



PALESTINIAN CENTRE FOR HUMAN RIGHTS

Palestinian Medical Personnel

Between Fire and their Duty to Remove the Wounded and Sick
The Second Report on Israeli Attacks against Palestinian Medical
Personnel

11 April 2001 – 31 August 2002



The Palestinian Centre for Human Rights

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Preface

This report documents grave breaches, including war crimes, of the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 1949 perpetrated by Israeli occupying forces against medical personnel operating in the Occupied Palestinian Territories (OPT) between 11 April 2001 –1 August 2002.¹

During this period Israeli occupying forces invaded highly populated Palestinian areas, creating a humanitarian crisis, while at the same time restricting the access of medical personnel to patients in need of medical assistance, including those wounded by Israeli forces, in the areas under assault. The denial of access of humanitarian organizations that provide relief consignments and/or medical services, into areas affected by a humanitarian crises constitutes a violation of the Fourth Geneva Convention, further defined as a war crime in Additional Protocol I. Israeli war crimes in raided areas also included willful and extra-judicial killing of the Palestinian civilian population² and destruction of civilian property, both of which are prohibited under the Fourth Geneva Convention. On one occasion Israeli occupying forces denied ambulances access to those wounded in incursion operations for a 2 week period, causing an increase in fatalities among those injured by Israeli forces during these operations.

On Friday, 29 March 2002, more than 2000 tanks and armored personnel carriers, dozens of warplanes and combat helicopters and more than 60,000 well armed soldiers launched a full-scale offensive on Palestinian communities in the West Bank. Hundreds of Palestinians were killed or wounded, and many houses were destroyed. Israeli occupying forces also destroyed civilian facilities and infrastructure and attacked religious sites. In one instance Israeli forces imposed a siege on the Church of the Nativity for approximately 40 days. Furthermore, in violation of Palestinian cultural rights, Israeli forces carried out assaults against educational institutions and cultural centers in the OPTs.

In the Jenin refugee camp and the town of Nablus, Israeli occupying forces, acting on orders issued by the Israeli political and military establishments, including key governmental figures such as Chief of Staff Shaul Mofaz,³ perpetrated widespread violations of international humanitarian law, including war crimes. Astonishingly, the international community has remained silent towards Israeli abuses in the OPTs. The

¹ PCHR issued another report on Israeli attacks on medical personnel covering the period 29 September 2000 – 10 April 2001.

² Article 4 of the Fourth Geneva Convention defines protected persons as follows: "Persons protected by the Convention are those who, at a given moment and in any manner whatsoever, find themselves, in case of a conflict or occupation, in the hands of a Party to the conflict or Occupying Power of which they are not nationals... Persons protected by the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949, or by the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea of August 12, 1949, or by the Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949, shall not be considered as protected persons within the meaning of the present Convention."

³ Israeli Prime Minister Ariel Sharon stated on 5 March 2002: *"We should strike on Palestinians very painfully, and cause them losses and casualties to make them feel the high price."*

United States even went so far as to praise the Israeli government for its behavior; during this period President Bush described the Israeli Prime Minister Ariel Sharon as “a man of peace who makes justified acts to defend Israeli security.”

Introduction

For the first time since 1967, Israeli occupying forces have launched a full-scale war on the OPTs, including within Palestinian Authority controlled areas. On 28 March 2002, the Israeli government declared war against “terrorism,” yet failed to clarify this vague term any further. On the following day, more than 2000 tanks and armored personnel carriers, dozens of warplanes and combat helicopters and more than 60000 soldiers invaded Palestinian towns and villages in the West Bank.⁴ In this invasion Israeli occupying forces indiscriminately targeted the civilian population of the West Bank, killing many Palestinian civilians, including children, women and handicapped persons, and destroying houses and civilian property. The most aggressive offensive was against Jenin refugee camp and the old town of Nablus.

Israeli occupying forces have attacked and restricted movement of Palestinian and international medical personnel, causing a setback in medical services provided to more than 2.5 million Palestinians. In a flagrant violation of international humanitarian law, Israeli occupying forces have killed a number of Palestinian medical personnel and attacked hospitals, medical centers and ambulances. They have also prohibited entry of medical supplies into Palestinian areas.

PCHR has repeatedly warned of an escalation of attacks perpetrated by Israeli occupying forces against Palestinian medical staff in the OPTs.⁵ In an attempt to justify attacking medical personnel the Israeli political and military establishments have initiated a propaganda campaign aimed at discrediting Palestinian medical personnel and transports; claiming that they provide assistance for illegal activities, such as assisting Palestinian activists of the Intifada.

Over the period under study, Israeli occupying forces killed 8 Palestinian medical personnel and wounded more than 150 others. Consequently, the number of medical personnel killed by Israeli occupying forces since the beginning of the current Intifada has increased to 15 and the number of wounded medical staff has escalated to more than 250.⁶ In addition, Israeli occupying forces attacked a number of hospitals and medical centers, and have repeatedly fired on ambulances as these vehicles were transporting patients to medical centers for treatment.

Israeli forces also continue to deny access of Palestinians to medical care, predominantly by restricting the movement of ambulances through checkpoints. Under the current total siege of the OPTs, 47 Palestinian civilians, including pregnant women, have died at Israeli military checkpoints, as Israeli occupying forces

⁴ The Israeli government called the full-scale offensive on the West Bank “Operation Defensive Shield.” Israeli occupying forces have invaded the towns of Ramallah, Bethlehem, Nablus, Jenin, Tulkrum and Qalqilya and more than 40 villages. They have declared all these areas closed military zones and imposed curfews. They have prohibited movement of humanitarian crews, including medical personnel and the ICRC representatives.

⁵ See PCHR’s Palestinian Medical Personnel between Fire and Their Humanitarian Mission, 29 September 2000 – 11 April 2001.

⁶ This number includes only medical personnel who were killed while on duty. For instance, the number does not include Dr. Thabet Thabet who was assassinated by Israeli occupying forces on 31 December 2000, and Mahmoud Zahika who was killed by Israeli occupying forces on 18 May 2002.

prevented their evacuation to hospitals. In addition, more than 20 pregnant Palestinian women have given birth at Israeli military checkpoints.

The period under study witnessed more than 500 violations of the right to freedom of movement of medical personnel; causing a further deterioration in the health conditions of the OPTs and threatening the lives of many Palestinians in need of emergency medical care.

Since the beginning of the current Intifada, Israeli occupying forces have destroyed more than 30 Palestinian ambulances, including those belonging to the Palestinian Red Crescent Society, Ministry of Health, UNRWA and Union of Medical Relief Committees. The Palestinian Red Crescent Society has about 100 ambulances and 30 emergency centers in the West Bank and Gaza Strip. These ambulances have been subjected to more than 200 Israeli attacks, during which 66 ambulances have been damaged, including about 20 which were put out of service due to the severe damage sustained.

All of these attacks have occurred despite the fact that Palestinian medical personnel wear clearly marked uniforms which indicate their status as medical staff, and ambulances, hospitals and medical centers in the OPTs are clearly marked as health facilities.

In spite of these difficulties, Palestinian medical personnel have done their best to carry out their humanitarian mission in evacuating the wounded, patients with health problems and pregnant women to hospitals. Since the beginning of the current Intifada, 1585 Palestinians have been killed and more than 30000 others have been wounded by Israeli occupying forces. Most of the wounded have received medical treatment in ambulances and field medical units, as hospitals and medical centers are relatively far from the areas where clashes usually take place. The high number of casualties and injuries in the OPTs indicate the heavy burden on Palestinian medical personnel and resources. Presently, the need for health care in the OPTs exceeds the capacity of medical units.

In light of the continuous excessive use of force by Israeli occupying forces, PCHR calls on the international community to prevent Israeli violations of international humanitarian law, including attacks and restrictions placed on medical staff, and provide protection for Palestinian civilians in the OPTs.

International Human Rights Law and Humanitarian Law

International human rights law and humanitarian law provide protection for the rights of Palestinian civilians, both in times of peace and in times of conflict. According to the international humanitarian law, the civilian population, journalists, humanitarian staff and civil defense personnel are defined as “protected persons” under the Fourth Geneva Convention of 1949. Article 4(1) of the Convention provides that *“Persons protected by the Convention are those who, at a given moment and in any manner whatsoever, find themselves, in case of a conflict or occupation, in the hands of a Party to the conflict or Occupying Power of which they are not nationals.”* The Convention prohibits torture, coercion, collective penalties, reprisals, closures, taking of hostages, individual or mass forcible transfers, destruction of civilian property, transfers of the population of the occupying power to the occupied territory and land confiscation.

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 Territories. 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 get 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. These rights cannot be ensured if people are threatened by starvation or due to the lack of appropriate medical treatment.

International human rights instruments emphasize the necessity to ensure 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.”*

Article 8 of the International Covenant on Economic, Social and Cultural Rights⁷ Provides:

⁷ 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.

"1. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for:

(a) The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child;

(b) The improvement of all aspects of environmental and industrial hygiene;

(c) The prevention, treatment and control of epidemic, endemic, occupational and other diseases;

(d) The creation of conditions which would assure to all medical service and medical attention in the event of sickness."

Article 12 of the Convention on the Elimination of All Forms of Discrimination against Women provided:

"1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation."

Principle 4 of the Declaration of the Rights of the Child provides:

"The child shall enjoy the benefits of social security. He shall be entitled to grow and develop in health; to this end, special care and protection shall be provided both to him and to his mother, including adequate pre-natal and post-natal care. The child shall have the right to adequate nutrition, housing, recreation and medical services."

Article 24 of the Convention of the Rights of the Child provides:

"1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

(a) To diminish infant and child mortality;

(b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;

(c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

(d) To ensure appropriate pre-natal and post-natal health care for mothers;

(e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;

(f) To develop preventive health care, guidance for parents and family planning education and services.

3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries."

Article 8 (1) of the Declaration on the Right to Development provides:

" States should undertake, at the national level, all necessary measures for the realization of the right to development and shall ensure, inter alia, equality of opportunity for all in their access to basic resources, education, health services, food, housing, employment and the fair distribution of income. Effective measures should be undertaken to ensure that women have an active role in the development process. Appropriate economic and social reforms should be carried out with a view to eradicating all social injustices."

Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination provides:

"In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, color, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

...(e) Economic, social and cultural rights, in particular:

... (iv) The right to public health, medical care, social security and social services...

Part II of the Declaration on Social Progress and Development provides:

"Social progress and development shall aim at the continuous raising of the material and spiritual standards of living of all members of society, with respect for and in compliance with human rights and fundamental freedoms, through the attainment of the following main goals:

Article 10:

(a) The assurance at all levels of the right to work and the right of everyone to form trade unions and workers' associations and to bargain collectively; promotion of full productive employment and elimination of unemployment and under-employment; establishment of equitable and favorable conditions of work for all, including the improvement of health and safety conditions...

(b) The elimination of hunger and malnutrition and the guarantee of the right to proper nutrition..."

Article 6 of the Declaration on the Protection of Women and Children in Emergency and Armed Conflict provides:

"Women and children belonging to the civilian population and finding themselves in circumstances of emergency and armed conflict in the struggle for peace, self-determination, national liberation and independence, or who live in occupied territories, shall not be deprived of shelter, food, medical aid or other inalienable rights, in accordance with the provisions of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Declaration of the Rights of the Child or other instruments of international law."

The military operations carried out by Israeli occupying forces against Palestinian civilians in the Occupied Palestinian Territories constitute grave breaches of the Fourth Geneva Convention of 1949. Israeli attacks against Palestinian medical personnel and transports and restrictions places on the movement of medical units that result in civilian deaths due to lack of medical care constitute unlawful killings, categorized as grave breaches under article 146 and 147 of the Fourth Geneva Convention.⁸ They also violate the right to life, freedom and security ensured by the International Covenant on Civil and Political Rights.

⁸ Article 146 of the Fourth Geneva Convention of 1949 provided: "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."

Articles 14 through 23 of the Fourth Geneva Convention obligates parties to the conflict to create hospital and safety zones to protect the sick and injured, and civilians not involved in the hostilities from the dangers of war. These articles also prohibit attacks on hospitals established to provide medical treatment for the wounded and sick. 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, shall be respected and protected."* Article 23 of the Convention provides that *"each High Contracting Party shall allow the free passage of all consignments of medical and hospital stores."* The Additional Protocol to the Geneva Conventions of 12 August 1949, relating to the Protection of Victims of International Armed Conflicts (Protocol 1) provides protection for medical personnel and obligates the parties to the conflict to allow the removal of the wounded in the areas of hostilities.⁹

The Definition of Medical Personnel

It is important to define medical personnel to ensure their protection and free passage in the removal of victims, whether killed, wounded or sick.

The Protocol Additional to the Geneva Conventions of 12 August 1949, Relating to the Protection of Victims of International Armed Conflicts, defines medical personnel. Article 8 - Section 1 - Part II provides:

For the purposes of this Protocol:

...

(c) *"Medical personnel" means those persons assigned, by a party to the conflict, exclusively to the medical purposes enumerated under sub-paragraph (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;*

⁹ The Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol 1), adopted on 8 June 1977, defines its scope of application to the situations included in the common article 2 of the Geneva Conventions of 1949. Article 1(4) of Protocol 1 provides: *"The situations referred to in the preceding paragraph include armed conflicts in which peoples are fighting against colonial domination and alien occupation and against racist regimes in the exercise of their right of self-determination, as enshrined in the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations."* See the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts, Part 1.

(iii) *Medical personnel of medical units or medical transports describes in Article 9, paragraph 2;*

(d) *“Religious personnel” means military or civilian persons, such as complains, who are exclusively engaged in the work of their ministry and attached:*

(i) *To the armed forces of a party to the conflict;*

(ii) *To medical units or medical transports of a party to the conflict;*

(iii) *To medical units or medical transports described in Article 9, paragraph 2; or*

(iv) *To civil defense organizations of a party to the conflict.*

The attachment of religious personnel may be either permanent or temporary, and the relevant provisions mentioned under sub-paragraph (k) apply to them;

(e) *“Medical units” means establishments and other units, whether military or civilian, organized for medical purposes, namely the search for, collection, transportation, diagnosis or treatment – including first-aid – of the wounded, sick and shipwrecked, or for the prevention of disease. The term includes, for example, hospitals and other similar units, blood transfusion centers, preventive medicine centers and institutes, medical depots and the medical and pharmaceutical stores of such units. Medical units may be fixed or mobile, permanent or temporary;*

(f) *“Medical transportation” means the conveyance by land, water or air of the wounded, sick, shipwrecked, medical personnel, religious personnel, medical equipment or medical supplies protected by the Conventions and by this Protocol;*

(g) *“Medical transports” means 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;*

(h) *“Medical vehicles” means any medical transports by land;*

(i) *“Medical ships and craft” means any medical transports by water;*

(j) *“Medical aircraft” means any medical transports by air;*

(k) *“Permanent medical personnel”, “permanent medical units” and “permanent medical transports” means those assigned exclusively to medical purposes for indeterminate period. “Temporary medical personnel”, “temporary medical units” and “temporary medical transports” mean those devoted exclusively to medical purposes for limited periods. Unless otherwise specified, the terms “medical personnel”, “medical units” and “medical transports cover both permanent and temporary categories;*

(l) *“Distinctive emblem” means a distinctive emblem of the red cross, red crescent or red lion and sun on a white ground when used for the protection of medical units and transports, or medical and religious personnel, equipment or supplies;*

(m) *“Distinctive signal” means any signal or message specified for the identification exclusively of medical units or transports in Chapter III of Annex I of this Protocol.*

Israeli Policies in the OPT

Israeli occupying forces have escalated the excessive and disproportionate use of force in the OPTs. Israeli practices on the ground indicate that the Israeli government has issued orders to its occupying forces to commit illegal acts, including the indiscriminate use of force against Palestinian civilians, which has resulted in many civilian deaths. For example, on 8 March 2002, 20 Palestinians, including 12 civilians, were killed by Israeli occupying forces in the Gaza Strip in less than 5 hours.¹⁰

During the clashes between Israeli occupying forces and Palestinian civilians, these forces have attacked Palestinian medical personnel and vehicles, in violation of international humanitarian law, apparently in an attempt to prevent them from carrying out their humanitarian mission. A number of Palestinian medical personnel have been killed and others have been wounded. Israeli occupying authorities have not investigated any of these attacks.

Israeli occupying forces have also attacked Palestinian ambulances, hospitals and medical centers in the West Bank and Gaza Strip, using heavy weapons, destroying or damaging some of them.

Violation of the Right to Life and Personal Security of Palestinian Medical Personnel

The rights to life, freedom and personal security are ensured by international humanitarian and human rights law. Article 3 of the Universal Declaration of Human Rights provides that "*everyone has the right to life, liberty and security of person.*" Article 6 of the International Covenant on Civil and Political Rights provides: "*Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life...*"¹¹ The Fourth Geneva Convention of 1949 prohibits violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture against protected persons.

Israeli occupying forces have attacked Palestinian medical personnel and violated their right to carry out their humanitarian mission of offering help to the wounded and

¹⁰ On 8 March 2002, Israeli tanks moved into Khuza'a village, east of Khan Yunis. They seized control over the main road and a number of houses. They opened fire at Palestinians indiscriminately. As a result, 16 Palestinians were killed and dozens of others were wounded. Israeli occupying forces denied access of ambulances to the area. At the same time, Israeli gunboats and helicopter gun-ships attacked a Palestinian police station in the northern Gaza Strip, killing two policemen, a paramedic and a civilian. In addition, 4 policemen were seriously wounded.

¹¹ Israel ratified and became a party to the International Covenant on Civil and Political Rights on 3 October 1991, which entered into force on 3 January 1992. Under the Covenant, Israel is obligated to respect the rights included therein of the Palestinian population in the Occupied Palestinian Territories, as most of these territories are under Israeli jurisdiction according to the Interim Agreement signed between Israel and Palestine Liberation Organization.

sick. They also prevented the removal of the dead whether civilians or militants, an act that constitutes a war crime under the Fourth Geneva Convention of 1949. Israeli occupying forces have ignored the complaints of the Palestine Red Crescent Society and many international medical organizations. They have even escalated their attacks on Palestinian medical personnel.

Israeli occupying forces have unlawfully attacked Palestinian civilians without making a distinction between militants and civilians. At the same time, they have attacked medical personnel attempting to give medical attention to civilians wounded by these indiscriminate attacks. This policy seems to be intended to deter medical personnel from providing medical services in areas of conflict. During the full scale offensive Israeli forces waged against the West Bank in April 2002, Israeli occupying forces prevented Palestinian medical personnel from providing any medical services within the Jenin refugee camp and the towns of Nablus, Ramallah, Bethlehem, Qalqilya, Tulkarm and Hebron.

Despite these attacks and a shortage of medical equipment, Palestinian medical personnel still attempt to provide medical services wherever possible. Attacks on Palestinian medical personnel by Israeli occupying forces have escalated since the beginning of the current Intifada, these attacks now occur on a regular basis, an indication that medical personnel are being specifically targeted by Israeli occupying forces.

Killings of Medical Personnel

During the period under study, 8 Palestinian medical personnel were killed by Israeli occupying forces. The Israeli attacks on Palestinian medical personnel peaked in March 2002, as 5 medical personnel were killed in 3 days, 3 of whom were killed on one day. Two physicians, two pharmacists, an ambulance driver and three paramedics were killed by Israeli occupying forces while attempting to treat wounded and sick civilians. According to international humanitarian law, attacks on medical personnel are illegal at all times and in all circumstances.

On 30 August 2001, a Palestinian physician was killed in Hebron by an Israeli heavy caliber bullet that entered the abdomen and exited the back. On 15 September 2001, a Palestinian paramedic was killed by an Israeli artillery shell in Beit Sahour. On 6 October 2001, a Palestinian pharmacist was killed by an Israeli heavy caliber bullet in the head in Hebron. In March 2002, a physician, a pharmacist, two paramedics and an ambulance driver were killed by Israeli occupying forces in separated incidents.

PCHR has investigated the cases of fatalities among Palestinian medical personnel cited above:

❖ Physician Killed in Hebron

On Thursday, 30 August 2001, Israeli occupying forces intensely shelled Palestinian residential areas at the center of Hebron. Mousa Safi Qudeihat, 50, a physician from Kharas village near Hebron, was killed by a heavy caliber bullet that entered the

abdomen and exited the back. Qudeihat was crossing a street on his way to the offices of the Ministry of Health when he was shot dead by Israeli occupying soldiers.

❖ **A Paramedic of the Civil Defense Killed by an Artillery Shell**

At approximately 22:30 on Saturday, 15 September 2001, Israeli occupying forces shelled al-Eskan and Karkaba neighborhoods, the tourist village and the Christian Youth Society Street at the center of Beit Sahour. At approximately 22:45 an ambulance of the Palestinian Civil Defense was fired at by Israeli forces from a distance of approximately 1200m, while its personnel were offering medical help to people in the northeast of Beit Sahour. When paramedics were able to get out of the vehicle, an artillery shell hit one of Yahia Nasser Hassan al-Sayah, 21, from Beit Lahia in the northern Gaza Strip, killing him instantly. Two other paramedics were wounded:

1. Mohammed Ibrahim 'Aayesh Joudeh, 24, from Bethlehem, injured by shrapnel throughout the body; and
2. Mu'taz Mohammed 'Eissa, from Beit Sahour, injured by shrapnel throughout the body.

In addition, the ambulance and another ambulance of Palestine Red Crescent Society were severely damaged.

❖ **A Pharmacist Killed in Hebron**

At approximately 16:45 on Saturday, 6 October 2001, Israeli occupying forces, positioned in al-Takroui, Qubbat Janeb, Tal al-Rumeida, Jabal Juneid, Jabal al-Rahma and Khellat Hadour neighborhoods, which were reoccupied on the previous day, shelled Palestinian houses in Wadi al-Haria, Abu Sneineh, al-Sheikh and Bab al-Zawia neighborhoods. Hamza Ibrahim Salem al-Qawasmi, 23, was killed by a heavy caliber bullet in the head near his house in al-Sheikh neighborhood. Amjad Ibrahim Mohammed al-Asmar al-Qawasmi, 24, a pharmacist, was killed by shrapnel from heavy caliber bullets while he was on his way to inform a family of the death of a relative. Six other civilians were also wounded in the incident

❖ **The Killing of the Director of an Ambulance Station in Jenin**

At approximately 14:00 on Monday, 4 March 2002, Dr. Khalil Mahmoud Suleiman, age 58, director of Palestine Red Crescent Society (PRCS) Ambulance Station in Jenin, was killed when the ambulance he was riding in while evacuating an injured young girl in the Jenin refugee camp was directly hit by an Israeli tank shell. Three other paramedics who were accompanying Suleiman were wounded. The situation further deteriorated when Israeli occupying forces opened fire at another ambulance that came to offer help to the medical personnel of the first ambulance. The three paramedics of the second ambulance were also wounded. PRCS ambulances had been under fire all morning while attempting to provide emergency medical care to victims of the Israeli invasion in the area. In a press release issued on the same day,

PRCS condemned this attack on its staff and ambulances. It also reiterated its commitment to provide humanitarian aid and emergency care to all in need.

The wounded were:

1. Taher Mohammed al-Sanouri, 25, a volunteer, seriously wounded by a live bullet in the side;
2. Mahmoud Ibrahim al-Sa'di, 28, wounded by a live bullet in the back;
3. Mohammed Nasser al-Jamal, 32, seriously wounded by shrapnel in the head;
4. Mohammed al-'Ayah, wounded by shrapnel throughout the body;
5. Ibrahim Yassin, wounded by shrapnel throughout the body; and
6. Maher Bisharat, wounded by shrapnel throughout the body.

❖ **An UNRWA Ambulance Driver Killed by Israeli Gunfire**

At approximately 18:00 on Thursday, 7 March 2002, an Israeli tank at the western entrance to Tulkarm opened fire at an UNRWA ambulance, which was traveling approximately 100m away. An ambulance officer, Kamal 'Abdel-Rahman Salem, 35, from Tulkarm refugee camp, was killed by a heavy caliber bullet in the abdomen.

❖ **Another Victim in Tulkram**

At 18:30 on Thursday, 7 March 2002, three PRCS ambulances and one UN ambulance responded (from their station in central Tulkarm) to calls for assistance of injured personnel and obtaining necessary clearance through ICRC and Israeli army channels. All ambulances had sirens and lights on. Within minutes, the army fired at two PRCS ambulances approximately 500m next to their station, killing its driver Ibrahim Mohammed As'ad, 38, from Nour Shams refugee camp, and injuring 2 medics, Safiyah Balbisi, 24, and Mahmoud Bahjawi. Reports indicate that As'ad was shot twice, one in the hand, while he was in the ambulance, and another time in the head as he exited the vehicle. A few minutes later, an Israeli soldier shot Dr. Nabhan Jallad, 51, in the leg while he was inside an ambulance.

❖ **Four Palestinians, Including an Ambulance Officer, Killed by a Missile**

At approximately 01:00 on Friday, 8 March 2002, Israeli gunboats and combat helicopters bombarded an outpost used by the Palestinian Naval Police in al-Sudaniyeh area, near Gaza city. The shelling lasted until 03:00, killing four people, including a paramedic, Sa'id Yusef Shalayel, 26, from Jabalya, and wounding four, including a paramedic.

In his testimony to PCHR, Mohammed Ghazi Mohammed al-Hissi, from Khan Yunis, a paramedic of Palestine Red Crescent Society, said:

“At approximately 01:00 on Friday, 8 March 2002, I and my colleague Ghazi 'Akkila, an ambulance driver of the Palestine Red Crescent Society, moved towards al-Sudania area at the sea coast, west of Jabalya, as we were instructed by our ambulance station

that there were casualties in a Palestinian police station that was shelled by Israeli occupying forces. When we arrived at the area, we saw some other ambulances. There was no shooting or shelling at that time. I got out of the ambulance and started searching in an alternative police station that was used in cases of Israeli shelling for persons who may have been injured. There, I met with Sa'id Shalayel, a paramedic of the Palestinian Military Medical Service. We conducted the search together. A young man, resident of the area, volunteered to help us. Then, we went to the station that had been shelled and searched it for 10 minutes, but did not find any casualties. Soon, I heard sounds of helicopters flying over the area, so we decided to leave the area. As soon as we moved, a heavy explosion occurred behind us, apparently caused by a missile launched by helicopters. I fell onto the ground and felt severe pains in my back and legs. I realized that I was injured by shrapnel from the missile. I tried to move, but I could not do. I looked at Shalayel, who was nearly 1m away from me, and noticed that he was seriously injured. The volunteer was also injured. The two were motionless, so I assumed that they were dead. I cried, but no one heard me. A few minutes later, I heard Shalayel's mobile phone ringing. I answered the caller, who was Shalayel's colleague, and told him that he died. Then, I phoned my ambulance station and informed them about what had happened. I remained bleeding for approximately 40 minutes. I almost collapsed, but I heard people coming to the area, so I cried for help. Four young men came close to me and tried to put me on a stretcher that was near me. Soon, we were fired at from the direction of the sea. Israeli gunboats fired at us. The four young men lay on the ground, and one of them was apparently injured. An ambulance arrived at the area and evacuated me to Shifa' Hospital in Gaza, where I was put into the intensive care unit until Tuesday, 12 March 2002. Then, I was moved to al-Quds Hospital of Palestine Red Crescent Society. I knew that I was seriously injured by shrapnel throughout the body, especially in the back, arms and legs. I knew also that Sa'id Shalayel was killed as the missile hit him directly."

❖ Director of a Hospital in Bethlehem Killed

At approximately 12:45 on Friday, 8 March 2002, an Israeli tank shot dead Dr. Ahmed Nu'man 'Othman Subeih, 42, from Al-Kahder village in Bethlehem, director of al-Yamama Hospital, at close range. Dr. Subeih had just exited the hospital when he was shot. The attack was carried out despite the fact that Dr. Subeih had notified and coordinated the transport of medicines and his movements with the Israeli authorities.

In his testimony to the Palestinian Society for the Protection of Human Rights and the Environment (LAW), the physician who made contacts to ensure the safe travel of Dr. Subeih to al-Yamama Hospital, said:

"After Israeli occupying forces had invaded Bethlehem and its suburbs on Friday morning, 8 March 2002, Israeli tanks surrounded al-Yamama Hospital at the main road between Bethlehem and al-Duhaisha refugee camp. They denied the access of ambulances and medical personnel to the hospital. As a result, the hospital faced difficulties as medical personnel were not able to reach it, and there was a shortage of medicines and food supplies. So, I phoned Dr. Subeih and informed him about this situation. As he was not able to reach the hospital due to curfew imposed on the area

and the siege imposed on the hospital, I called the ICRC in order to coordinate with the Israeli side the travel of Dr. Subeih to the hospital. Later, a representative of the ICRC told us that the movement of Dr. Subeih was coordinated with the Israeli side. At approximately 10:00, the Israeli side told me that Dr. Subeih must wear a white shirt and must not carry anything and that I must wait for him at the entrance of the hospital in a medical uniform. At approximately 12:00, Dr. Subeih left his house on the way to the hospital. He spent a few minutes there, during which he assessed the needs of the hospital. When he decided to go out to bring our supplies in, I called the Israeli side to check if the coordination for his movement was still in effect. The Israeli side pledged to ensure his safety during his movement in the area. So, Dr. Subeih traveled in his car towards Bethlehem. Less than two minutes later, the physician who accompanied Dr. Subeih came back to the hospital. He told us that they were fired at by Israeli tanks positioned on the main road. I called the Israeli side again. They said that they would check what happened and that Dr. Subeih could move freely. At approximately 12:10, Dr. Subeih traveled in the same direction. Less than two minutes later, we heard sounds of intense gunfire. We were worried, so we phoned Dr. Subeih, but he did not reply. I also phoned the paramedic, to whom Dr. Subeih was supposed to go. He told me that Dr. Subeih did not come. Immediately, I phoned the Israeli side and told them about what happened. Then, they informed us that an ambulance would go towards the affected area. I and two of my colleagues went to the area. We saw Dr. Subeih's car approximately 500m away from the hospital. Its doors were open and destroyed. Then, we saw a vehicle of Palestine Red Crescent Society taking him towards Bethlehem. An Israeli tank was parked near Dr. Subeih's car. I phoned al-Hussein Hospital in Beit Jala and the Palestine Red Crescent Society. They informed us that Dr. Subeih was shot dead by several live bullets in the head and the chest."

Dozens of Wounded Palestinian Medical Personnel

Over the period under study, more than 150 medical personnel were wounded by Israeli occupying forces, some by heavy and medium caliber bullets and tanks shells, and others were severely beaten by Israeli soldiers. Dozens of medical personnel are severely disabled from serious wounds they sustained by Israeli occupying forces. Most of them sustained wounds in the upper part of the body. Almost all of these medical personnel were wounded while on duty.

Israeli occupying forces carried out attacks on Palestinian medical personnel while they were wearing clearly marked medical uniforms. Furthermore, all movements of Palestinian medical personnel are coordinated in advance through the ICRC. Despite calls by international organizations, including the ICRC, UNRWA and human rights organizations, Israeli occupying forces have failed to respect the principles of the Fourth Geneva Convention and allow medical personnel to carry out their humanitarian mission.

Israeli attacks against Palestinian medical personnel violate international human rights law and humanitarian law. Impacts of such attacks are not limited to medical personnel, but also affect the rights of the wounded and sick. The inability of Palestinian medical personnel to move freely and quickly has resulted in dozens of deaths among sick and wounded civilians. More than 120 medical personnel of the

largest institution that provides medical services to the Palestinian people in the OPTs, the Palestine Red Crescent Society, approximately 40% of its staff, have been wounded by Israeli occupying forces, which has negatively affected its work.

Following are details of some cases, in which Palestinian medical personnel were wounded:

- At approximately 11:10 on 7 May 2001, Israeli occupying forces in military locations west of Khan Yunis suddenly and unjustifiably began firing artillery shells at Palestinian residential neighborhoods in Khan Yunis. The shelling lasted for 50 minutes, during which time 30 artillery shells fell onto al-Satar Al-Gharbi area, to the west of Khan Yunis refugee camp and al-Nimsawi and al-Amal neighborhoods. A 4-month-old infant, Iman Mohammed Hijju, was killed while in the arms of her mother. An artillery shell exploded near a PRCS ambulance, wounding its driver Hamed 'Abdul Karim Abu Qouta, 51, from Khan Yunis refugee camp. The ambulance was also severely damaged.
- On 16 May 2001, 3 members of the staff of Palestine Red Crescent Society moved to evacuate a patient from Nablus to Ramallah. When the ambulance arrived at an Israeli military checkpoint near Hawara village, south of Nablus, Israeli soldiers stopped it and insulted the medical personnel. When the driver told the soldiers that the ambulance was on its way to evacuate a patient from Nablus to Ramallah, they beat him. Israeli soldiers forced the medical personnel out of the ambulance and confiscated their identity cards and the ambulance telephone. They also beat the driver and threatened to shoot him. Half an hour later, Israeli soldiers forced the medical personnel to get all medicines and medical equipment out of the ambulance and searched it. Throughout the 3 hours, Israeli soldiers insulted the medical personnel. Then, Israeli soldiers ordered the medical personnel to leave the area without the driver, however, they refused to do so. A representative of the ICRC arrived at the area and intervened to release the ambulance driver. After Israeli soldiers released the driver, he was evacuated to a hospital to receive treatment for a fracture in the left hand he sustained during the incident.
- At approximately 15:00 on 25 May 2001, Israeli occupying forces, positioned at the border of Egypt south of Rafah, shelled Palestinian houses adjacent to the border in Block L area in Rafah refugee camp. Eight Palestinians, including 5 children and an ambulance driver, were wounded by shrapnel. An artillery shell fell near a PRCS ambulance damaging it. The driver, Khalil Rajeh Subeh, 35, was wounded by shrapnel in the head.
- On 30 May 2001, Israeli occupying forces, positioned at the border of Egypt south of Rafah, shelled Palestinian houses adjacent to the border in Block J area in Rafah refugee camp. As a result, 22 Palestinian civilians, including 9 children and an UNRWA ambulance driver, Hamed Subhi al-Hams, 42, from Rafah, were wounded.
- At approximately 13:15 on 15 June 2001, a peaceful march moved from the center of Halhoul town, north of Hebron, towards the northern entrance of the town. Palestinian civilians removed a sand barrier established by Israeli occupying forces

to close the main road leading to their town. Israeli soldiers fired at these civilians, wounding seven of them, including two paramedics:

1. Ra'fat Isma'il Abu Rayan, 20, from Halhoul, a paramedic of the Palestinian Union of Medical Relief Committees, wounded by a rubber-coated metal bullet in the left foot; and
 2. Ussama Rashad Shweiki, 32, from Hebron, a paramedic of PRCS, wounded by a rubber-coated metal bullet in the left leg.
- At approximately 07:00 on 28 June 2001, Israeli soldiers beat Khaled 'Abdul Hamid Hassan al-Tamimi, 45, a physician from Deir Nizham village northwest of Ramallah, and prevented him from traveling to Ramallah Hospital. Al-Tamimi was waiting at the main road for a taxi to travel to Ramallah Hospital, after Israeli occupying forces had denied the entry of a hospital car into the village. Then, an Israeli military jeep stopped near him. Two Israeli soldiers got out of the jeep. One of them asked al-Tamimi for his identity card and inquired about the reason for his staying in the area. The second soldier beat him. The soldier continued to beat him after he fell to the ground. Al-Tamimi sustained bruises in the back and the abdomen.
 - At approximately 14:30 on 29 August 2001, Israeli occupying forces positioned at the center of Hebron and at bypass road (35) shelled some Palestinian neighborhoods in the town, including Abu Sneina, Qubbat Janeb, Bab al-Zawia, al-Sheikh, Wadi al-Tuffah, 'Ein 'Arab, Qarn al-Thawr, 'Ein Kheir al-Din and 'Ein Sarah neighborhoods. The shelling lasted for approximately 7 hours, during which 'Abbouda Kamel 'Ateya Dababsa, 35, from Tarqoumia village near Hebron, a first lieutenant of the Palestinian Presidential Guard (Force 17), was killed by a medium caliber bullet in the head. Dababsa was traveling with some of his colleagues in a civilian car. In addition, 19 Palestinian civilians, including Akram Nasser al-Din, 55, a physician, were wounded by shrapnel.
 - At approximately 02:45 on 20 October 2001, Israeli occupying forces, reinforced with heavy military vehicles, encroached into Tulkarm, under the cover of intensive shelling that targeted Palestinian residential areas in the city. Two Palestinian civilians were killed by shrapnel from artillery shells, and 5 others were wounded, including 17-year-old Ahmed Mohammed Qaderi, from Qalqilya, a PRCS volunteer paramedic, who was wounded by a live bullet in the abdomen.
 - On the same day, more than 50 Palestinian civilians were wounded by live bullets and shrapnel from artillery shells fired by Israeli occupying forces in Bethlehem. Among the wounded was Yasser Masha'al, 30, who was wounded by a live bullet in the abdomen at 16:30. The UNRWA ambulance he was driving was severely damaged. Among the wounded was also Maher Abu Louha, a medic who was wounded at 17:00 while offering medical care to the wounded.
 - At approximately 17:35 on 21 October 2001, Fawzi 'Eissa Abu Hulayel al-Masalma, 28, from al-Douha village, west of Bethlehem, an officer of the Palestinian Military Intelligence Service, was killed by shrapnel from an artillery shell fired by Israeli occupying forces at al-Hussein Hospital in Beit Jala, while he

was on duty. In the same incident, Amjad 'Aadel 'Omeir, 24, a nurse in the hospital, was wounded by a live bullet in the right thigh.

- On 7 December 2001, an Israeli tank fired a sound bomb at an ambulance of Palestine Red Crescent Society at the entrance of Jenin. Two medical personnel temporarily lost their ability to hear, and the ambulance was damaged. The ambulance was on its way from Jenin to 'Arraba village, south of the town. Israeli soldiers stopped and searched it. Then, they ordered the driver to move the ambulance. As the ambulance began to leave they fired a sound bomb at the vehicle.
- At approximately 15:30 on 2 January 2002, Israeli occupying forces fired sound bombs at a number of demonstrators, including members of International Solidarity Movement, near al-Ram military checkpoint. A paramedic, Nasser Mohammed Jamjoum, 38, from Ramallah, sustained burns in the back as he was hit by a sound bomb.
- At approximately 14:00 on 21 January 2002, Israeli occupying forces opened fire at Palestinian civilians in al-Tira area in the west of Ramallah. A Palestinian security man was killed and 4 civilians were wounded. In addition, Firas Ayoub Samara, 23, a paramedic of the PRCS, was wounded by a live bullet in the right leg while on duty.
- On 21 March 2002, Israeli occupying forces fired an artillery shell at a PRCS ambulance while it was evacuating the wounded as a result of an Israeli incursion into al-Brazil neighborhood in Rafah. The ambulance was severely damaged, but no casualties were reported among its crew.
- At approximately 10:00 on 21 April 2002, Israeli occupying forces at Qalandya roadblock, north of occupied Jerusalem, fired at an ambulance of Khaled Hospital in Ramallah. The ambulance was hit by several live bullets. The driver and a patient were wounded by shards of glass.
- At approximately 20:30 on 15 June 2002, a PRCS ambulance traveled to al-Shaimaa' area in the north of Beit Lahia in the northern Gaza Strip, after PRCS received information that the area was being shelled by Israeli occupying forces. When the ambulance arrived at the area, Israeli soldiers on a tank opened fire at the ambulance. The driver Mu'in Khalil Abu al-'Eish, 37, was injured by shards of glass after a live bullet hit the windshield of the ambulance.
- At approximately 08:00 on 4 August 2002, an Israeli settler threw a threw stone at a Palestinian ambulance that was evacuating a patient to Ramallah Hospital. The ambulance was damaged and its medical personnel, Na'im Anis and Ma'ath Bisharat, were injured.

Cruel, Inhuman and Degrading Treatment

Israeli occupying forces have attacked, and have encouraged attacks by settlers on Palestinian medical personnel despite the protection these forces must provide for medical personnel in accordance with international humanitarian law. No

investigation has been initiated by Israeli occupying forces in any single case that involved beating and cruel, inhuman and degrading treatment of Palestinian medical personnel by these forces and Jewish settlers. As a result of these practices, many Palestinian medical personnel have been wounded, their work obstructed and the evacuation of the wounded and sick to hospitals has been delayed.

- On 5 January 2002, Israeli occupying forces kidnapped a wounded Palestinian while being moved from Jenin to Ramallah. Majed Mohammed Sa'id El-Sa'di, 25, was seriously wounded by four live bullets in the legs when Palestinian security services were attempting to arrest a number of Islamic Jihad activists on 4 January. El-Sa'di was not among these activists. Because he was in serious condition, physicians at Jenin Hospital decided to transfer him to Ramallah Hospital. Since it was difficult to transfer him directly to Ramallah, he was moved by an ambulance of the Palestine Red Crescent Society to Nablus. When the ambulance returned to Jenin, Israeli occupation forces detained its crew for three hours and asked where El-Sa'di was. Israeli forces then pursued the ambulance that was evacuating El-Sa'di from Nablus to Ramallah. They detained its crew and took El-Sa'di in an Israeli ambulance to an unknown destination.
- On 29 January 2002, Israeli occupying soldiers at Hawara military checkpoint, south of Nablus, beat and arrested a physician and an ambulance driver. They took the physician to "Uranit" settlement near Qalqilya, where they interrogated him until the evening, while the ambulance driver was taken to an unknown destination. According to information available to PCHR, at approximately 07:30, 'Abdul Karim 'Ali Hamad 'Abdullah, 46, from Kufor al-Dik village in Salfi, was on his way to his work in Rafidya Hospital in Nablus. Israeli soldiers at Hawara military checkpoint stopped him. They checked his identity and refused him travel through the checkpoint. While he was on his way back, an ambulance passed by him. The driver, Ahmed al-Aza'ar, 25, from Qabalan village, invited him to get into the ambulance. They traveled towards the checkpoint again. When Israeli soldiers saw 'Abdullah, they forced him get out of the ambulance and handcuffed him. They searched the ambulance. At approximately 10:00, an Israeli officer came and untied 'Abdullah's hands. 'Abdullah was taken to a tent near the checkpoint, where he remained until 10:30, when he was taken in a military jeep to a place he did not know. He was put into a room, where he remained until 13:00. An Israeli officer interrogated him about his work. At approximately 15:00, another interrogator came and interrogated him until 17:00, when he was released. 'Abdullah was forced to walk until he reached a military checkpoint near Kufor Qassem village. He traveled in an Israeli taxi towards the entrance of his village. The ambulance driver remained in custody in an unknown place.
- On 22 March 2002, Israeli occupying forces raided Mohammed 'Ali al-Muhtasseb hospital in Hebron, and severely beat its medical director.
- On 30 March 2002, Israeli occupying forces positioned near the Arab Bank stopped two ambulances from the Palestine Red Crescent Society and Ministry of Health. They forced medical personnel to get out of the ambulances. Then, they confiscated the keys of the ambulances and released the medical personnel.

- On 28 June 2002, Israeli occupying forces that were surrounding the Ramallah and Sheikh Zayed hospitals in Ramallah, searched 7 Palestinian ambulances. They checked the medics and patients. Israeli soldiers also obstructed the passage of an ambulance that was evacuating a patient.
- On 2 July 2002, Israeli soldiers forced a paramedic of Palestinian Red Crescent Society, Munther Nazzal, from Qalqilya, to wait for several hours at an Israeli military checkpoint near Deir Sharaf village. Nazzal and other medical personnel were forced to get out of the ambulance and stand under the sun. Nazzal sustained a sunstroke. When he was released, he evacuated a patient to hospital, but he then stopped in Jainsafout village and called for another ambulance as he felt sick. He was evacuated to a hospital in Nablus. According to sources at the Palestine Red Crescent Society, Nazzal and the other medical personnel who accompanied him were traveling to their homes when they were stopped by Israeli soldiers, who searched the ambulance, beat the medical personnel, including Nazzal, and then detained them for half an hour.

Arrests and Detention of Palestinian Medical Personnel by Israeli Occupying Forces

Over the period under study, Israeli occupying forces arrested dozens of Palestinian medical personnel in an attempt to prevent them from carrying out their humanitarian mission. These medical personnel were arrested while working in the field or during raids on hospitals and medical centers conducted by Israeli occupying forces.

Following are cases of arrests and detentions of Palestinian medical personnel by Israeli occupying forces over the period under study:

- On 18 March 2002, Israeli occupying forces detained medical personnel of the Palestine Red Crescent Society when they moved into the al-Birka area, south of Deir al-Balah, to evacuate those who were wounded in clashes in the area. They were released at 09:00 on the following day.
- On 29 March 2002, Israeli occupying forces positioned in the vicinity of the headquarters of the Palestinian President blocked an ambulance of the Palestinian Union of Medical Relief Committees, which was evacuating two Palestinians that had been wounded inside the headquarters. Israeli soldiers forced the medical personnel to get out of the ambulance and handcuffed them while undoing the bandages of the wounded. At 01:00 on the following day, Israeli forces released the medical personnel and the wounded but confiscated the ambulance.

Also on the same day, Israeli occupying forces blocked another ambulance of the Palestinian Union of Medical Relief Committees while it was on its way to evacuate some Palestinians who were wounded by Israeli forces. According to a physician of Palestine Red Crescent Society, Israeli occupation forces have used confiscated ambulances in their raids suspected militants.

- On 30 March 2002, Israeli occupying forces blocked an ambulance of Khaled Hospital on al-Ersal Street.
- On 31 March 2002, approximately 30 Israeli soldiers moved into Arab Care Hospital at the center of Ramallah. They detained the medical staff and patients. According to Dr 'Edwan Barghouthi, Israeli occupying forces detained approximately 55 Palestinians, including 9 of the wounded, inside the hospital and handcuffed them. They forced them to lie on the ground and humiliated them. They prevented any contact between the hospital and the outside. They left the hospital three hours later.

On the same day, Israeli occupying forces besieged al-Nazher Midwifery Hospital. They detained 11 medical personnel and fired in the vicinity of the hospital, creating an atmosphere of terror. According to Dr. Wa'el Qe'dan of the Palestine Red Crescent Society in Ramallah, four ambulances moved towards the hospital. When they arrived there, they were stopped by Israeli forces, who forced medical personnel to get out of the ambulances and checked them. Approximately 15 minutes later, Israeli forces ordered the ambulances to leave the area. According to medical personnel, they heard sounds of intense shooting at the nearby Dharaghma building without being allowed by Israeli forces to go there to evacuate any probable wounded. Dr. Qe'dan added that an ambulance of the Palestinian Union of Medical Relief Committees was present in the area at the same time. The driver remained in the area and attempted to reach the area again. Later, he was detained by Israeli forces. At approximately 01:30 on the following day, Israeli forces allowed his access to Dharaghma building to evacuate bodies of two Palestinians whom had been shot dead. The victims are still unidentified. According to the ambulance driver, Israeli ambulances arrived at the area and evacuated 15-20 members of the Palestinian National Security Force who were inside the building.

Also on the same day, Israeli occupying forces arrested 5 medical personnel of the Palestine Red Crescent Society while on duty:

1. Arkan Jihad Khader, from Bethlehem;
 2. Khaled Abu Ghoush, from Ramallah;
 3. Zuhdi Mustafa 'Abdulhafezh, from al-Zawia village in Nablus;
 4. Firas 'Abdullatif Samara, from Ramallah; and
 5. Lu'ai Jawdat Rawad, from Ramallah.
- On 2 April 2002, Israeli occupying forces blocked five ambulances of the Palestine Red Crescent Society and obstructed their access to the wounded. According to eyewitnesses, Israeli soldiers forced medical personnel to take their clothes off and arrested them. They also seized the ambulances.
 - On 3 April 2002, Israeli occupying forces arrested Dr. Younis al-Khatib, Director of Palestine Red Crescent Society in Ramallah and 8 other medical personnel, while they were near Ramallah Park on their way to the headquarters of the Palestinian Preventive Security to evacuate the wounded. According to eyewitnesses, the detainees were taken in military vehicles to an unknown destination.

- On 29 April 2002, Israeli occupying forces held an ambulance of Palestine Red Crescent Society near al-Ahli Hospital in Hebron, after it had evacuated bodies of two Palestinians who were killed when Israeli forces moved into the town. Israeli soldiers searched the ambulance and checked the identity cards of its crew. They also arrested Dr. Younis Zalloum, deputy director of Palestine Red Crescent Society center in Hebron, who was accompanying the crew. Dr. Zalloum was released some hours later as the ICRC intervened.

On the same day, 3 Israeli military vehicles surrounded Ramallah Hospital. Then, Israeli soldiers broke into the hospital and searched it. Other Israeli soldiers broke into the Arab Care Hospital in the town and searched it.

At approximately 23:15 on the same day, Israeli soldiers held an ambulance of Union of Medical Relief Committees while it was trying to evacuate wounded civilians to the hospital.

- On 30 June 2002, Israeli occupying forces arrested 27 medical personnel at the entrances of Ramallah and Sheikh Zayed hospitals in Ramallah, and took them to the Jordanian Field Hospital near al-Amari refugee camp. The medical personnel were held for several hours. Twenty-two were later released while the other five remained in custody:
 1. Sa'ed Falah Mousa, an ambulance driver;
 2. Rebhi 'Awadh 'Omar, a nurse;
 3. Wissam Mohammed 'Oudeh, a nurse;
 4. 'Emad Khalil Mohammed, a nurse; and
 5. Hekmat 'Alawna, a nurse.

On the same day, Israeli occupying forces arrested a patient, Elias al-Khouri, 36, from Ramallah, and a paramedic, Mohammed al-Sharif, 30, while they were in an ambulance of the Palestinian Union of Medical Relief Committees on their way to the hospital.

On the same day, Israeli occupying forces broke into the Palestinian Civil Defense building in Bitounia, west of Ramallah, and arrested 10 of its staff. According to eyewitnesses, Israeli forces held the more than 36 people in the house. Then, they forced an ambulance driver to take some of them to al-Manara square, where they were taken in military vehicles to an unknown destination.

Also on the same day, Israeli occupying forces at 'Ein 'Arik military checkpoint, west of Ramallah, arrested four Palestinian medical personnel:

1. Shafiq Khaled Abu Qare', an ambulance driver of Ramallah Hospital;
2. 'Aadel Khassib, a nurse in Ramallah Hospital;
3. Walid Suleiman, a nurse in Ramallah Hospital; and
4. Sami 'Abdullah Salim, an administrative employee in Sheikh Zayed Hospital.

Israeli occupying forces claimed that the four are from the Gaza Strip and were illegally in the West Bank. The Palestinian Deputy Minister of Health Dr. Munther

al-Sharif asserted that Israeli forces were routinely searching Palestinian ambulances and medical personnel at entrances of hospitals.

- On 3 July 2002, Israeli occupying forces broke into the building of the Palestinian Civil Defense in Ramallah. They searched it and arrested four of its members:
 1. 'Ali Khamis Abu 'Ouda;
 2. 'Abdullah Mohammed Dabbur;
 3. Nasser Mahmoud 'Aashour; and
 4. Jamal 'Abdullah Abu Shawish.

Attacks on Medical Institutions and Facilities by Israeli Occupying Forces

Since the beginning of the Intifada, Palestinian medical institutions and facilities, including hospitals and clinics, have been attacked by Israeli occupying forces. These facilities have not been immune to the shelling that has targeted Palestinian residential areas. In the period under study, Israeli occupying forces escalated their attacks on Palestinian medical institutions and facilities, especially between February and the end of April 2002, which witnessed a wide scale Israeli offensive on the West Bank. Such attacks resulted in large destruction in medical institutions and facilities in the OPTs. Following are the most significant Israeli attacks on Palestinian medical institutions and facilities in the period under study:

- On 14 March 2002, Israeli occupation forces shelled the Holy Family Hospital and its church in Bethlehem. The statue of Virgin Mary and the dormitory of nurses were damaged.
- On 31 March 2002, three Israeli military forces besieged Ramallah Hospital and searched the premise. At the same time, approximately 30 Israeli soldiers moved into Arab Care Hospital at the centre of Ramallah. They then searched it and detained the medical staff and patients.
- On 2 April 2002, approximately 20 Israeli soldiers moved into a medical institution of the Palestinian Union of Medical Relief Committees and used it as a military post after severely damaged the interior.
- On 5 April 2002, Israeli occupying forces intensely shelled Jenin Hospital, causing severe damage to its oxygen unit and laboratory. Electricity was also cut from the hospital. Later, Israeli bulldozers destroyed the water pipelines of the hospital. Israeli forces also shelled al-Razi Hospital, completely disrupting work at the hospital. Medical personnel of al-Razi Hospital were not able to offer help to 7 Palestinians who were wounded by Israeli occupying forces approximately 100m away. A Palestinian civilian was able to evacuate the body of one of them after he had died. An Israeli tank fired an artillery shell at an ambulance of the Palestine Red Crescent Society that came to the area. The ambulance was totally destroyed.

On the same day, Israeli occupying forces intensely shelled Jenin refugee camp. According to eyewitnesses, a number of Palestinians were wounded and

ambulances were denied entry into the refugee camp to evacuate them. Israeli forces also warned through loudspeakers that they would fire at any ambulances that tried to move into the town or the refugee camp.

- On 8 April 2002, Israeli occupying forces moved into a building of the Palestinian Ministry of Health in Ramallah. According to sources of the ministry, Israeli soldiers destroyed the gate of the building and severely damaged its offices. They also confiscated computers.

On the same day, Israeli occupying forces broke into a medical center of the Alms Giving Committee in Ramallah. They destroyed its furniture and set fire to the building.

- On 11 April 2002, Israeli occupying forces opened fire at al-Razi Hospital in Jenin, obstructing work at the hospital. Ambulance staff members of the hospital were not able to attend 7 Palestinians who were wounded by the Israeli gunfire, approximately 100m away from the hospital. Palestinian civilians were able to evacuate the body of a Palestinian to a hospital. When an ambulance of the Palestine Red Crescent Society tried to evacuate the wounded to the hospital, an Israeli tank fired a shell at it, totally destroying it.

On the same day, Israeli occupying forces shelled the areas surrounding Jenin Hospital and an UNRWA clinic in Jenin refugee camp. Israeli soldiers warned through megaphones that they would fire at ambulances and medical personnel if they moved, consequently, they were not able to evacuate the wounded or bodies of the victims.

- On 12 April 2002, Israeli occupying forces raided offices of the Palestinian Ministry of Health in Ramallah, and destroyed their equipment.
- On 6 July 2002, Israeli occupying forces besieged Khalil Suleiman Hospital in Jenin and denied the access of ambulances to its vicinity. They also opened fire at the surrounding area.
- On 3 August 2002, an Israeli tank broke into the building of Palestine Red Crescent Society in Nablus. It destroyed the main gate of the building.

On the same day, Israeli occupying forces in military locations in the vicinity of “Neve Dekailm” settlement, west of Khan Yunis, shelled Palestinian houses and civilian facilities in a Khan Yunis refugee camp and al-Nimsawi neighborhood. The indiscriminate shelling also affected the centre of the town. Two Palestinian civilians were wounded. Parts of Nasser hospital were also damaged and patients, especially women and children, were extremely terrified.

Disastrous Impacts of the Internal Siege on Medical Care

Violation of the Right of Medical Units and Transports to Free Movement

International human rights and humanitarian law provides for the free movement of persons. Article 13 of the Universal Declaration of Human Rights provides that “everyone has the right to freedom of movement and residence within the borders of each state...” Article 12 of the International Covenant on Civil and Political Rights provides that “everyone... shall have the right to liberty of movement and freedom to choose his residence...” Medical personnel should have the right to freedom of movement to ensure the access patients and wounded to appropriate medical care. Article 23 of the *Fourth Geneva Convention* of 1949 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 of another High Contracting Party, even if the latter is its adversary. It shall likewise permit the free passage of all consignments of essential foodstuffs, clothing and tonics intended for children under fifteen, expectant mothers and maternity cases...

Article 21 of the Convention provides:

Convoys of vehicles or hospital trains on land or specially provided vessels on sea, conveying wounded and sick civilians, the infirm and maternity cases, shall be respected and protected in the same manner as the hospitals provided for in Article 18...

Article 23 of the 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 of another High Contracting Party, even if the latter is its adversary. It shall likewise permit the free passage of all consignments of essential foodstuffs, clothing and tonics intended for children under fifteen, expectant mothers and maternity cases...

During clashes, Israeli occupation forces have violated the right of Palestinian medical personnel to freedom of movement. They have obstructed the passage of many ambulances that have attempted to evacuate the wounded. Since February 2002, Israeli occupying forces have escalated restrictions on movement of Palestinian medical personnel, threatening the lives of many Palestinian civilians, including the wounded, sick, pregnant women and children.

Israeli occupying forces have attacked Palestinian ambulances and medical personnel, in violation of international humanitarian law. More than 150 ambulances were fired

at by Israeli occupying forces. These ambulances were clearly marked as provided in Article 38 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of 1949.¹²

Israeli occupying forces have maintained a strict siege on the OPTs. They have isolated Jerusalem from the rest of the OPTs, and separated the West Bank and Gaza Strip, transforming the two areas into two large detention centers. This has had disastrous impacts on the living conditions of Palestinians and basic services provided to them.

The ICRC demanded Israeli occupying forces to respect international humanitarian law, particularly the Fourth Geneva Convention of 1949, and allow free movement for medical personnel. The ICRC has also condemned Israeli attacks on its representatives and demanded Israeli occupying forces to allow the evacuation of the wounded and patients to hospitals. Efforts made by the ICRC to pressure Israeli occupying forces to allow entry of food and medicines into Palestinian villages and refugee camps, which had been under Israeli military siege failed. As a result, the ICRC has been forced to cancel its humanitarian activities in some areas. On 2 April 2002, the ICRC expressed concern for the restrictions imposed by Israeli occupying forces on the movement of ambulances of the Palestine Red Crescent Society and the humanitarian mission of the ICRC in the OPT. The ICRC called on Israeli occupying forces to abide by their obligations under international humanitarian law and respect medical missions. On 5 April 2002, the ICRC was forced to call on the Palestine Red Crescent Society and other medical teams to stop their activities, as it was not able to ensure that Israeli occupying forces would not attack Palestinian medical personnel and vehicles.

Mr. Peter Hansen, Commissioner General of UNRWA, the United Nation's Relief and Works Agency for Palestine Refugees, asserted that Israeli occupying forces violated international conventions that protect civilians in times of conflict, when they prevented him and a convoy of emergency assistance personnel from entering Jenin refugee camp on 4 March 2002. On 7 April 2002, Mr. Hansen called on the Israeli military to cease its bloody assault on Palestinian refugee camps in the West Bank. Mr. Hansen said: "The Israeli Defense Force has made a hellish battleground among the civilians in the Balata and Jenin refugee camps. We are getting reports of pure horror – that helicopters are strafing civilian residential areas; that systematic shelling by tanks has created hundreds of wounded; that bulldozers are razing refugee homes to the ground and that food and medicine will soon run out. In the name of human decency the Israeli military must allow our ambulances safe passage to help evacuate the wounded and deliver emergency supplies of medicines and food." Mr. Hansen added: "Israel is a signatory to international conventions that protect non-combatants in times of conflict. Those conventions are worthless if they are not adhered to precisely at times of the greatest blood-letting." UNRWA's ambulances and food trucks were repeatedly refused access to the West Bank camps over the three days. It

¹² Article 38 of the Convention provides: *As a compliment to Switzerland, the heraldic emblem of the red cross on a white ground, formed by reversing the Federal colors, is retained as the emblem and distinctive sign of the Medical Service of armed forces. Nevertheless, in the case of countries which already use as emblem, in place of the red cross, the red crescent or the red lion and sun on a white ground, those emblems are also recognized by the terms of the present Convention.*

was reported that bodies were being put in piles in the corridors of Jenin hospital, where 30 people are reported to have died in 36 hours, and the oxygen and medicine supplies of the hospital were about to run out.

Palestinian patients lack appropriate medical care due to the lack of sufficient medical facilities in the West Bank and the Gaza Strip. They used to go hospitals in Jerusalem, but under the current total siege imposed on the OPT, they have been denied access to hospitals in Jerusalem, as this area has been isolated from the rest of the West Bank.

Under the Israeli full-scale offensive on the West Bank, the health situation has further deteriorated, as Palestinian medical personnel have faced extreme difficulties in evacuating the wounded and patients to hospitals. The health conditions of patients suffering from chronic diseases, such as diabetes, cancer and heart diseases, deteriorated, due to the lack of medicines and appropriate medical care, as Israeli occupying forces tightened the siege imposed on Palestinian communities, in violation of Palestinian economic, social and cultural rights.

Palestinian medical personnel were not able to provide medical services for Palestinian civilians or wounded combatants. The international community has failed to force Israel to abide by the principles of international humanitarian law. Due to the Israeli comprehensive siege, dozens of Palestinian hospitals and medical centers lost more than 60% of their treatment capacity. For example, al-Maqassed Hospital in Jerusalem has suffered from the absence of dozens of its staff members due to the siege and curfew imposed on Palestinian areas in the West Bank.

War Crimes in Jenin, Nablus and Bethlehem

On 29 March 2002, Israeli occupying forces launched a full-scale offensive on the West Bank. They invaded 6 Palestinian towns and their surroundings. Israeli occupying forces declared an end to the operation on 21 April 2002. As a result of this offensive, approximately 400 Palestinians were killed and more than 2000 were wounded. Palestinian civilians in these areas suffered a shortage of food and medical care. A number of Palestinians who were wounded by Israeli occupying forces died from their wounds as ambulances and medical personnel were not able to attend to them.

Haj Ahmed Mohammed Khalil Abu Khraj, who survived an Israeli shelling of Jenin refugee camp, told the story of the death of his sister, Yusra Abu Kharj, 65, who was hit by a missile launched by an Israeli helicopter gunship. Abu Kharj said:

“On the third day of the Israeli invasion of the camp, we heard a heavy blast on the third floor of my three-storey house, where my sister was collecting her belongings to join us on the first floor. After the blast, one of my sons went to check what happened to his aunt, but he was not able to attend to her because of the continuing Israeli shelling. He could see her on the ground bleeding and motionless. We called the hospital and the ICRC asking for help, but no one came.”

Director of the emergency center of Palestine Red Crescent Society in Jenin stated that the center received a phone call from the family of Yusra Abu Karj, informing us that she was wounded. Immediately, medical personnel moved towards the camp, but Israeli tanks fired at them and forced them to leave the area. We informed the ICRC about the case, but it was not able to do anything and we were not able to attend the family.

Abu Kharj added that the tragedy did not end at that stage. Israeli soldiers then broke into the house and detained him and his family in one room. They searched the house and arrested 4 of Abu Kharj's sons. Abu Kharj said that he asked an Israeli officer to allow him to go to third floor to check what happened to his sister, but he refused. As Abu Kharj insisted, the Israeli officer told him that his sister was dead. Abu Kharj asked the officer to allow her evacuation to hospital, but the officer refused. Then, Israeli soldiers forced the family out of the house, and the body of Yusra Abu Kharj remained inside for 16 days.

Denial of Access of Civilians to Medical Care Results in Dozens of Deaths

Over the period under study, 47 Palestinians died as Israeli occupying forces at military checkpoints obstructed their evacuation to hospitals. In addition, a number of infants died when women in labor were detained at checkpoints. None of these deaths have been investigated by Israeli occupying forces, despite complaints submitted by human rights organizations, the ICRC, Palestinian Ministry of Health and Palestine Red Crescent Society. Following are some of the cases, which PCHR documented over the period under study:

- On 10 May 2001, Kifah Khaled Zo'rob, 17, from al-Mawasi area in Khan Yunis, who was sick, died as Israeli occupying forces at al-Tuffah military checkpoint between al-Mawasi area and Khan Yunis, prevented his evacuation to hospital in a private car. His family was forced to wait for more than two hours until an ambulance came and evacuated him to Nasser Hospital in Khan Yunis, but he had already died.
- On 6 June 2001, Bajes 'Abdul Hamid Nemer Eslaimah, 45, from Ethna village near Hebron, died after the Israeli occupying forces obstructed his evacuation to the hospital. At approximately 19:30, an ambulance of the Palestine Red Crescent Society transported Eslaimah to a hospital in Hebron as he was suffering from severe pains in the chest. Since all entrances to Hebron were closed with military roadblocks, concrete blocks or rocks, the ambulance was not unable to reach the hospital. After several failed attempts to enter the city, another ambulance was called. A medical staff took the patient from the first ambulance on foot to the other ambulance, which stopped at the other side of the road. The patient was taken to the hospital where he was pronounced dead. Traveling in a car from the victim's house to the hospital normally takes only 10 minutes.
- On 10 June 2001, Sabri Amin Mahmoud, 41, from al-Ras village southeast of Tulkarm, died after the Israeli occupying forces obstructed his access to the National Hospital in Nablus. Mahmoud, who suffered from renal failure, left his

village at approximately 04:30 in a taxi, traveling to the National Hospital in Nablus to receive treatment. Since all main and branch roads between Nablus and Tulkarm were closed, under the total siege imposed by the Israeli occupying forces on Palestinian areas, the taxi driver was forced to resort to an alternative road that took more time. Mahmoud died before reaching the hospital. According to medical sources at the National Hospital in Nablus, since Mahmoud was not able to arrive at the hospital on time, the level of potassium in his blood increased and led to his death.

- On 9 January 2002, Shadi Ahmed Lafi Musallam, 25, from Jabalya refugee camp, died at the Rafah Border Crossing while on his way back to the Gaza Strip from Egypt. The Israeli forces at the crossing obstructed his evacuation to Shifa' Hospital in Gaza for several hours. Musallam, a member of the Palestinian Military Intelligence, was injured by two live bullets in the head and the neck, when he was caught in an Israeli incursion into Beit Hanoun on 15 December 2001.
- On 26 January 2002, a Palestinian patient died when Israeli occupying forces at a military checkpoint near Nablus obstructed access to his village after receiving medical care at a hospital. According to an ambulance driver of the Palestine Red Crescent Society in Tulkarm, the society received information from its center in Nablus that a patient who suffered from a kidney failure was at the National Hospital in Nablus and was not able to travel back to Tulkarm after receiving medical care due to the siege imposed on the city. The ambulance moved to the hospital and collected Kayed Saber Serouji, 45, and traveled towards Tulkarm. At approximately 16:00, the ambulance arrived at Deir Sharaf junction, northwest of Nablus, but Israeli soldiers at a military roadblock at the junction denied its passage. At approximately 19:00, the medical personnel noticed that the health condition of the patient was increasingly deteriorating, so they traveled back to the National Hospital in Nablus. Upon arrival the patient died.
- On 18 April 2002, a Palestinian baby, Dina Nasser Eshtayeh, 5 days old, died as Israeli occupying forces at a military roadblock denied her access to the hospital for emergency treatment. According to her father, Nasser Eshtyeh, a journalist, on Thursday evening, she was sick. He took her to a physician who told him that she was suffering from an irregular heart rate and that she must be taken to hospital for oxygen. Soon, the father called an ambulance of the Palestine Red Crescent Society to move her to a hospital in Nablus. At approximately 23:30, the ambulance arrived at the entrance to Salem village. Israeli occupation soldiers at the entrance of the village searched the ambulance. They allowed the passage of the ambulance at midnight. However, an Israeli tank stopped it in Faisal Street for 35 minutes. Then, as the ambulance proceeded to the hospital the baby died 3 minutes before arrival at the hospital. Physicians told her father that they could have saved her life if she had been brought to the hospital earlier.
- On 23 May 2002, Tarab Ghaleb Fayez Mansour, 39, from Jourish village, south of Nablus, gave birth to a dead baby, as it took her more than 5 hours to reach Rafidya hospital in Nablus. Israeli soldiers at Hawara military checkpoint prevented her from traveling to the hospital although she was in labor.

- On 25 May 2002, a Palestinian baby died shortly after being born at an Israeli military roadblock in Bethlehem. Early in the morning, Fadia Kamel Za'oul, from Nahalin village, west of Bethlehem, was in labor. At approximately 04:00, her husband Jamal took her in his brother's car towards a hospital in Bethlehem. When they arrived at the junction of al-Khader village, they found sand barriers established by Israeli occupying forces to block the road. They were forced to get out of the car and take another car that traveled towards Bethlehem through al-Sidra-Beit Jala road. When they arrived at an Israeli military roadblock in the area, Israeli soldiers denied them passage. The woman's pains increased, so her husband called an ambulance, which quickly arrived. Israeli soldiers refused to allow the evacuation of the woman into the ambulance, but did allow an obstetrician to deliver the baby. The lives of the woman and her baby were endangered due to complications with the birth. Israeli soldiers then allowed the evacuation of the mother and child, but the baby died at approximately 05:50, shortly after arriving at the hospital.

On the same day, 64-year-old Mustafa 'Abdul Jawad al-Qarut Edkeidek, from al-'Eizaria village, east of occupied Jerusalem, died at an Israeli military roadblock while on his way from Jerusalem to Bethlehem. He suffered from a heart attack while waiting at the Israeli military roadblock. Israeli occupying soldiers denied the access of ambulances to the area. Two hours later, they brought an Israeli ambulance, but Edkeidek had already died.

- On 29 May 2002, Ghalia Ahmed Shalah, 70, from Rafah, died from a heart attack at an Israeli military roadblock, south of Deir al-Balah. According to PCHR's investigation, at approximately 11:00, Shalah arrived at an Israeli military roadblock in Abu Houli area, south of Deir al-Balah, on her way home in Rafah. The roadblock was closed. She remained at the roadblock until 17:00. Then, she suffered from difficulties in breathing. An ambulance of the Palestine Red Crescent Society was in the area. Medics of the ambulance offered her first aid, but her health condition continued to deteriorate. After communication with the Israeli side through the Palestinian liaison, the ambulance was allowed to cross the Israeli military roadblock. When the ambulance arrived at another Israeli military roadblock at al-Matahen junction, north of Khan Yunis, Israeli forces thoroughly searched it. Twenty minutes later, the ambulance was allowed to travel to hospital, but the woman died on the way.
- On 9 June 2002, a Palestinian civilian, Yousef Mohammed 'Abdul Rahman Abu Tabikh, 78, from Jenin, died after Israeli occupying forces at al-Hamra military checkpoint in the northern Jordan Valley denied him passage while he was traveling back from Jordan after having received medical treatment that lasted for around 70 days. He was suffering from a malignant tumor in the throat. Israeli forces stopped him at the checkpoint for more than 5 hours in very hot weather. His health condition deteriorated and he then died at the checkpoint. The victim's daughter who accompanied him on his trip to Jordan said:

“At approximately 13:00 on Sunday, 9 June 2002, I arrived at al-Hamra military checkpoint in the northern Jordan Valley, coming back from Jordan to Jenin. I was accompanying my father who received medical treatment in a Jordanian hospital

for a malignant tumor in the throat. Israeli soldiers stopped us. I got out of the car carrying medical reports. I implored Israeli soldiers to allow me and my father to cross the checkpoint on foot, but they refused. I continued to implore them until 16:00, but in vain. Half an hour later, I noticed that the health condition of my father was deteriorating. I implored Israeli soldiers again to allow our passage, but they refused. At approximately 18:30, an Israeli military jeep came close to the car in which we were traveling. Israeli soldiers in the jeep ordered our driver to follow them, but it was too late as my father died.”

- On 18 June 2002, 'Oudeh Ya'qoub 'Oudeh Shehada, 57, from Bir Zeit village, north of Ramallah, suddenly had a health crisis. Soon, his family called for a physician who came to the house, and when checked him, he decided that the patient must be moved to hospital. Immediately, the family called for an ambulance of the Union of Palestinian Medical Relief Committees, which soon moved from Ramallah towards the patient's house. When the ambulance arrived at the northern entrance of Ramallah, Israeli occupying forces there denied its passage. At 13:00, another ambulance came, but again Israeli forces denied its passage. The patient's family was forced to take him on a vegetable cart. They crossed the Israeli military checkpoint only after they had been checked. When they arrived at the other side of the checkpoint, they did not find an ambulance, so they were forced to move the patient to hospital in a taxi. They arrived at hospital at approximately 15:30, but the patient was dead.
- On 10 July 2002, Zuhair Tawfiq 'Awad, 60, from Salfit Salfit, suffered from a heart attack. Immediately, his family took him to Salfit Hospital, where the doctors decided to move him to Rafidya Hospital in Nablus as he was in a serious condition. At approximately 10:45, an ambulance took him towards Nablus. At approximately 11:00, the ambulance arrived at Hawara military checkpoint, south of Nablus, but Israeli occupying forces didn't allow it to pass before 13:00. At approximately 13:10, the ambulance arrived at the hospital, but the patient was already dead.

The Siege and Curfew Increases the Suffering of Palestinians in Isolated Areas

Israeli occupying forces have imposed a strict siege on isolated and remote Palestinian areas. They have closed all roads leading to these areas, restricting movement of Palestinians out and into those areas. They have also denied access of residents of these areas to basic needs and services. Israeli occupying forces often impose curfews on these areas. They raid houses and attack their residents. They have also prevented residents of these areas from traveling to their jobs. As a result, poverty levels in these areas have sharply increased.

Al-Mawasi Area in the Gaza Strip: Deprivation of Medical Services

The Al-Mawasi area is located in the southern Gaza Strip, extending from the Egyptian border in the south to the edge of Deir al-Balah in the north. Israeli

occupying forces have imposed a strict siege on al-Mawasi area in the southern Gaza Strip since the beginning of al-Aqsa Intifada in September 2000. The area is categorized under the Interim Agreement between the PLO and Israel as area B, under Israeli security control. Palestinians living in the area, approximately 15000, have suffered from Israeli measures that restrict their movement. They can move from and into the area only through two Israeli military checkpoints: al-Tuffah checkpoint west of Khan Yunis refugee camp, and Tal al-Sultan checkpoint west of Rafah. The two checkpoints are opened for limited hours, and Palestinians have to wait for long periods of time before they can pass through.

Israeli forces have assigned numbers to residents of the area to be added to their identity cards and prevented Palestinians without such numbers from entering the area. As a result, women from the area married to men living outside the area cannot visit their families. Palestinians living outside the area have been restricted from accessing property they own within al-Mawasi.

On 8 March 2002, Israeli occupying forces imposed a curfew on the entire al-Mawasi area. Residents of the area were prevented from leaving their homes or moving to other areas of the Gaza Strip. This caused further deterioration to the living conditions and economic and social rights of people in the area. Israeli forces have claimed that the curfew on the 15000 Palestinian residents was imposed to ensure security for hundreds of Jewish settlers. These settlers are currently living on Palestinian lands that were confiscated from their owners to establish settler colonies. Israeli occupying forces lifted the curfew for a few hours, but shortly after totally closed al-Tuffah and Tal al-Sultan military checkpoints. Many residents of the area who exited the area when the curfew was lifted were unable to return to their homes when the curfew was re-imposed.

The Israeli measures imposed on the al-Mawasi area, which has restricted the supply of medicines and medical staff in the area, have had a disastrous impact on the health of Palestinians in the area, especially among children. The shortage of foodstuffs caused by the siege has caused severe malnutrition among many children in the area. Also, attacks by Israeli occupying forces and settlers on Palestinians in the area have had debilitating psychological effects on children.¹³

The ICRC, which often attempts to bring foodstuffs and medicines into the area, asserted that its representatives have faced extreme difficulties in entering the area. Its representatives have to wait for long hours at Israeli military checkpoints before being allowed access to the area. The ICRC described the prolonged passage of its representatives into the area on 20 February 2002, which had been already coordinated with Israeli occupying forces. The humanitarian mission lasted for 9 hours and had to cross 11 Israeli military checkpoints to reach 2 medical centers in the area. The mission was checked 3 times. Israeli forces also searched the medical supplies brought by the mission. Catherin Boshert, the ICRC representative responsible for medical supplies to the southern Gaza Strip who accompanied the mission stated: "I began to wonder if we could reach the two medical centers before night. We did not know how long we would wait at every single Israeli military

¹³ For more details on such attacks, see PCHR's *Weekly Report*, issues of March and April 2002.

checkpoint.” The mission arrived at the first center at 15:30, and then moved to the other center. At approximately 17:30, the mission traveled back to Gaza, before Israeli forces closed the checkpoint at the entrance of the area.”¹⁴

Night Curfew on Wadi al-Salqa, al-Qarara Villages and al-Sayafa area

Israeli occupying forces have imposed a night curfew on Wadi al-Salqa village, east of Deir al-Balah, al-Qarara village, north of Khan Yunis, and the al-Sayafa area in the northern Gaza Strip from 18:00 to 07:00. Residents of these areas have been denied their right to free movement at night, including access to hospitals and medical centers outside these areas.

Mohammed Saqer, who lives approximately 300m away from al-Matahen military checkpoint, north of Khan Yunis, said:

“We have faced extreme difficulties in getting out of my house. Israeli soldiers have seized the second floor of my house since October 2000. We have not been able to leave or come back to the house without permission of Israeli soldiers who watch us day and night. They also check us and search everything we bring to the house. In August 2001, my 8-year-old child suffered from extreme heat. I did not dare to ask Israeli soldiers to call for an ambulance. My wife and I used packs to decrease his temperature and in the morning, we took him to a medical center in al-Qarara village.”

Conclusion

In complete disregard for international humanitarian law, Israeli occupying forces have continued to attack Palestinian medical personnel and ambulances. They have not initiated any investigation in any single case that involved attacks by Israeli soldiers and settlers against Palestinian medical personnel and facilities. A number of medical personnel have been killed and others have been wounded, while a number of medical centers have been shelled.

PCHR condemns the international silence and inaction concerning violations perpetrated by Israeli occupying forces against humanitarian staff, including medical personnel, and the failure of the High Contracting Parties to the Fourth Geneva Convention of 1949 to hold Israel accountable for war crimes perpetrated by Israeli occupation forces against Palestinian civilians in the OPTs. PCHR calls upon the international community to immediately intervene to put an end to such violations. PCHR particularly calls for:

1. Taking immediate steps by the international community, through the UN Security Council, to put an end to grave violations perpetrated by Israeli occupation forces against Palestinian civilians, according to the conclusions and recommendations of the UN bodies that conducted investigations.

¹⁴ For more details, see www.icrcproject.org.

2. Convening a conference of the High Contracting Parties to the Fourth Geneva Convention of 1949 to ensure Israel's respect for the Convention in the OPT.
3. Applying the 7th Chapter of the UN Charter on the Israeli occupying state to ensure international security and peace, and providing immediate international protection for the Palestinian people in the OPTs.
4. Activating Article 2 of the Euro-Israeli Association Agreement by the EU, which provides that Israel must respect international human rights law and international humanitarian law.
5. Enhancing the presence of the ICRC to expand its activities and intensify its field observations throughout the Occupied Palestinian Territories.
6. Providing humanitarian and medical assistance for the Palestinian people, whose living conditions are continuing to deteriorate as a result of the continued siege imposed by the Israeli occupation forces on the entire OPTs.
7. Pressuring Israel through the World Health Organization in order to put an end to Israeli violations against Palestinian medical personnel and facilities.

PCHR calls upon the international community to fulfill its moral, legal and political responsibilities, especially as the Palestinian Ministry of Health warned of a health disaster in the OPTs due to the Israeli total siege imposed on Palestinian communities. PCHR calls upon the international community also to immediately intervene in the Israeli aggressive policies against the Palestinian people.

Annexes

1) Medical Personnel Killed by Israeli Occupation Forces

29 September 2000 – 10 April 2001

No.	Name	Age	Place of Residence	Date of Death	Notes
1.	Bassam Fayez al-Bilbeissi	47	Al-Shojaeya, Gaza	30/9/00	A live bullet in the chest
2.	Amjad ‘Abdullah Dharaghma	22	Toubas	30/9/00	A live bullet in the chest
3.	Mohammed Tawfiq al-Qalaq	23	Tulkarm	30/9/00	A live bullet in the chest
4.	Harry Fischer	55	Beit Jala	15/11/00	An artillery shell
5.	Ref‘at Faisal Abu Marzouq	25	Rafah	20/12/00	A live bullet in the head
6.	Nidal Hussein Abu ‘Oun	30	Rafah	23/12/00	A live bullet in the head on 20/12
7.	Wa’el Ahmed Khweiter	28	Gaza	10/4/01	Shrapnel from a surface-to-surface missile in the chest and the abdomen

2) Medical Personnel Killed by Israeli Occupation Forces**11 April 2001 – 31 August 2002**

No.	Name	Age	Place of Residence	Date of Death	Notes
1.	Mousa Safi Qudiehat	50	Hebron	30/08/01	Shot by heavy caliber bullet in the abdomen
2.	Yahia Nasser Hassan al-Sayah	21	Beit Lahia, Gaza Strip	15/09/01	Hit in the abdomen by tank shell
3.	Amjad Ibrahim al-Asmar al-Qawasmi	24	Hebron	06/10/01	Shot by a heavy caliber bullet in the head
4.	Khalil Mahmoud Suleiman	45	Jenin	04/03/02	Hit by a live bullet in the chest and shrapnel throughout the body
5.	Ibrahim Mohammed Asa'ad	38	Nour Shams, Tulkarm	07/03/02	Shot by a heavy caliber bullet in the head
6.	Kamal 'Abdul Rahman Salem	35	Tulkarm	07/03/02	Shot by a heavy caliber bullet in the abdomen
7.	Sa'id Yousef Shalayel	26	Jabalya, Gaza Strip	08/03/02	Hit by shrapnel from an artillery shell throughout the body
8.	Ahmed No'man al-Khudari	42	Al-Khader, Bethlehem	08/03/02	Shot by several live bullets

3) Palestinians who died as a result of the total Israeli military siege imposed on the OPT

11 April 2001 – 31 August 2002

No.	Name	Age	Area	Date	Notes
1.	Kifah Khaled Zo'rob	17	Khan Yunis	10/05/01	Israeli soldiers at military checkpoints near Khan Yunis obstructed his access to hospital. He was suffering from pains in the abdomen.
2.	Bajes 'Abdul Hamid Eslaima	45	Ethna, Hebron	06/06/01	Israeli forces denied the passage that evacuated him to hospital. He was suffering from severe pains in the chest.
3.	Sabri Amin Mahmoud	41	Al-Ras, Tulkarm	10/06/01	He died on the way to hospital as Israeli forces blocked the main road between Tulkarm and Nablus. He was suffering from a kidney failure.
4.	Fatema Mohammed al-Shirafi	64	Jabalya	30/06/01	She died at Rafah border crossing while on their way back to the Gaza Strip. She spent three nights at the crossing. She was suffering from diabetes, hypertension and pains in the heart.
5.	Khaled 'Abdul Nasser Mousa	4d		30/06/01	Israeli soldiers at military checkpoints obstructed his evacuation to hospital.
6.	Miriam Mohammed 'Emara	61	Nabi Saleh, Ramallah	30/06/01	Israeli soldiers at three military checkpoints obstructed her evacuation to hospital. She was suffering from a heart attack.
7.	Saleh 'Abdul Rahman Haj Mohammed	50	Beit Fourik, Nablus	08/07/01	Israeli soldiers at a military checkpoint near Beit Fourik village obstructed his evacuation to hospital. He was suffering from a heart attack.
8.	Mohammed Hassan Khalifa	55	Faqqu'a, Jenin	10/07/01	Israeli soldiers at a military checkpoint east of Jenin obstructed his evacuation to hospital. He was suffering from a heart attack.
9.	A baby of Ferial Do'eis		Malha, Jenin	10/07/01	The baby was born dead at an Israeli military checkpoint east of Tubas.
10.	Omayya Hamdallah Hussein	27	'Azzoun, Qalqilya	24/09/01	Israeli soldiers at military checkpoints between 'Azzoun and Nablus obstructed her evacuation to hospital. She was suffering from a hemorrhage after childbirth.

11.	Rihab Mohammed Noufal	30	Housan, Bethlehem	19/10/01	Israeli soldier at a military checkpoint near al-Khader village obstructed her access to Beit Jala Hospital for childbirth.
12.	Mohammed Khairi al-Zeben	55	Kufor Rumman, Tulkarm	04/11/01	Israeli soldiers at a military checkpoint on Nablus-Tulkarm road obstructed his evacuation to hospital. He was suffering from a kidney failure.
13.	Sabri Mohammed Janem	71	Baqa, Tulkarm	07/11/01	Israeli soldiers at a military checkpoint near Deir Sharaf village obstructed his evacuation to hospital. He was suffering from a kidney failure.
14.	Sami Salim Basala	50	Rafah	21/11/01	Israeli soldiers at a military checkpoint in the west of Rafah obstructed his evacuation to hospital. He was suffering from pains in the chest.
15.	Mohammed Mahmoud Abu Daya	46	Zahireya, Hebron	02/12/01	Israeli soldiers at a military checkpoint on Zahireya-Hebron road obstructed his evacuation to hospital. He was suffering from pains in the chest.
16.	Tamer Khaled Quzmar	8m	'Ezbat al-Salman, Qalqilya	03/12/01	Israeli soldiers at a military checkpoint near Habla village obstructed his evacuation to hospital. He was suffering from acute inflammations in the heart.
17.	Ibrahim Hussein Abu Hassan (newly born)		Al-Ymoun, Jenin	25/12/01	He was born in a clinic in the village. His family was forced to take him to a hospital in Jenin, but Israeli forces obstructed them.
18.	Kayed Sabri Sirouji	45	Tulkarm	28/01/02	Israeli soldiers at a military checkpoint near Deir Sharaf village obstructed his passage back home from hospital. He was suffering from a kidney failure.
19.	No'ma 'Abdul Rahman al-Sheikh Khalil	45	Rafah	13/02/02	She died while waiting at an Israeli military checkpoint north of Khan Yunis which was closed.
20.	A baby of Hanaa' Abu Zeid		Deir al-Balah	15/02/02	Israeli soldiers at a military checkpoint south of Gaza city obstructed his evacuation to Shifa' Hospital.
21.	Rana 'Aadel al-Habousi	18	Kour, Qalqilya	09/03/02	Israeli soldiers at a military checkpoint at the eastern entrance of Qalqilya obstructed her evacuation to hospital. She was in labor.

22.	Jaber 'Abed al-Nabahin	50	Al-Boreij	02/04/02	Israeli soldiers at a military checkpoint at al-Shuhada' junction, south of Gaza city, denied him passage to hospital. He was suffering from myocardial infarction.
23.	A baby of Halima al-Atrash		Al-Walaja, Bethlehem	03/04/02	The mother gave birth at an Israeli military checkpoint at the entrance of the village. The baby died an hour after birth.
24.	Tabarak Jaber 'Ouda	4	Deir al-Hatab, Nablus	17/04/02	He died at an Israeli military checkpoint near Deir al-Hatab village. He was a cancer patient.
25.	Dina Nasser Eshtayeh	5d	Nablus	18/04/02	Israeli soldiers at an Israeli military checkpoint at the entrance of Salem village obstructed her evacuation to hospital. She was suffering from breathing problems.
26.	'Aaisha 'Ali 'Eissa	21	Qebia, Ramallah	22/05/02	Israeli soldiers at a military checkpoint near 'Ein 'Arik obstructed her access to hospital. She was suffering from a kidney failure.
27.	A baby of Fadia Kamel Za'oul		Nahalin, Bethlehem	25/05/02	The mother gave birth at an Israeli military checkpoint on Bethlehem-Beit Jala road. The baby died shortly after being born.
28.	Mustafa 'Abdul Jawad al-Qarout Edkeidek	64	'Eizaria, Jerusalem	25/05/02	He died at an Israeli military checkpoint near al-Sawahra village. He was suffering from diabetes and hypertension.
29.	Ghalia Ahmed Shalah	70	Rafah	29/05/02	She died from an acute heart attack while waiting and Abu Houli checkpoint, south of Deir al-Balah.
30.	Yousef Mohammed Abu Tabikh	78	Jenin	09/06/02	Israeli soldiers at al-Hamra military checkpoint in the northern Jordan Valley denied him passage while he was coming back from Jordan after having received medical treatment. He was suffering from a malignant tumor in the throat.
31.	A baby of Tarab Ghaleb Fayez Mansour	1d	Jourish, Nablus	23/05/02	Israeli soldiers at Hawara military checkpoint obstructed the passage of the mother for about five hours.

32.	'Ouda Ya'qoub Shihada	57	Bir Zeit, Ramallah	18/06/02	Israeli soldiers at a number of military checkpoints between Bir Zeit and Ramallah denied him access to hospital. He was suffering from a heart attack.
33.	Zuhair Tawfiq 'Awad	60	Salfit, Nablus	10/07/02	Israeli soldiers at a Hawara military checkpoint denied him access to hospital. He was suffering from a heart attack.