

## **War on the Wounded: human rights violations perpetrated against Palestinian medical personnel in the Gaza Strip**



**A PCHR report on attacks perpetrated by the Israeli Occupation Forces (IOF)  
against Palestinian medical personnel during the IOF military offensive in Gaza**

**27 December 2008 – 13 January 2009**

## **Preface**

In light of continuing attacks being launched by the Israeli Occupation Forces (IOF) against the population of the Gaza Strip, the Palestinian Center for Human Rights (PCHR) is gravely concerned that humanitarian services in the Gaza Strip, especially emergency medical services, are in danger of collapsing. During their ongoing military offensive in the Gaza Strip, the IOF have continually attacked humanitarian and medical personnel whilst they have been on duty.

PCHR has consistently demanded that IOF cease all attacks on civilians in the Gaza Strip, including all humanitarian staff, and that IOF allow the free flow of goods, including medication and humanitarian aid, into the Gaza Strip. This report includes testimonies from, and interviews with, eyewitnesses and survivors of IOF attacks, including officials from the Palestinian Ministry of Health (MOH) and staff from humanitarian organizations.

According to PCHR investigations, which include statements from eye-witnesses, IOF have perpetrated crimes amounting to war crimes against medical personnel working in the Gaza Strip, in clear violation of the (1949) Fourth Geneva Convention, which affords special protection to medical personnel. Since the launch of their military offensive against the population of the Gaza Strip on 27 December 2008, IOF have killed seven Palestinian medical personnel, and wounded dozens of others, whilst they were attempting to evacuate and transfer the dead and injured. IOF have launched ground, sea and air attacks targeting medical personnel and medical facilities, including ambulances, and in addition have obstructed the access of medical personnel to the dead and injured.

Blatant IOF attacks against Palestinian medical personnel have undermined their work during this IOF offensive, by obstructing, and sometimes forcibly preventing, their access to dozens of dead and injured civilians across the Gaza Strip. In many cases documented by PCHR, medical personnel were only able to access the dead and injured up to 72 hours after they had been killed or injured. The Centre has also documented cases of IOF denying medical personnel access to people who subsequently bled to death. In addition, medical personnel, and their vehicles, have been obstructed whilst attempting to evacuate the dead and injured from houses and other civilian facilities that had been targeted by IOF, including houses that had been set on fire. Medical personnel were obstructed by IOF vehicles positioned in the vicinity of these houses and other civilian facilities - and, in some instances, IOF continued shelling and bombardments whilst the medical personnel were clearly evacuating the dead and injured.

In other incidents documented by PCHR, Palestinian medical personnel were prevented from performing their duties despite having secured prior coordination with IOF via the International Committee of the Red Cross (ICRC). The ICRC subsequently criticized in the strongest possible terms IOF attacks on medical and humanitarian personnel in the Gaza Strip. ICRC also demanded that IOF respect international humanitarian law, including the freedom of movement afforded to medical personnel in order for them to evacuate the dead and the injured.

Based on its investigations, PCHR believes that dozens of victims may have died because they were denied emergency medical treatment due to IOF obstruction of medical personnel and their facilities. In spite of repeated attempts by Palestinian medical personnel to evacuate victims, as well as Palestinian medical personnel having secured prior coordination with the IOF via ICRC, IOF continued to prevent medical personnel from accessing victims in order to provide emergency medical treatment, and to transfer them to hospital for treatment.

PCHR calls upon the international community, especially the High Contracting Parties to the (1949) Fourth Geneva Convention, relative to the protection of civilians in times of war, to end their shameful silence regarding abuses being perpetrated by the IOF. In addition, the Centre calls on IOF to immediately cease all human rights violations, including war crimes, being perpetrated against all civilians in the Gaza Strip, including the targeting of humanitarian staff, which includes medical personnel carrying out their duties in ambulances and other civil defense vehicles. The Centre also demands that IOF immediately cease targeting medical facilities, in order that medical personnel be allowed to carry out their duties to protect, and treat, the sick and injured.

## **Violations of the Right to Life, Freedom and Personal Security**

The rights to life, freedom and personal security are enshrined in 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 that "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...".

The (1949) Fourth Geneva Convention, relative to the protection of civilian persons in time of war, prohibits murder of all kinds, as well as mutilation, cruel and inhumane treatment and torture. In addition, the Convention has two additional protocols that afford special protection to medical personnel and humanitarian staff; these are enshrined in articles 14-24. The Convention also guarantees respect for the freedom of movement of medical personnel, and ensures they be granted all necessary material facilities for them to perform their duties, including removal of victims, attending to and transferring injured and sick civilians, pregnant women, and children who require vaccinations.

Article 21 of the Convention states that, "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 same Convention] states that, "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..... such consignments shall be forwarded as rapidly as possible..."

Testimonies from Palestinian victims of IOF attacks, eyewitnesses and Palestinian medical personnel indicate that during the reporting period (27 December 2008- 13 January 2009) IOF killed medical personnel, including two doctors, whilst they were on duty and attempting to evacuate the dead and wounded in Gaza Strip. Investigations carried out by PCHR indicate IOF targeted the medical personnel despite the fact they were wearing clothing that clearly identified them. In addition, during the reporting period, IOF also killed one truck driver working for the UN Work and Relief Agency (UNRWA) whilst he was transporting humanitarian aid near Beit Hanoun in the northern Gaza Strip. A second truck driver was seriously injured in the same incident. UNRWA subsequently suspended its entire Gaza Strip operations for twenty four hours, stating that IOF had targeted its staff despite the fact that its vehicles are clearly distinguished by blue UN flags, and UNRWA had secured prior coordination with IOF concerning the exact location and movements of its staff.

According to investigations conducted by PCHR, during the reporting period IOF intensified their targeting of Palestinian medical personnel who were on duty in areas where IOF were carrying out military offensives. By doing so, IOF violated the right of

these personnel to carry out their humanitarian duties, including treatment; evacuation, and transfer of the sick and injured. In addition, IOF, in violation of the Fourth Geneva Convention, prevented evacuation and transfer of dead civilians and members of the armed resistance. In spite of repeated appeals by the International Committee of the Red Cross (ICRC) in Gaza, the Palestinian Red Crescent Society (PRCS) and other international humanitarian organizations, IOF continued to launch attacks on Palestinian medical personnel. Dozens of Palestinian medical personnel were subsequently injured during the reporting period.

In the majority of cases investigated by PCHR, the deaths and injuries of these medical personnel were due to IOF use of excessive lethal force, their utter disregard for the lives of civilians, and their deliberate targeting of humanitarian staff. By targeting medical personnel, IOF clearly intended to intimidate them, and to prevent them from providing medical assistance to the sick and injured. PCHR notes that IOF have prevented medical personnel from carrying out their duties in the majority of areas that have been subjected to IOF attacks since the launch of the IOF offensive against the population of the Gaza Strip on 27 December 2008.

PCHR documented the following cases of IOF targeting Palestinian medical personnel and humanitarian staff during the reporting period:

- **Wednesday 31 December, 2008: paramedic killed inside ambulance**

At approximately 12:30 on Wednesday, 31 December 2008, an IOF aircraft fired a missile at a group of Palestinian resistance members who were standing in the vicinity of Jabal al-Rayes, east of Gaza City. One of the members was immediately killed and another was injured. Approximately an hour later, an ambulance from the Palestinian Ministry of Health (MOH) drove to the area in order to evacuate the wounded man. An IOF aircraft then fired a second missile towards the ambulance. Twenty one year old paramedic Mohammed Sa'id Abu Hassira was killed whilst inside the ambulance. Thirty five year old doctor, Ihab 'Umar al-Madhoon, who was also inside the ambulance at the time, sustained serious wounds, and died of his injuries later the same day. The ambulance driver, thirty year old Heshmat 'Ajjour, also sustained serious injuries.

- **4 January, 2009: three paramedics killed by IOF missile**

At approximately 16:00 on 4 January 2009, IOF killed three Palestinian paramedics whilst they were on duty in the al-Dahdouh area, south of Tal al-Hawa, in Gaza City. Twenty four year old Yaser Kamal Shbeir, twenty five year old Anas Fadel Na'im, and

twenty four year old Ra'afat Abdul 'Al, arrived in al-Dahdouh in a convoy of two ambulances, and IOF aircrafts fired several missiles into the area at the same time they arrived. Nevertheless, the three paramedics gathered stretchers, climbed down from the ambulances and set off to evacuate people who had been injured in the area. An IOF aircraft then fired a missile at the three of them, killing all three men instantly.

Yahya Abdul Halim Abdul Mohsen Hassan, age 38, was driving one of the ambulances. He gave this testimony to PCHR:

*“At approximately 16:00 on 4 January, I was working at the Feta Hospital in Tal al-Hawa when we started getting a lot of calls from civilians living in al-Dahdouh. They said a number of local people had been injured in the area. I immediately drove [to al-Dahdouh] with two paramedics, Fadel Na'im and Ra'afat Abdul 'Al. My colleague, ambulance driver Hazim al-Barrawi, also headed to the area with paramedic Yaser Kamal Shbeir. When we arrived, we met a young child, who was crying, and he pointed out where the injured people were located. It was a dirt track, and so it was difficult for us to drive in that direction, so the three paramedics stepped down from the ambulances and started to walk. They had stretchers with them, and they headed off to find the injured. As they were walking with the child, who was guiding them, the Israelis fired a missile at them. They [the IOF] also fired missiles towards me, and towards Hazem al-Barrawi, whose ambulance was stuck in the ruts in the road. Hazem climbed into my ambulance, and we quickly drove away, as the Israelis continued firing missiles towards us. A missile landed just behind my ambulance and I heard a third missile whilst I was driving. When we arrived back at the hospital, we reported what happened to the head of the ambulance station. We told him we had fled the area without being able to evacuate the injured, or take our colleagues, because the Israelis had been firing missiles at us. The head of the ambulance station drove to the ambulance headquarters of the Palestinian Red Crescent Society (PRCS) which is close by. Then, three ambulances drove to the area of the attack. But even after coordinating with the Israelis, they could only evacuate two of the paramedics; the Israelis only allowed them to take one dead body in each ambulance. So, the body of Ra'afat Abdul 'Al, plus the body of the young child, and the bodies of other martyrs who had been killed, all remained in the area. Our crews were not able to evacuate them at the time, though I know these bodies were evacuated later.”*

- **4 January, 2009: paramedic dies after ambulance shelled by IOF**

At approximately 10:00 on Sunday, 4 January, IOF bombarded a crowd of civilians near Abu 'Ybeida Ibn al-Jarrah school in Beit Lahia in the northern Gaza Strip. Locals rushed to rescue the injured. An ambulance from al-'Awda Hospital also drove to the area to evacuate the injured. At approximately 10:10, IOF bombarded the same area again. Nine civilians, including a father and two of his sons, were killed as a result, and a number of civilians, including two paramedics, sustained injuries. One of them, thirty three year old 'Arafa Hani Abdul Dayem, subsequently died of his injuries.

Ambulance driver, Khalid Yousif Abu Sa'ada, gave the following testimony to PCHR:

*“At approximately 10:15 on Sunday, 4 January, I was told that there were injured people near the western roundabout in Beit Lahia town. I immediately drove to the area with two paramedics, ‘Arafa Hani Abdul Dayem (age 33) and ‘Ala’a Usama Sarhan (age 26). When we arrived, we saw a person who had been critically injured. The two paramedics climbed out of the ambulance to evacuate him into the ambulance. I drove approximately ten meters ahead in order to evacuate another injured person. Then, an IOF tank fired a shell at us. The shell directly hit the ambulance, and ten civilians, including the two paramedics, were injured. My colleague ‘Arafa Hani Abdul Dayem died of his injuries later the same day.”*

- **12 January, 2009: doctor decapitated by IOF artillery shell**

At approximately 16:10 on Monday, 12 January, IOF fired an artillery shell at the al-Banna building in al-Zarqa Street in Jabalia town. Three ambulances quickly arrived at the scene: one ambulance was from the military medical services, the second from the civil defense services and the third from the Palestinian Ministry of Health (MOH). Medical personnel in the three ambulances immediately left their vehicles in order to evacuate the casualties. Approximately seven minutes later, IOF fired a second artillery shell at the al-Banna building, whilst the medical personnel were evacuating the decapitated body of a man who had been killed by the first shell. The second shell hit Doctor Issa Abdul Rahim Saleh, age 32, who was a member of the military medical services. He was decapitated by the artillery shell. His decapitated head struck his colleague, paramedic Ahmed Abdul Bari Abu Foul, age 25, a member of the civil defense services. Ahmed Abu Foul also sustained shrapnel injuries to his head and back. The body of Issa Saleh, and his injured colleague, Ahmed Abu Foul, were evacuated by ambulance to Kamal ‘Odwan Hospital in Beit Lahia.

Ahmed Abu Foul told a PCHR field worker that he had been in the targeted building attempting to evacuate the dead and the wounded, and that he and his colleagues had all been wearing uniforms that clearly identified them as medical personnel. Abu Foul also said that the ambulances were clearly marked as medical vehicles, and were also flying flags to indicate their status. He said he was “astonished” that he and his colleagues were indiscriminately shelled whilst trying to evacuate casualties. At the time of publication, Ahmed Abu Foul is still at hospital being treated for his injuries.

IOF attacks on Palestinian medical personnel are not accidents or mistakes. The available evidence strongly indicates IOF deliberate use of excessive lethal force against medical personnel and their vehicles, with the intent to target and kill or injure the medical personnel, as well as to destroy their vehicles.

- **IOF open fire at Erez Crossing, killing UN staff member**

On Thursday, 8 January, IOF opened fire at a convoy of trucks that were waiting near Beit Hanoun (Erez) Crossing, in order to transport humanitarian aid into the Gaza Strip for UNRWA. A driver working for UNRWA was killed, and a second driver injured in the attack. Investigations conducted by PCHR indicate that IOF soldiers positioned at Erez crossing opened fired at the group while they were waiting in their vehicles near the crossing, killing thirty two year old Bassam Qouta, 32, who was working for the Shuheibar Transport Company. The company had contracted some of its drivers to work with UNRWA.

Immediately after the death of Bassam Qouta, UNRWA announced that, in light of its humanitarian staff having been targeted, it was being forced to suspend its entire operations in the Gaza Strip. Later the same day, 8 January, Al-Jazeera TV interviewed John Ging, Head of UNRWA operations in the Gaza Strip. John Ging told al-Jazeera that UNRWA had taken the decision to suspend its operations and activities in Gaza, including aid distribution for approximately 750,000 Palestinian refugees in the Gaza Strip, as well as suspending activities in schools and other institutes, in light of IOF attacks on UNRWA facilities in Gaza. John Ging called for the application of the principles of the Fourth Geneva Convention, especially the provisions relative to the protection of humanitarian staff and organizations in times of war. An UNRWA spokesman reiterated that the Agency had taken the decision to suspend all its operations in Gaza because of increasing hostile actions committed by IOF against UNRWA premises and personnel. He confirmed that UNRWA trucks had come under IOF fire near Erez crossing despite having secured prior coordination with the IOF, and that one driver had been killed and a second injured in the attack. He added that IOF had also fired at an UNRWA armoured car driven by UNRWA staff member Judy Clark, who is John Ging's assistant, and who was not injured only because she was inside an armoured car. Subsequently, Karm Abu Salem (Kerem Shalom) crossing had to be closed as Palestinian transport staff in Gaza refused to work, in protest at the killing of their colleague. UNRWA reiterated these violations had taken place despite the fact that UNRWA had informed IOF of its activities, the movements and locations of its entire staff, and their means of transport.

UNRWA subsequently resumed its activities on Saturday, 10 January, after IOF pledged, in a meeting with the UNRWA commissioner, not to target UNRWA staff and facilities in the Gaza Strip.

- **Preventing medical personnel from evacuating the dead and injured**

Preliminary investigations carried out by CPHR, including interviews with victims and eyewitness, indicate that Palestinian medical personnel, and staff working for the Palestinian civil defense, have faced extreme risks throughout the ongoing IOF military

offensive in the Gaza Strip. IOF have prevented the free movement of Palestinian medical personnel, and thus prevented their access to the sick, dead and injured. As a direct result, hundreds of injured people were left unattended. Civilians who had been killed or injured were sometimes unattended for several days due to IOF preventing access to medical personnel, despite persistent attempts by medical personnel, and the ICRC, to secure coordination in order to be able to reach the victims.

PCHR has documented hundreds of cases in which Palestinian civilians have been injured by indiscriminate IOF shelling and bombardments, and Palestinian medical personnel were subsequently unable to reach the injured in order to evacuate and hospitalize them. The majority of these cases have been in areas invaded by IOF ground troops, especially in Gaza City, where the districts of al-Zaytoun, al-Sheja'ya, al-Sheikh 'Ajleen, and the al-Karam apartment buildings in northern Gaza city were especially targeted. As regards the northern Gaza Strip, al-Salatin district, al-'Atatra, Ezzbit 'Abed Rabbo area and al-Sha'ima'a were all severely affected. In these areas, the injured, who were mainly civilians, were frightened, isolated and often unable to leave the area due to IOF attacks. Civilians were unable to access medical services, and some of them subsequently died before medical personnel could reach them. In al-Zaytoun, medical personnel managed to evacuate dozens of the dead and the injured only four days after they had been killed or injured, because the situation remained so dangerous.

- Maher Husein Nassar, age 44, is married with five children. He lives in al-'Atatra district in the north of the Gaza Strip, and gave this testimony to a PCHR field worker.

*“At approximately 18:00 on Sunday, 4 January, the Israelis started to invade our area. I immediately left my house with my wife and five children to look for a safer place. But we could not get out of the area because of intensive [IOF] firing and Israeli smoke bombs that created thick clouds. We also couldn't find any transport to get us out of the area, because all the streets had been bombed a few hours before the beginning of the ground invasion and there were craters and holes all over the streets. So we were forced to return home. At night, none of us were able to sleep because IOF were firing and shelling all night. The electricity and water system had also been destroyed during the shelling. Early in the morning of [Monday], 5 January, I heard shells landing on the houses of our neighbours. At approximately 05:00, a shell landed on our house, which is composed of just one storey. The shell hit one of the walls and my family was injured. Ten minutes later, a second shell landed on our house. My wife and three of my children; Ala'a, (9), Yasmin (8) and Mohammed (5), were hurt again. I telephoned the ambulance station. They told me they would send us an ambulance as soon as possible. I waited more than an hour and then called them again, and they told me that the ambulance was not able to access the area due to heavy shelling. I tried to treat my wife and children myself as they were seriously injured, but only had basic first aid stuff at home. This situation continued for another full day. We spent the whole time living in fear and panic about what was going to happen next. The IOF continued to heavily shell, and to fire around us. In the morning of Tuesday (6 January), we finally managed to leave our house and walked about 300 meters, where we found an ambulance. The ambulance took us to Kamal*

*‘Odwan hospital, where my wife and children were treated. My daughter, Yasmin, is still being treated in hospital.’*

- Mohammed al-Sultan, age 25, from al-Salatin district in Beit Lahia, told PCHR that his relative, Mohamed Ali Ahmed al-Sultan, age 53, was injured by shrapnel when IOF fired a shell at a group of civilians standing near his house at approximately 13:00 on Wednesday, 7 January. The shrapnel hit Mohamed Ali Ahmed al-Sultan in the back and he collapsed. Paramedics were unable to reach him, and he was left bleeding for approximately one hour and a half. His relatives phoned ambulance services, but were told the ambulances could not evacuate him immediately due to heavy IOF firing, and because the local streets had been severely damaged by F-16 missiles that had caused craters. An hour and a half later, at approximately 14:30, an ambulance reached Mohamed Ali Ahmed al-Sultan, but he had bled to death.
- Mohammed al-Sultan also told PCHR that, at approximately 09:00 on Tuesday, 6 January, Mohammed Abdul Bari al-Sultan, 19, had been shot by a sniper whilst inside his house near al-Iman Mosque in the al-Salatin district. Al-Sultan said they telephoned for ambulances, but the ambulances could not enter the area due to heavy firing and shelling. One hour later, the family of the injured man took the risk of transporting him by their own car Kamal ‘Odwan hospital in Beit Lahia.
- Tala’at ‘Asa’ad Sa’adi Hamouda, age 51, a director in the Ministry of Social Affairs, is married to 38 year old Intesar Abdul Wahhab Hammouda. They have five children. He gave PCHR the following testimony.

*“At approximately 02:00, on 11 January, I was at home with my family. We were hiding in one bedroom, because the Israelis were firing heavily, and also shelling in our area. At midnight they began invading our area, and then there was suddenly a loud explosion in a house neighboring ours. The targeted house belongs to Jawad al-Dahdouh. Shrapnel flew into the bedroom where we were hiding. Thanks to Allah, nobody was hurt. We moved into the hall for our own safety. I could hear the sound of heavy military vehicles. Tanks were approaching our house. Suddenly, the tanks fired several shells at our house. The shells hit one room, and also penetrated the wall of the bedroom and the hall. The shells killed my son Fares, (age two and a half), who was in my wife’s arms. My wife was also injured, and so was son Mahmoud, (age 17). I immediately called the ICRC for an ambulance – but the person I spoke to told me they could do nothing anything before eight o’clock that night. I phoned the local ambulance station, and then I also telephoned local radio stations and appealed for help. But no-one could help us. My son Mahmoud bled to death at about six o’clock the next morning. At about 07:30, the Israelis withdrew from the area, and half an hour later, my son Ihab went to the al-Quds Hospital and found an ambulance that came to take my injured wife, and the bodies of my sons Fares and Mahmoud, to hospital. My wife is still in the hospital. Shrapnel penetrated her abdomen, her right arm, her legs and her face. Because of the Israelis, my two sons are dead, my wife is injured and my house is half destroyed.”*

- **Study Case (1): targeting the work of the Palestinian Red Crescent Society (PRCS)**

The Palestinian Red Crescent Society (PRCS) has also been targeted by the IOF during its ongoing military offensive in the Gaza Strip. PRCS medical personnel have been prevented from accessing the dead and injured throughout the IOF offensive, and a number of people subsequently died of their injuries. Sick and injured civilians, including women waiting to give birth, have been denied emergency medical attention. According to PRCS documentation and data, the IOF have targeted their ambulances, and other means of transport PRCS has used to evacuate the dead, sick and injured. Below is a summary of attacks on PRCS staff and facilities during the reporting period.

- On 5 January, IOF fired at two PRCS ambulances while they were driving to evacuate injured civilians. One of the ambulances was damaged, but no personnel were injured.
- On 6 January, having secured prior coordination with IOF, three PRCS ambulances and an ICRC vehicle entered the al-Samoubi area in al-Zaytoun district in eastern Gaza city, in order to evacuate dead and injured people who had been left unattended in the area for several days. PRCS had spent four days securing the coordination, and their efforts had been repeatedly refused.
- Also on 6 January, a medical personnel member of the military medical services was injured, and two PRCS ambulances damaged, when an IOF aircraft targeted them while they were attempting to evacuate injured people in Jabalia in the northern Gaza Strip.
- At approximately 17:00, on 6 January, a PRCS ambulance drove to al-Samoubi area in al-Zaytoun district, south of Gaza City, to evacuate an injured person, having secured coordination with IOF via the ICRC. When the ambulance arrived at its destination, IOF fired at it. The ambulance was damaged, but the medical personnel were not injured.
- At approximately 18:00, on 6 January, IOF fired at a PRCS ambulance in the al-‘Atatra area. No damages or casualties were reported. The ambulance drove to the area after coordination had been secured with IOF via the ICRC.
- On 7 January, Hasan al-‘Attal, a PRCS paramedic, was injured in the left thigh, when IOF fired at him while he was trying to evacuate injured people near the Zemmu roundabout in Jabalia.
- According to PRCS sources, Hassan al-‘Attal, who had worked for PRCS for ten years, was trying to evacuate a dead body after having received appeals from locals. He began the evacuation after the IOF three hour ceasefire began at 13:00. Hassan al-‘Attal said he and his colleague were both wearing uniforms that clearly identified them as medical personnel. He gave PCHR the following testimony:

*“After the ambulance station had reported that injured people were near Zemmu roundabout in Jabalia, I drove the ambulance to the reported location. We could not*

*reach the site by ambulance, so I left the ambulance with a PRCS volunteer who was accompanying me. We took a stretcher and headed off to evacuate a dead person who was in a location that nobody had been able to reach because of the [IOF] firing. We carried the body to the stretcher and walked towards the ambulance. A few seconds later, we were being fired at by the Israelis. I was wounded in my left thigh. The volunteer helped me to reach the ambulance. I was taken to al-'Awda Hospital in Jabalia refugee camp and then referred to al-Quds hospital for more treatment”.*

- Also on 7 January, two PRCS paramedics sustained injuries when they were directly targeted by IOF gunfire.
- Also on 7 January, a PRCS paramedic sustained injuries when IOF fired at a PRCS ambulance while the personnel were trying to evacuate injured people in the al-Jurun district of Jabalia. The ambulance was damaged.
- At approximately 16:00, on 9 January, IOF fired at an convoy of eleven ambulances, including three PRCS ambulances, near the al-Shuhadeh crossroads which is located near the ex-settlement of Netzarim. The convoy was being led by a clearly marked ICRC vehicle. As a result, a Palestinian member of ICRC staff was injured and the ICRC vehicle was damaged.
- On 9 January, seven PRCS ambulances, plus a number of ICRC vehicles and a number of international solidarity activists headed to al-Zaytoun district, and to the al-'Atatra area, to evacuate a number of the dead and injured. The team managed to evacuate three bodies and transferred eighty people from six families to the al-Quds Hospital for medical treatment. The team members were not able to continue searching for the dead and injured due to repeated IOF firing. PCHR notes that the PRCS and ICRC had spent six days attempting to secure coordination with IOF to enter the area, but all previous attempts had failed.
- On the same day, IOF fired at PRCS ambulances and medical personnel in the al-'Atatra area, whilst they were trying to enter to the area with an ICRC vehicle in order to evacuate the dead and injured. One of the PRCS ambulances was damaged in the attack.
- Also on the same day, PRCS ambulance driver Marwan Hammouda was injured by a bullet in the left leg when IOF fired at his ambulance in Jabalia.

Marwan Hammouda stated that PRCS had secured coordination with IOF to transfer those with serious injuries from al-Shifa Hospital in Gaza city to the Rafah International Crossing, so they could be treated in Egypt or abroad. He added that on his return, IOF positioned on the coastal road detained the ambulance for two hours. Marwan Hammouda stated that he drove to Jabalia after IOF had allowed the ambulance to continue on its way. He was shot after he arrived in Jabalia.

- **Case Study (2): ICRC calls upon IOF to respect International Humanitarian Law (IHL)**

During the IOF military offensive in the Gaza Strip, the International Committee of the Red Cross (ICRC) accused Israel of failing to meet its obligation under international humanitarian law, to protect sick and injured civilians. IOF had prevented medical personnel and humanitarian staff from accessing the dead and injured. As a result, a number of civilians had died of injuries before access had been possible.

According to a press release published by ICRC, on 7 January, four Palestinian Red Crescent Society (PRCS) ambulances, and representatives from the ICRC had managed to secure access for the first time to several houses in the al-Zaytoun neighborhood of Gaza City that had been severely affected by IOF shelling. The ICRC had requested safe passage for ambulances to access this neighborhood since 3 January, but had only received permission to do so on 7 January. The ICRC/PRCS team found four small children in one house, who were crouched next to their dead mother and were too weak to stand up alone. They also found one man, also too weak to stand, alive in the same house. There were at least 12 corpses lying on mattresses<sup>1</sup>.

In another house, as stated in ICRC press release, the ICRC/PRCS rescue team found 15 other survivors of IOF attacks, including several injured people. In another home, they found an additional three corpses. Israeli soldiers posted at a military position some 80 meters away from this third house ordered the team to leave the area, which they refused to do.

"This is a shocking incident," said Pierre Wettach, ICRC Head of Delegation for Israel and the Occupied Palestinian Territories, commenting on the case in al-Zaytoun. "The Israeli military must have been aware of the situation but did not assist the wounded. Neither did they make it possible for us or the Palestine Red Crescent Society to assist the wounded." Wettach added that, "Large earth walls erected by the Israeli army had made it impossible to bring ambulances into the neighborhood. Therefore, the children and the wounded had to be taken to the ambulances on a donkey cart. In total, the ICRC/PRCS rescue team evacuated 18 wounded and 12 others who were extremely exhausted. Two corpses were also evacuated. The ICRC/PRCS will recover the remaining corpses on Thursday. The ICRC was informed that there are more wounded sheltering in other destroyed houses in this neighborhood. It demands that the Israeli military grant it and PRCS ambulances safe passage and access immediately to search for any other wounded. Until now, the ICRC has still not received confirmation from the Israeli authorities that this will be allowed. The ICRC believes that in this instance the Israeli military failed to meet its obligation under international humanitarian law to care for and evacuate the wounded. It considers the delay in allowing rescue services access unacceptable."

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<sup>1</sup> See [www.icrc.org](http://www.icrc.org)

- **Case study (3): aggravated suffering due to IOF denial of access to medical personnel**

Civilians are bearing the brunt of the continuing IOF military offensive in the Gaza Strip. The civilian population, especially those living in and around al-Zaytoun, al-Salatin and al-‘Atatra districts, are being subjected to intense IOF military attacks whilst also being denied water and electricity, and emergency healthcare. Dozens of persons, who have been killed or injured in IOF attacks have not received the medical assistance they urgently need. PCHR lawyers and field workers have collated accounts from dozens of eyewitnesses and survivors, highlighting the violations that have taken place.

Nahil Abdullah Ibrahim al-Sammouni, 38, lives near al-Tawhid Mosque, west of Salah Addin Street in al-Zaytoun district. She is married to Nafez Ahmed Mahmoud al-Sammouni and has five daughters and three sons. She gave the following testimony to PCHR:

*“At approximately 05:00 on Sunday, 4 January, I was with my family in our house. We were hiding in a room on the first floor as the Israelis were heavily firing, and also shelling, as they moved into our area. Suddenly, there was a very strong explosion. The house collapsed on top of us. IOF had fired a missile at our house. Thank to Allah, we all safely managed to escape. We ran to the house of my husband’s cousin, Talal Hemi Mahmoud al-Sammouni. The house is cement, and while we were there, I could see Israeli soldiers in a neighboring house. A few hours later, the Israelis began to order civilians to leave, including us. They told us to go to a house belonging to Wa’el al-Sammouni. The house is just one storey and is not yet finished. We were about seven families inside this house. The soldiers searched all the men and took their mobile phones and ID cards. We stayed in that house for a full day. Early in the morning on Monday [5 January] the situation seemed calm. But we were all worried about my husband’s brother who lives in a shelter nearby, between some trees. Some of the men tried to leave the house so they could bring him to stay with us. But at about 09:00, the Israelis fired a shell or a missile at us. Five of the people inside the house were wounded, and two of them died afterwards. As we were trying to help them, another shell was fired at the house. I felt sick and dizzy because of the dust and the smell from the explosion. My children were screaming, and my husband was wounded in his leg. I took off my hijab and covered my husband’s leg because he was bleeding heavily. A few moments later, the men who were with us said we should try to leave the house. We were approximately 80 people altogether. We left the house holding our hands up and carrying white flags. We were walking and asking the Israeli soldiers for mercy as they were in their tanks all around us. We ran towards the street, and our neighbours also began to run towards the street, crying. At that moment, I was looking for my children, but I did not see my son Ahmed. I couldn’t go back to look for him, so I didn’t know what happened to him. I also had to leave my injured husband in the house. An Israeli tank was firing on the ground around us, while we were running to escape. People took us into their houses, so we began to feel safe. Two days later, on 7 January, medical personnel could reach our area*

*and began to take the dead and the wounded. I went to al-Quds Hospital where my husband and my son, Ahmed, were receiving medical treatment. Many members of our family, and other families, have been killed and wounded. There are dead people in the area that the medical people still couldn't reach. The Israeli shelling was not justified. There were no clashes. There was no need to target us and to target entire families of civilians with many children, and women and elderly people. The attack took place while the Israelis were completely controlling our area, which includes houses of the al-Samouni family and other families and other houses.”*

- **Deterioration of health in the Gaza Strip**

IOF continue to target medical institutions, increasing the deterioration of the health and humanitarian situation in the Gaza Strip. This coincides with continuing severe shortages of medicine consignments and supplies in Gaza Strip hospitals and medical centers.

Since the beginning of the IOF offensive, on 27 December 2008, IOF have continued to deny patients from Gaza access to Beit Hanoun (Erez) crossing in order that they can be transferred to hospitals in Israel or the West Bank. This has had a serious impact on patients, especially those suffering from cancer, heart disease, kidney failure, as well as patients suffering from diseases that can not be treated in hospitals in the Gaza Strip. Prior to the current closure restrictions imposed by IOF, 30-50 approximately patients from Gaza used to be referred to hospitals in Israel and the West Bank per day.

PCHR has documented IOF attacks against Palestinian medical personnel and medical establishments in the Gaza Strip. This is a summary:

- At approximately 11:25, on 27 December 2008, IOF aircrafts bombarded the VAT department (the ex-headquarters of the preventive security directorate) in the Tal al-Hawa district of Gaza city. Many buildings in the department were destroyed as a result. A nearby 13 storey building belong to the Palestinian Red Crescent Society (PRCS) was also heavily damaged. Windows and doors in the building were shattered. The building of the PRCS Directorate General of Ambulances and Emergency Services was also heavily damaged. The nearby PRCS buildings, including al-Quds Hospital, were also heavily damaged due to repeated IOF bombardment of VAT department and the nearby Ministry of Interior.
- At approximately 01:00, on 28 December 2008, IOF aircrafts bombarded the al-Borno Mosque near the al-Shifa medical compound. The compound, which includes the main hospital in the Gaza Strip, was heavily damaged. The main building in the al-Shifa medical compound, which includes the reception and emergency departments of the hospital, the surgical unit, the osteology department, and the intensive care unit, were all damaged. The majority of windows and doors in the building shattered. Also the administration building and the radiology unit were severely affected by shattered glass.

- At approximately 02:00 on Tuesday, 30 December 2008, an IOF F-16 fired a missile at the al-Farouq ‘Umar Mosque in Block 9 in al-Bureij refugee camp. The Mosque was completely destroyed and heavy damage was caused to Sanabel al-Aqsa kindergarten that stood on the ground floor in the targeted mosque. The bombardment also completely destroyed the entire contents of the al-Bureij governmental clinic.
- On 3 January 2009, IOF aircrafts bombarded the civil defense headquarters on Bani Sheila- ‘Abasan main road east of Khan Yunis. The headquarters was completely destroyed and heavy damage was been caused to neighboring houses.
- At approximately 01:00 on Monday, 5 January, an IOF F-16 fired a missile at the Union of the Palestinian Healthcare Committees in al-Remal neighborhood in Gaza City. The Union was completely destroyed. In addition, three mobile clinics were also destroyed.
- On 7 January, an IOF aircraft bombarded the civil defense headquarters in Rafah. One of the offices was completely destroyed. Heavy damage was caused to neighboring houses. No casualties were reported.
- At approximately 8:30 on Saturday, 10 January, IOF aircrafts bombarded the northern wall of the Gaza European Hospital, south east of Khan Younis. About 20 meters of the wall was destroyed. Damage was also caused to the main water pipe and to the electricity network, the power generator and the fuel stocks.

Hospitals and medical centers across the Gaza Strip are suffering from severe shortage in resources as medical apparatuses are not operating due to lack of spare parts. Sources from the Palestinian Ministry of Health (MOH) stated that more than 200 pieces of medical equipment need maintenance and spare parts that are not available in the Gaza Strip due to the continuing IOF siege of Gaza. In addition, more than 105 medicine are now completely out of stock, and approximately 225 medical supplies and tools remain completely unavailable.

## **Conclusion**

PCHR warns of IOF continuing escalation of attacks against Palestinian medical personnel and their facilities, including ambulances and hospitals. The Centre condemns the failure of IOF, at military and political levels, to open any serious investigations into the violations that are being perpetrated against doctors, nurses and paramedics. This indicates that the chain of command begins at very senior levels, with the intent of targeting members of Palestinian medical personnel, in order to intimidate them, and prevent them from carrying out their humanitarian duties. The number of victims among the medical personnel, and the severe damage that has been caused to ambulances and other medical facilities provide strong evidence that IOF are launching repeated attacks on medical centers and facilities, and thus failing to comply with international humanitarian law. PCHR calls for all humanitarian staff to be protected, including medical personnel, and for them to be allowed to carry out their duties without fear of being targeted, killed or injured.

PCHR condemns the conspiracy of silence of the international community as regards crimes being committed by IOF against humanitarian staff, including international and local ambulance drivers and volunteer escorts. The Centre also condemns the silence and complicity of the High Contracting Parties to the Fourth Geneva Convention, as regards the violations, including war crimes, being committed by IOF against Palestinian civilians in the Occupied Palestinian Territory.

PCHR demands that all High Contracting Parties work seriously towards ensuring respect for the Convention, and that they intervene immediately and effectively in order to put an end to the killing of civilians in the Gaza Strip. The Centre calls upon the international community, especially the UN Security Council, to take immediate steps that may stop the ongoing IOF offensive on the Gaza Strip, and put an end to IOF human rights violations against the Palestinian civilian population. IOF violations amount to war crimes.

Therefore, the Centre:

- Calls upon the High Contracting Parties to the Fourth Geneva convention to apply the Convention in the Occupied Palestinian Territory, to ensure its respect, to immediately activate articles 1, 2, 146 and 147 in order to ensure compliance of the Occupying State to the rules of the Convention.
- Calls for immediate international protection for the Palestinian civilian population in the Occupied Palestinian Territory against flagrant violations being committed by IOF, especially amongst the civilian population, and to ensure the safety of those who enjoy special protection, including medical personnel and humanitarian staff.
- Calls upon the European Union (EU) to take urgent and prompt steps to halt its cooperation with Israel, pursuant to Article 2 of the Convention on the European - Israeli Association Agreement, which places conditionality on Israel's respect for the International Humanitarian Law and the International Human Rights Law.

The European role is potentially effective as the European Union is the major economic partner for the Government of Israel.

- Calls for urgent provision of humanitarian and medical aid to Gaza civilians, who are suffering severe shortages, due to the continuing IOF siege of the Gaza Strip, and attacks on Palestinian property.
- Calls upon the international community, especially the International Committee of the Red Cross (ICRC) to seriously intervene in order to take the necessary steps to ensure the provision of medical supplies, including consignments of medicine and food, clothing and food supplements needed by children and pregnant women.
- Calls for the activation of the role of international organizations, especially the role of the World Health Organization (WHO) to halt the severe violations being perpetrated against Palestinian medical personnel, and to allow them to work safely, in order to carry out their duties.