

Al-Haq
Al Dameer Association for Human Rights – Gaza
Al-Mezan Center for Human Rights
B'tselem – The Israeli Information Center for Human Rights in the Occupied Territories
Euro-Mediterranean Human Rights Network
Gisha - Legal Center for Freedom of Movement
Hamoked: Center for the Defence of the Individual
The Palestinian Centre for Human Rights
The Public Committee Against Torture in Israel
Physicians for Human Rights-Israel
Rabbis for Human Rights
Yesh Din: Volunteers for Human Right

July 30, 2007

Ambassador Ramiro Cibrian–Uzal
Head of Delegation
The European Commission's Delegation to Israel
5-7 Shoham Street
P.O. Box 3513
Ramat Gan 52136
Israel

Sent by fax: 03-613-7770

Also addressed to:
Mahmoud Abbas, President, Palestinian Authority
Ehud Barak, Defense Minister, Israel
Ehud Olmert, Prime Minister, Israel
Asem Ibrahim, Egypt's Ambassador to Israel

Re: Joint Call from Human Rights Groups to Open Rafah Crossing

Dear Mr. Cibrian:

Rafah Crossing, the only gateway connecting 1.5 million Gaza residents to the outside world, has been closed consecutively since June 9, 2007.

As a result, at least 6,000 Palestinians are trapped in the Egyptian towns of Rafah and Al-Arish, some of them under the harshest of conditions. Those waiting include patients who left Gaza to receive medical treatment and are being blocked from returning to their homes. The media reports that more than 20 people have died waiting. On the Gaza side of the border, medical patients, workers, students, and businesspeople are unable to leave Gaza in order to receive essential medical treatment, study, or earn their livelihoods.

The fighting between Hamas and Fatah and the attacks of the Israeli military on the Gaza Strip have caused many casualties. Refusal to allow the injured to leave Gaza endangers their lives and results in irreversible damage to their health.

There is evidence pointing to willingness on the part of actors within Gaza, with the agreement of Hamas leaders, to allow the opening of Rafah Crossing according to the Agreement on Movement and Access, agreed to by Israel and the Palestinian Authority on November 15, 2005. However, opening the crossing requires the participation of Israel, Egypt, the EU and various organs of the Palestinian Authority.

According to the Agreement on Movement and Access, **Israel** monitors Rafah Crossing through video cameras and supervision of passenger lists, the **Palestinian Authority** is responsible for operating the crossing, and **European Union** monitors supervise the crossing physically, after Israel allows them to reach the crossing. **Egypt** operates the crossing from its side.

The undersigned human rights groups call upon these parties to fulfill the provisions of the Agreement in order to allow the opening of Rafah Crossing – the life-line for Gaza's residents.

We call upon Israel, the PA, the EU, and Egypt to immediately open the borders of Gaza for the passage of people, irrespective of their political agenda concerning Hamas. **The residents of Gaza may not be used as hostages in a struggle over control of Gaza.**

We call on **Israel**, the occupying power in the Palestinian territories and the principal actor shaping the policy for opening the crossings, to exert maximum efforts to bring about the immediate opening of the Rafah Crossing for regular passage in both directions. In Gaza, Israel controls the passage of people and goods, the population registry, the tax system and the financing of public services. Israel establishes its control by various means include limiting use of Gaza's territorial waters, blocking Gaza's airspace, vetoing the opening of Rafah Crossing, monitoring who travels through Rafah when it is open, and frequent military ground incursions into Gaza.

The Fourth Geneva Convention, which protects civilians in times of war and occupation, requires Israel to care for the welfare of Gaza's residents, to guarantee their rights, and to allow them to lead normal lives – including the ability to leave Gaza and to return home.

We call on the President of the **Palestinian Authority, Mahmoud Abbas**, who was elected to represent all residents of the Palestinian territories, to ensure the well being of Gaza's residents, to the extent that it is in his power. President Abbas must demand that Israel open Rafah Crossing and instruct his personnel within Gaza, to the extent possible, to participate in initiatives to operate the crossing in the Palestinian side, in coordination with the relevant parties.

We call on the **European Union** to unequivocally declare that Rafah Crossing must be reopened immediately, and to demand that the parties concerned allow the return of the EU monitors.

The **Hamas** leadership in Gaza – which controls the security agencies in Gaza, is obligated to allow for the safe opening of the crossing from the Gaza side, as part of a duty to protect the rights and well being of Gaza’s residents.

We call on **Egypt** immediately to arrange for the opening of the crossing from its side and to provide for the humanitarian needs of the thousands of Palestinians stuck in Egypt.

Sincerely yours,

Al Haq*

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*Approval for signature was given by each organization via phone and e-mail. For more information, please contact: Sari Bashi, Executive Director, Gisha, P.O. Box 20111, Tel Aviv, 61200, phone: 03-6244120; fax: 03-6244130, e-mail: sari@gisha.org.