

FROM THE HEBREW PRESS

This section includes articles by Israeli journalists and commentators that have been selected for their frank reporting, insightful analysis, or interesting perspectives on events, developments, or trends in Israel and the occupied territories. It in no way seeks to be representative of the Israeli press in general; it is intended simply to provide JPS readers with reporting not readily available in the U.S. media.

AMIRA HASS, "AN ISRAELI ACHIEVEMENT,"
BITTERLEMONS.ORG, 20 APRIL 2009
(EXCERPTS).

This article frames the gradual separation of the Gaza Strip from the West Bank as a result of Israeli policy, facilitated and partly obscured by the conflict between Hamas and Fatah.

The total separation of the Gaza Strip from the West Bank is one of the greatest achievements of Israeli politics, whose overarching objective is to prevent a solution based on international decisions and understandings and instead dictate an arrangement based on Israel's military superiority. In view of the violent rivalry between the two main movements competing for the upper hand in the Palestinian mock government, it's easy to forget the effort Israel invested in separating families, economies, cultures, and societies between the two parts of the Palestinian state "in the making." All that remained was for the Palestinians, aided by geography, to crown the split with their dual regime.

The restrictions on Palestinian movement that Israel introduced in January 1991 reversed a process that had been initiated in June 1967. Back then, and for the first time since 1948, a large portion of the Palestinian people again lived in the open territory of a single country—to be sure, one that was occupied, but was nevertheless whole. True, there quickly emerged three categories of Palestinian residents: third-class Israeli citizens, residents of Israel (in Jerusalem), and residents of the "administered territories." Yet the experience of renewing old family and social ties and creating new modes of social, cultural, and economic companionships proved stronger than the administrative distinctions. The dynamism, creativity, and optimism of the first intifada (1987-92) owe much to the reality generated by this freedom of movement inside a single country.

Israel put a halt to this freedom of movement on the eve of the first Gulf war. Since January 1991, Israel has bureaucratically and logistically merely perfected the split and the separation: not only between Palestinians in the occupied territories and their brothers in Israel, but also between the Palestinian residents of Jerusalem and those in the rest of the territories, and between Gazans and West Bankers/Jerusalemites. Jews live in this same piece of land within a superior and separate system of privileges, laws, services, physical infrastructure, and freedom of movement. . . .

In parallel with the Oslo process, Israel took bureaucratic steps that rendered hollow the clause in the Oslo agreements according to which the Gaza Strip and West Bank are a single territorial unit. Gazans were forbidden to live, study, and work in the West Bank without permission from Israel (which was rarely given, and only to favored applicants). Gazans were also forbidden to enter the West Bank via its border with Jordan. Friends and family live just 70 km apart but Israel does not allow them to meet. Today, a Palestinian born in Gaza who lives in the West Bank without Israeli permission is considered an "illegal presence."

The devious unilateral Israeli disengagement of 2005 perpetuated a process that commenced in 1991: Gaza and the West Bank fall under different types of administration, with Israel cleverly presenting Gaza as an independent entity no longer under occupation. In the last Palestinian elections, Hamas proved more persuasive than Fatah when it attributed the Palestinian "victory" and the Israeli withdrawal to itself and its armed struggle and promised that "Jerusalem is next." There followed Hamas's takeover of the Gaza security forces in June 2007 and Palestinian president Mahmud Abbas's directive to tens of thousands of Palestinian Authority [PA] employees to boycott their places of work in the Strip.

In the recent Palestinian unity talks, the substantive questions have not been asked: Has the public in the West Bank and Gaza given up on the link between the two parts occupied in 1967 until the distant realization of the dream of one state? Will the Palestinian leaderships be taken to account by the people for the assistance they gave Israel in severing the two territories? Is the link to the Arab and Muslim worlds more vital for Hamas than the link with the West Bank? Are ceremonial international standing and the perks of senior officialdom more important to the PA and the PLO than the population of Gaza?

The answers must also come from the Israelis, and particularly those who claim to support peace. Prior to Hamas's election victory in 2006, the PA's center of rule was in Gaza. That didn't hinder Israel from perfecting the conditions of separation and severance that turned the Strip into the detention camp it is today while Israeli peaceniks in their multitudes sat on their hands. Even if a miracle happens in Cairo and the Palestinians unite, the government of Israel will not willingly forgo its greatest achievement: severing Gaza from the West Bank. This achievement, which will only stoke the fires of a bloody conflict, is the disaster of both peoples.

**GIDEON LEVY, "A HARD ROAD TO TRAVEL,"
HA'ARETZ, 7 MAY 2009.**

This article focuses on the hardships encountered by three Palestinian brothers as they attempt to cross the separation fence to work illegally in Israeli settlements near Jerusalem.

Every Saturday night, they leave their village and make their way to the construction site at the Har Homa settlement beyond the separation fence. They live on the site during the week, huddling in the cold among the unfinished buildings they are helping to erect in this giant settlement next to Jerusalem, living in fear lest they be caught, since they are illegal workers.

By night they hide, by day they build—the three Sheladallah brothers. Nasim, 23, is a graduate of the university in Bethlehem. He majored in biology and dreamed of becoming a lab technician or a teacher, but was unable to find work. Then there is Sanad, 21, who was studying accounting, and Muhammad, 19, who was studying business administration. Both had to give up their studies in order to support their family. The

route to work is dangerous. Sometimes they crawl under the separation fence; sometimes they slither down a rope they toss over the fence—which is six meters high. Almost always, the Border Police are waiting for them, although they are usually able to escape. This is what many young people from their village, Sa'ir, near Hebron, do in order to earn NIS 120 a day doing construction work. That's NIS 15 an hour, less than the minimum wage, less than what you pay your babysitter. Sometimes it ends in arrest, sometimes they are sent back to their village. But on the night of 7 March it ended in blood. That was a night the three muscular brothers will not soon forget, a night they ended up in the hospital in Bayt Jala. This was after being subjected to hours of violent abuse by Border Police officers who ambushed them and beat them with clubs, rifle butts, and chairs.

Reeducation by the Border Police—in a bathroom stall and in a Jeep. A long, hard night for three young men who only wanted to work. A few days after they recovered, after turning for assistance to the B'tselem organization—which filed a complaint on their behalf with the Police Investigation Department (PID)—the brothers returned to the scene of the crime, the construction site. Beatings and fences aren't about to stop them; they are determined to keep on working. What other choice do they have? This week, over a cup of excellent goat's milk yogurt prepared by their mother, we sat with them in the yard of their house in Sa'ir, accompanied by B'tselem field researcher Musa Abu-Hashhash. They recounted the events of that night, minute by minute, covering every detail.

At 6:00 in the evening the brothers left their home and at around 7:15 arrived at the al-Zaytun checkpoint east of Jerusalem. They somehow crawled under the separation fence. They were a group of 10—the three brothers and seven other laborers. The sun went down and they continued quickly toward Har Homa under cover of darkness. When they had made it about 200 meters, they spotted a Border Police Jeep. They tried to hide in Bedouin tents near the side of the road, but the occupants threw them out. The Jeep disappeared, and they continued their trek toward work.

Suddenly, a Border Police officer appeared from among the trees. He grabbed Muhammad, the youngest brother. A Druze, the officer began cursing in Arabic and ordered Muhammad to sit on the ground. Then

he asked for Muhammad's identity card and kicked him in the side. Muhammad says it was a hard kick, and he cried out in pain. His two brothers, Nasim and Sanad, heard the cries and left their hiding place to come to their brother's aid. "Why are you kicking him?" they asked. Meanwhile, the Jeep returned and several more Border Police officers got out, setting off in pursuit of the laborers who had fled.

A few minutes later, a worker named Ashraf was hauled in, bleeding from his face and nose. The officer ordered Nasim to get into the Jeep. Muhammad asked where he was taking him and the officer ordered him to get into the vehicle too. The rest went on foot, toward the al-Zaytun checkpoint. There, the officer made Nasim get out of the Jeep and took him into the bathroom. Nasim says the officer ordered him to take off his shirt. Then the officer placed his rifle and vest on the sink and made Nasim enter one of the stalls. He ordered him to sit on the toilet and began beating him. Nasim says this went on for many minutes. Nasim told him that he had had surgery on his appendix and the beating was endangering his health; the officer asked to see the scar. Then he stopped beating him, led him out of the bathroom, and brought in his brother Sanad, who says he was beaten, too—more than his brother.

At some point, another officer arrived at the checkpoint and asked what was going on. Nasim told him that Muhammad had been kicked and that he and his brother had been beaten, pointing out the officer who had done it. The new officer also asked why Ashraf was bleeding and they told him. He gave Ashraf something to drink and helped him wipe the blood from his face. Eventually, they were released, but not before the officer who had beaten them asked Muhammad to sign a paper saying he had not been beaten. Muhammad refused. "I have 10 witnesses that [saw] you beat us," he told him. The officer threatened to arrest him, but let him go in the end.

Battered and exhausted, they decided nevertheless to try to sneak back to work. They had already paid for the ride to that point and didn't want to give up. They walked toward another checkpoint, the al-Za'im checkpoint. Two Border Police officers were patrolling there, too, so they waited. After a while they gave up and decided to try somewhere else. They headed toward the Isawiya bridge. There was a Jeep on the bridge. Dozens of workers—they

say the number was close to 100—were hiding below the bridge. Finally, the Jeep left and they tossed a rope up over the wall.

Nasim and another worker, Jabrin, climbed up first. They saw a Jeep on the other side of the fence and leaped back. A few minutes later, they clambered up again and this time saw no Jeep. They slid down the other side of the wall while Sanad began climbing up. When Sanad was about to come down on the other side, the Jeep returned. He was suspended on the rope and the Border Police officers aimed their rifles at him and ordered him to come down. He came down and put his hands behind his head and the officers said to him: "Since this morning, we've been waiting to catch someone." They started beating him with their clubs. They dragged him toward the Jeep as they continued hitting him. Sanad says he almost lost consciousness. Then they tossed him on the side of the road.

Sanad called Nasim, who was hiding nearby, and told him in a weak voice that the Border Police had "left him a wreck." Nasim hurried to his brother and called a Palestinian ambulance. They decided to take Sanad to the al-Za'im checkpoint, to show what had happened to him and to complain about the beating. An officer came and they told him what had happened. The officer said he had seen on the security cameras that Sanad was hurt when he fell from the wall—that no one had beaten him. They replied that the fact that he was injured all over his body showed that he had been beaten. Then the officer started to beat Nasim.

Another Jeep arrived, and now there were eight Border Police officers there. Nasim says that as he was trying to ward off the blows, the badge of one of the officers came off. The Border Police officers put Nasim and Muhammad in a detention cell at the checkpoint, and one of the officers told Nasim that now he would get revenge for ripping off his badge. Nasim says he was beaten yet again. Muhammad says that he, too, was beaten until he bled. They were beaten with a chair and with rifle butts before they were finally released.

In the meantime, the Palestinian ambulance arrived. The three brothers, along with the other worker, Ashraf, boarded the ambulance, which took them to the hospital in Bayt Jala, where their wounds were bandaged. "And that's the whole story," says Nasim.

A Border Police spokesperson said that the Border Police command was unaware of the incident and that the information would be passed on to the PID for investigation. They also asked for more information.

At 2:30 A.M., the brothers were released from the hospital. They took a taxi back to their home in Sa'ir, arriving after 3 A.M. Since then, they have managed to sneak back twice for two more weeks of work. Last week they did not go to work—due to the closure imposed because of Israel's Independence Day.

NATHAN JEFFAY, "BIBI'S 'ECONOMIC PEACE' FACES KEY TEST AT QUARRIES," *THE JEWISH DAILY FORWARD*, 15 APRIL 2009 (EXCERPTS).

Complaints over Israel's conduct on Palestinian land are well known. Less commonly heard, however, is the accusation that Israel is actually removing the land.

"How is it that they are taking our land to Israel?" asked Ibrahim Abder, a Palestinian man standing at a stone quarry near his home a few miles south of Bethlehem during an interview with the *Forward*. Abder, a former quarry operator, was referring to the fact that every day Israeli firms are quarrying natural resources in the occupied West Bank and taking them to Israel. It is estimated that 12 million tons, a fifth of the gravel used for building in Israel each year, come from the West Bank.

This issue received some attention in the international media in early March when Yesh Din, an Israeli nongovernmental organization, petitioned Israel's High Court to stop this practice, arguing that it contravenes the laws of occupation and international law and constitutes "pillaging." In fact, the issue of quarrying is even more charged than the petition and media reports have indicated. As far as many Palestinian quarry operators are concerned, Israel is not just bringing in firms from Israel that have no right to be there; it is also making their own ability to do business increasingly difficult. "Israelis are allowed to quarry our resources though we're often not allowed to get at our own resources," a senior manager in one of the largest Bethlehem-area stone companies told the *Forward*.

For Israel's new prime minister, Benjamin Netanyahu, who has offered Palestinians an "economic peace"—in lieu of his predecessors' commitment to a two-state solution to the Israeli-Palestinian conflict—

the hurdles Israel has imposed on Palestinian quarry operators may prove a key test.

According to Palestinian quarry operators, their problems began in the mid-1990s when Israel toughened its environmental regulations for quarrying in Israel proper. As a result, Israeli firms increased quarrying in area C of the West Bank—a sector that remains under direct Israeli jurisdiction under the Oslo accords—where regulations were looser. (Areas A and B fall under Palestinian jurisdiction.) Along with the arrival of the Israeli firms came a steady stream of closings of area C Palestinian quarries.

Abder recalled quarrying on one particular patch of state-owned land in area C by longstanding arrangement with Israel. But he had to close this quarry in 1996 after the authorities failed to renew his license. He said that no reasons were given. "How should a person feel who had 35 trucks going [to Israel] every day and now hardly has fuel to go in his car?" Abder said angrily at the site of the abandoned quarry. Israel's plans and policies, and the reasoning and justifications for its actions, are unclear. Despite repeated requests from the *Forward*, the Civil Administration, the Israeli authority responsible for the West Bank, failed to respond to any of the questions submitted for this article.

Meanwhile, Meir Bar-El, head of the buildings material division of the Israel Manufacturers Association, said Palestinian and Israeli firms are "competing on a level playing field under the same rules and the same conditions."

Abder left the stone business, but Ayser Ziadan, who ran the neighboring stone quarry until it, too, closed in similar circumstances in 2000, managed to carry on trading. This is because his company also processes stone quarried elsewhere. The company managed to bear the extra cost of purchasing raw materials instead of quarrying them itself. But the last couple of years have brought new challenges that chipped away further at profits. Ziadan, like many in the Palestinian stone business, complains that taking goods to Israel, once a relatively simple procedure, has become exceedingly complex, with growing and often unpredictable restrictions at checkpoints and an increasing number of bureaucratic demands. Just a few months ago he used to take three truckloads of stone a day to Israel, but he is now finding it nearly impossible to get more than one through. "We were working

until 3 P.M.," he said. Now, as a consequence, "We just work until 10 A.M."

A spokesman for Nassar Stone, one of the largest quarry operators in the Bethlehem area, told the *Forward* that in the last year, his firm's transportation costs have doubled. He said that in the last two years profits have fallen by around a third as a result of the growing complexity of getting goods to Israel. There is a tunnel to Israel one mile from his plant, the Nassar Stone official noted. But his firm is only allowed to use it for goods for the domestic Israeli market. Goods for export must be driven 30 miles to a different checkpoint.

Several stone merchants told the *Forward* that in the last two months Israel has introduced more restrictions. These apparently include only letting Palestinian stone trucks through between 11 A.M. and 5 P.M. This means that there is only time for a single truck to make one drop to Israel a day instead of two. Other new restrictions cited by stone merchants include a 75-per-day limit on Palestinian stone trucks crossing from the Bethlehem area to Israel. In many cases, they say, the authorities also insist on "back-to-back" loading. This means that instead of allowing an Israeli truck to go into the West Bank, collect goods, and take them back to Israel, Palestinians must transport them in a Palestinian truck to a checkpoint and then move them onto an Israeli truck. This procedure is time consuming and costly.

"As this is going on, Israeli firms are allowed free movement whenever they want, which frustrates us," the manager of one large stone firm said. He declined to be named because he is lobbying Israel to change the situation. He said that big companies like his have the skills and manpower to deal with the bureaucracy and profit margins that can bear the extra expenses of Israel's increasing regulations. But a number of smaller firms have closed in recent months, he said.

Stone merchants are watching with interest—and more than a little skepticism—to see whether Netanyahu's "economic peace" policy will affect the situation. "That's what he's saying, that he will help the Palestinian economy—we hope that he will do this," said the stone company representative.

Those with an interest in the subject have various theories on why Israel acts as it does. . . . Jad Isaac, a Palestinian expert on natural resources in the West Bank who directs the Applied Research Institute—

Jerusalem, told the *Forward* he had no evidence to suggest that anything but heightened security standards was behind the slowing of passage for Palestinian materials. But Yesh Din, the organization petitioning the High Court on Israeli quarrying in the West Bank, views the complaints of Palestinian quarries as the flip side of Israel allowing its own quarry firms into the area. Israel's "dispossession" of Palestinians "starts always with the denial of the rights of the Palestinians and it continues with allocating the same denied rights to Israeli hands," claimed Yesh Din fieldworker Dror Etkes.

AMIRA HASS, "LIFE AMONG THE RUINS IN GAZA," *HA'ARETZ*, 15 MAY 2009 (EXCERPTS).

Wadi Gaza is an agricultural region southeast of Gaza City. The ruins of Husayn al-Aaydi's family home are immediately apparent. The houses (and several other heaps of ruins) are scattered among budding hills, lazily grazing goats, and fields that have been plowed but not sown. Up until nine years ago, these houses were surrounded by orchards and other fruit trees. Until the Israel Defense Forces [IDF] bulldozers uprooted everything in order to safeguard the Israelis driving to the settlement of Netzarim.

The thousands of heaps of ruins in the Strip have now become part of the landscape. What attracts attention is when one pile of ruins or another disappears. The Gaza Public Works Bureau has already solicited bids for clearing away the ruins of several public buildings and several mosques. Building contractors have begun to evacuate the rubble, and tents have been set up on the site in order to serve the public and for prayers. But these are the exceptions. There is no point in clearing away the ruins of the 4,000 buildings and homes that have been totally destroyed, so long as Israel does not permit building materials to be brought into the Strip.

The Gazan Ministry of Public Works also warns citizens not to clear away ruins through private initiative: it's too dangerous. At least 50,000 people, members of 8,000 families whose homes have been destroyed, know that the temporary solution they have found is liable to become a long-term one. "And that's not a solution," says al-Aaydi, whose family is now dispersed among several houses, far from the plot of land they bought years ago and cultivated with a great deal of love. His mother, Kamela, 80, refused

to leave her land. The expulsion from Beer-sheba in 1948 was enough for her. Now she lives by herself in what used to be the family goat pen (the goats fled or were killed; one hen survived and is still alive and pecking in the soil of the goat pen). She stores some of her possessions in a rusty bus that they dragged to the site a long time ago. She heats up tea on a bonfire.

"You can see the ruins of the house, you can't see the ruins in our soul," says Husayn al-Aaydi, a man in his fifties. He was a Fatah activist, a prisoner in Israel from the 1970s who was freed during the prisoner exchange deal in 1985. After his release, he worked at several jobs, so as to be able to build a house for his family.

The al-Aaydis thought that the ground invasion of Israel's Gaza campaign would be like the previous ones: that the shelling and the shooting would be outside the house, and that they would be safe inside it. His brothers' families, who live nearby in buildings with ceilings of asbestos and tin, joined him on Saturday, 3 January 2009, on the eve of the ground attack and when the bombing intensified. "All of us, 30 people, were in one inner room, on the second floor," said Kamela this past Sunday. "I was lying on a mattress, I wrapped my head in a mandil [a head kerchief] and a thick scarf. Because of the cold."

At about 8 P.M., something pierced the air and the three stories of the concrete house: A shell? A missile from a helicopter or a drone? They didn't know. Dust, fragments of concrete, and shouting filled the room in which they were crowded. Kamela would later discover that her head kerchief was soaked with blood. She had been wounded by shrapnel in her head; today, she still gets dizzy when she gets up and walks. They ran from the partially demolished house to one of the buildings in the yard—in the hope that the forces that were shelling would see them and understand that they were civilians. Six people were injured by shrapnel: Kamela, her sister-in-law, and four children. They contacted friends and relatives to call for medical assistance. They discovered that the IDF was not allowing rescue teams access to them.

Ha'Aretz accompanied the efforts of Physicians for Human Rights [PHR] to have them rescued and reported daily and in real time about the situation: They were almost without food and medicine, had little water, were cold, and there was shelling and firing all around. But only on Friday, 9 January,

almost seven days after they had been wounded—after exhausting negotiations on the part of PHR and phone conversations conducted by Husayn al-Aaydi himself with soldiers or officers in the Coordination and Liaison Authority for the Gaza Strip—was the first evacuation allowed: four of the wounded and four escorts.

Healthy Carried the Wounded

They walked for about 1.5 kilometers, the healthy ones carrying the seriously injured on stretchers. The wounds of the children Ragheda and Nur, who were injured by shrapnel all over their bodies, were beginning to become infected; they began to lose consciousness. Before their evacuation, Husayn had cut into Ragheda's flesh with a knife—two of his brothers held her as she screamed and cried—and sterilized the wound with salt water. The grandmother, Kamela, shakes her head as she tells us this, as though she wanted to chase away the memory.

The next day, Saturday morning, a week after they were shelled, the healthy ones and the two wounded women also left. They understood that it was dangerous to remain in the area, as "every moment we expected another shell to fall on us, to be wounded again, perhaps killed," explains Husayn, almost apologizing for "abandoning" the house. Their departure was preceded by negotiations over the phone conducted by al-Aaydi, who speaks Hebrew, with an officer or soldier in the liaison office.

"They wanted us to take a six-kilometer detour: I refused," he recalls. "They demanded that we go south, to the area of Netzarim. I refused. In the end, they agreed to let us go north, near the Qarni crossing. But there were conditions: That each of us would be a meter away from the next person. That we wouldn't stop. That we wouldn't put down the children, whom we adults were carrying on our backs. That we wouldn't put down my mother, whom two of us carried together. They told me: if we can't count the 22 people who left the house, anyone who sees you from a helicopter or a tank will fire at you."

One of the conditions was that they would carry a white flag, and that scared them most of all. "I was in all the wars and none of them was so difficult. In none of them did they kill people waving white flags, as they did this time," explained Kamela. "And when we marched, I was already in despair, I wanted them to put me down.

'Leave me on the road and I'll die,' I told my sons."

The exhausted convoy marched for about 700 meters, according to Husayn al-Aaydi's estimate, until they encountered a group of tanks. One soldier got out of the tank, aimed his rifle at the convoy, and ordered them to stop. "That was lucky, that way we could rest a little, we put down the children and Mother," recalls al-Aaydi with a little smile. The soldiers ordered him to approach. "There was a dog with the soldiers. They cocked their weapons. As though they wanted to scare us. I told the soldier: 'We're leaving by prior arrangement, contact your commanders.' And the soldier answered me: 'I won't contact anyone.' We waited like that for 20 minutes. The way a person waits for death." The three kilometers until they reached the ambulances took about an hour and a half to two hours—they no longer remember precisely.

And since then they can't find a place for themselves, says al-Aaydi. When the attack stopped, they were astonished to discover that the IDF had blown up their house. "From the school where we hid during the attack we wandered to relatives, from those relatives to other relatives, from them we dispersed among rented apartments. The children switched schools, they can't concentrate on their studies and don't show any interest." . . .

The IDF spokesman responds:

From the moment of the attack, direct contact was established between the affected residents and the army, and an attempt was made to evacuate them from the Gaza Strip, so they could receive medical care in Israel. The residents were evacuated at the first opportunity at which they would not have been exposed to mortal danger from the fighting that was taking place in the area. In order to provide additional information about the attack, we would need precise location coordinates. As we were not provided with that information, we are unable to clarify the matter.

AMIRA HASS, "LEFT BEHIND," *HA'ARETZ*, 2 APRIL 2009 (EXCERPTS).

This article focuses on the bureaucratic obstacles faced by patients from Gaza seeking treatment outside the Strip as the result of the rivalry and conflict between the de facto government in Gaza and the Palestinian Authority in Ramallah.

According to Gaza gallows humor, the Palestinian Authority government in Ramallah and the Hamas government in Gaza

are competing to see which of them can heap more hardships on those living in the quarantine facility known as the Gaza Strip. Otherwise, it is difficult to understand the steps that each of the two governments has taken. In January, the Ramallah government stopped referring patients for medical treatment to Israel; on 22 March, the Gaza government replaced the employees in the Referrals Abroad Department, which handles referrals for medical care. In place of the previous staff, which had answered to the government in Ramallah, it placed its own people. Israel, Egypt, and Ramallah do not recognize the signatures of the new staff, and so referral for medical care outside Gaza has effectively ground to a halt.

Both Palestinian health ministries swear that their actions have been guided solely by the interests of the patients and of Palestinian society. The patients and their families, however, are not so easily convinced that this has indeed been the only agenda.

Since he first felt a pain in his back three years ago, until two weeks ago, when a third tumor was diagnosed at the base of his spine, 35-year-old Raed al-Shawwa, a father of four, has undergone multiple procedures and operations (two large tumors, two major operations) and has faced ordeals familiar to many patients (misdiagnoses, inappropriate treatment). He has also, however, endured the kind of suffering exclusive to patients in Gaza: he spent weeks and days waiting for Israel to allow him in for treatment, was summoned to appear before Shin Bet security service officials at the Erez checkpoint (by now a routine requirement for patients from Gaza), spent a long day in the Shin Bet offices (since the operation he has had trouble sitting down for more than 20 minutes), and shuttled between clerks and doctors to collect the necessary signatures for the departure and referral (a bureaucracy with no fewer than four tiers: the health care system in Gaza; the Referrals Abroad Department, which is subordinate to the Health Ministry in Ramallah; the Israeli mechanism that must issue exit permits from Gaza; and the hospital's own red tape—all of which must be traversed anew for each round of treatments in Israel).

After the second tumor was surgically removed in September 2008, it was decided that Shawwa needed radiation therapy as well. Treatment, however, was then postponed for several months (which he could ill afford), because after establishing his therapy plan, the hospital demanded that he

return in 10 days for the radiation itself. His attempts to explain that getting the necessary permits would take at least 10 days were to no avail. Gaza residents are not allowed to stay in Israel between treatments.

Shawwa returned to Gaza, and in November, Israel would not grant him a permit to reenter. His appointment for radiation was canceled and rescheduled to 25 January 2009. During the Israel Defense Forces campaign in Gaza, however, patient referral services were shut down. The appointment was once again rescheduled, this time to 25 February. But when Shawwa went to the Referrals Abroad Department in early February, he was stunned to hear from the clerks there that “treatment in Israel had been discontinued.”

Radiation therapy is not available in Gaza. After long years of delay, Israel had allowed the necessary equipment to be delivered, but it will not permit the transfer of the materials used in its operation. Shawwa began to consider seeking treatment in East Jerusalem. Then came the blow of the Gaza government expelling the employees of the Referrals Abroad Department. There is no one to coordinate the visit (not even to the West Bank or East Jerusalem, which, absurdly enough, are considered “abroad” by the Israeli-Palestinian permit bureaucracy), and the Ramallah government will not cover medical expenses if the letters of referral are signed by doctors and department heads who do not meet with its approval.

Issue of Passports

Meanwhile, Shawwa’s ongoing pain grew worse. A new test revealed a third tumor in the same location as earlier ones. Aside from the troubling prospect of finding a new doctor, treatment plan, hospital, and country, yet another problem arose: to travel abroad, he needs a new passport. Blank passports are supposed to be sent from Ramallah to Gaza. Some 1,800 passport requests, including many from patients, have piled up in Gaza, but the Ramallah government has for months been refusing to send the blank documents. Shawwa, like many others, found a way to send his old passport to Ramallah for renewal. Sometimes, Hamas officers at the Palestinian checkpoint near Erez go through the belongings of the few travelers on their way to the West Bank to make sure that they are not carrying expired passports in order to renew them. . . .

Egypt recognizes passports renewed by officials of the Interior Ministry in Gaza, but

only for the purpose of staying in Egypt (or going on to Saudi Arabia). However, the Rafah checkpoint is closed, and it is opened only on rare occasions. Two weeks ago it was supposed to let through 300 patients, but the Egyptians ultimately refused to allow most of them in. According to sources within the Gaza government, a Palestinian Authority representative instructed the Egyptians to turn back patients who had not applied through the department that answers to Ramallah. In response, the Gaza government closed the checkpoint to everyone, and three days later it fired the employees of the referrals department. A source in the Ramallah Health Ministry indirectly confirms the allegations made in Gaza. He says that the Egyptians turned back patients “that weren’t Ramallah’s,” fearing that they were not really sick. Similar charges are made in Gaza against the coordinators from Ramallah, who, sources in Gaza say, use health permits as a means to transport relatives of Fatah activists who fled the Strip. Use of existing permits for other purposes is the constant risk that accompanies such severe restrictions on movement as those imposed by Israel (and by Egypt, which in this matter operates in coordination with Ramallah and Israel).

Following protests from Palestinian and Israeli human rights organizations and some media coverage of the affair, the health minister in Ramallah, Fathi Abu Moghli, denied issuing any blanket directive to halt referrals for treatment in Israel (“There is no policy of zero referrals to Israeli hospitals”). The denial is inconsistent with the experiences of Shawwa and many other Palestinians. In official and unofficial responses, spokesmen in Ramallah gave various reasons for the decision: treatment in Israel is far more costly than in countries such as Jordan and Egypt, and this budgetary burden comes at the expense of developing the health care system within the Palestinian territory—a major goal in the Palestinian Authority’s development plans.

“False Claims, Untrue Allegations”

After the World Health Organization protested the halt in referral services early this week, the Health Ministry in Gaza issued an official statement denying the “false claims and untrue allegations” (that is, the claim that the power struggle between the Palestinian leaderships was being waged on the backs of the patients). According to the statement, the Referrals Abroad Department

had been plagued by cases of corruption, bribery, and the levying of unnecessary fees. These claims are rejected in Ramallah. The ministry also alleged that the department had refused to cooperate with it (that is, that it agreed neither to work with hospital directors appointed by Hamas to replace those associated with the Palestinian Authority nor to set up a doctors committee that would be acceptable to both sides).

The Gaza government has made it clear to all involved that it is willing and able to pay for medical treatment abroad (including in Israel). This is yet more proof that the Gaza leadership has the necessary funds and has reached its own arrangements for covering health-care costs with hospitals and medical organizations in the Arab world. The Gaza government is persistent, and it is patient: it is demanding that the Rafah checkpoint be opened, under new terms rather than those decreed by Israel, Egypt, and the Palestinian Authority (which Israel did not uphold, anyway). Ramallah, Israel, and Egypt are also biding their time. But the patients are not; they are running out of time.

Shawwa was told early this week that he needs to undergo surgery within the next two weeks. He has all but given up on the idea of getting treatment in Israel, and even if Physicians for Human Rights-Israel could coordinate his entry (as it does in the few cases where patients are still covered by Ramallah's financial commitments), he cannot afford to have the procedure done privately. He is worried about the quality of health care in Egypt. His friends have made inquiries, and the Turkish Red Crescent is willing to pay for treatment in Turkey. But when will his passport arrive from Ramallah? Will the Egyptian and Hamas authorities be willing to open the Rafah checkpoint so he can fly through Cairo? Or, perhaps the Shin Bet and the Israeli Coordination and Liaison Office will come through in time with permission for him to pass through Erez and then the Allenby border crossing so that he can fly via Amman (since Palestinians are not allowed to travel through Ben-Gurion airport in Israel)?

AMIRA HASS, "PENETRATING THE LAWS OF WAR," *HA'ARETZ*, 16 APRIL 2009 (EXCERPTS).

This article follows a family bard hit by an Israeli attack using flechette shells during Operation Cast Lead.

The tall young man walked into the room slowly and sat down slowly. Two nails that have penetrated his body force him to walk rigidly and carefully; one is in the upper-right part of his chest, the other in his right thigh. The man is Nahaz Abdel Daym, 25, who was wounded by two flechette shells fired by the Israel Defense Forces [IDF] on 5 January during Operation Cast Lead.

When a flechette projectile explodes, it scatters between 5,000 and 8,000 nails or small darts, each about four centimeters long. They stick into anything they hit: people, trees, cement, metal. Two of Abdel Daym's brothers and three cousins were killed by darts from those two shells. About another 20 people were wounded, including one of his brothers.

The doctors decided not to operate to remove the nails, fearing they would cause irreversible damage. "I feel all the time as though needles are stuck in my body," he says. He has difficulty breathing, wakes up many times during the night, and feels constant pain, which worsens on cold days. . . .

Jamal Abdel Daym, the father who lost two sons, formerly an Egged bus driver, wants to send his son Nahaz for tests and treatment outside Gaza. Maybe other doctors with more sophisticated equipment will be able to rescue his son from a fate of perpetual pain and disability. But even if the border crossings were not closed, who can pay for tests and treatment?

His son is one of about 5,600 people wounded during the IDF's most recent attack on the Gaza Strip. According to the health authorities there, about 2,000 are children and 800 are women. Of the wounded, 520 have been sent for treatment abroad—most of them to Egypt and Saudi Arabia, others to Turkey and Belgium. Six died while being treated abroad. Only a few patients remain in Gaza's hospitals. In thousands of homes families are coping with the effects of their injuries: disability, pain, extra expenses, and a lack of confidence in the medical care they receive. For them, the offensive did not end on 18 January.

According to Amnesty International, the IDF fired flechette shells at four residential neighborhoods in five separate barrages during Operation Cast Lead: at Bayt Lahiya; the Bedouin village Umm al-Nasser in northern Gaza; twice at the neighborhood of Izbet Bayt Hanun (west of Bayt Hanun); and at the village of Mughraqa, southeast of what used to be the settlement of Netzarim. Eleven

people were killed in these attacks; they include a 2-year-old, a pregnant 21-year-old woman, a 13-year-old boy, two 16-year-olds, a member of the medical team rescuing the wounded, and one of the badly wounded who had been taken to an ambulance. About 30 were wounded.

Nahaz Abdel Daym was wounded near the home of Arafa Abdel Daym—his cousin and the rescue-team member who was killed. Arafa Abdel Daym and his team had gone to treat those wounded by a missile on 4 January at about 10 A.M. These were the first hours of the ground attack, when the IDF used artillery in addition to its fire from helicopters, drones, and planes. A flechette shell landed on the ambulance, and a wounded man on a stretcher was killed by the shell. Three members of the medical team were wounded by the darts, and Arafa Abdel Daym died shortly after being hit.

The next day a mourners' tent was set up in Arafa Abdel Daym's neighborhood—Izbat Bayt Hanun. A few dozen men were sitting on a sandy area beneath a four-story house, opposite the home of the deceased. . . . While the group was still sitting and sipping coffee, an "ordinary" shell hit the house's top floor. A few concrete blocks loosened and fell on their heads. Hani, the father of Arafa Abdel Daym, was wounded and rushed to a nearby clinic. The mourners began to realize how dangerous it was to sit together outside, so they split up. A few young men carried chairs back into the house on the other side—a one-story concrete structure with a yard and garden, surrounded by a concrete wall. Nahaz and his brothers Said, 28, Nafez, 23, and Mazen . . . went to find out how the bereaved father was doing. . . .

A shell exploded at 8:30 A.M. Suddenly, "I felt something in my chest, as though something was moving," said Nahaz in his father's house about three months later. "I looked around and saw two men thrown to the ground. People ran toward us, and then the second shell exploded." Perhaps a minute and a half passed between the first and second shells, recalls the father, Jamal, who was four or five meters away from his sons. "During the first shell I remained standing. When the second one exploded, I sat down and blood began to drip from my mouth and nose," Nahaz said. He didn't know at the time that his two brothers had been killed, along with their cousins: Arafat, 16, and Maher, 30. Islam Jabar, 16, died from his wounds on 7 January. . . . Jamal Abdel Daym keeps two nails removed from the head of his dead son in an envelope.

The IDF spokesman's office replied:

The activity of the IDF in the Gaza Strip was carried out in accordance with international laws of war. In this context, the IDF makes sure to use only legal weapons, subject to the relevant restrictions in laws of war. These laws include no specific prohibition against the use of the flechette, and therefore the means of combat is legal in itself—as was even determined at the time by the High Court of Justice (Supreme Court case 8990/02 Physicians for Human Rights v. the OC Southern Command), as follows: "Needless to say, the respondents have eased our minds that the scope of use of this ammunition is determined by the IDF according to rules that are binding on the commanders of forces acting in the field. The decision regarding whether the conditions in the arena of combat, in every given case, justify use of the flechette, is determined by the authorized commander, who is formulating it, [and who] is ordered to act according to professional guidelines. These guidelines are in principle intended to prevent harm to residents not involved in activities that endanger IDF soldiers or Israeli citizens."