's unilateral Disengagement Plan has aggravated the impacts of this policy; students' right to join educational institutions has been violated. The suffering of students studying abroad has continued due to IOF's control of all the Gaza Strip's border crossings. Closing Rafah International Crossing Point for two and a half months following the implementation of the Disengagement Plan led to preventing thousands of students attending their universities abroad; as a result, they faced many problems regarding their studies. Hundreds of them were forced to postpone the semester and consequently their graduation. Moreover, many students lost their residencies revoked in the countries they were studying in because of their inability to leave the Gaza Strip. Gazan students typically obtain residency in the countries they are studying in conjunction with their university registration, which occurs at the beginning of each year. Residencies are also renewed at the beginning of every year.

Israel's Responsibilities under International Humanitarian Law and International Human Rights Law

As the Occupying Power, Israel is under a legal obligation to ensure the full spectrum of human rights in the oPt, including the right to education. Despite the implementation of the unilateral Disengagement Plan in September 2005, Israel remains the Occupying Power in the Gaza Strip; a legal reality recognized by the international community, including the UN Security Council. IOF still control the air, sea, borders and crossings of the Gaza Strip. According to international humanitarian law, occupation is measured consequent to the ability to exercise effective control. The reality shows IOF's complete control over the civilian population in the Gaza Strip and on all aspects of political, economic, and social life.

Since the beginning of Israeli occupation of the Gaza Strip and the West Bank, including Jerusalem, in 1967, the international community has recognized and asserted that Israeli forces are belligerent occupation forces and that the Palestinian lands are occupied territories. The Fourth Geneva Convention of 1949 is thus applicable to the Palestinian territory and IOF are obliged to abide by this Convention in the OPT. However, IOF have repeatedly violated the principles of the Convention, and international law in their general, in their administration of the OPT and their relationship with the protected Palestinian civilians. It is worth mentioning that international humanitarian law, especially the Fourth Geneva Convention, aims at providing protection to civilians in occupied territories.

The tightened siege imposed by Israel on the population of the Gaza Strip constitutes a form of collective punishment, which is prohibited under international law. Article 33 of the Fourth Geneva Convention provides: "No protected person may be punished for an offence he or she has not personally committed and reprisals against protected persons and their property are prohibited."

Article (12) of the International Covenant on Civil and Political Rights ensures the right to freedom of movement: "Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence and everyone shall be free to leave any country, including his own." All unjustified hostile actions contradict with the International Covenant on Economic, Social and Cultural Rights of 1966, Article 1 of which states: "In no case may a people be deprived of its own means of subsistence," while article 5 provides that: "Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights or freedoms recognized herein."

Conclusion and Recommendations

In light of the above, PCHR strongly condemns the total silence of the High Contracting Parties to the Fourth Geneva Convention of 1949 towards serious violations and war crimes perpetrated against Palestinian civilians in the OPT. PCHR reminds all High Contracting Parties that they are under an obligation to ensure respect for the Convention in all circumstances. PCHR:

1. Calls upon the international community to immediately act to stop the policy of collective punishment practiced by IOF against the civilian population in the Gaza Strip.
2. Calls upon the international community to pressurize Israel to lift the illegal siege and allow students stuck in the Gaza Strip to travel through Rafah International Crossing Point and Beit Hanoun crossing.
3. Calls upon the UN Security Council to immediately act to stop grave violations perpetrated by IOF against Palestinian civilians.
4. Calls for convening a conference of the High Contracting Parties to the Fourth Geneva Convention of 1949 to ensure Israel's respect for and commitment to the Convention.
5. Reminds the international community and occupation authorities that the Gaza Strip is still occupied, thus, IOF are legally and morally responsible for what happens in the Gaza Strip.
6. Confirms that the siege constitutes a violation of civil and political rights, as well as economic, social and cultural rights.