



## Fact Sheet

27 December 2010

### Gaza Patients Access to Medical Treatment Abroad

The Gaza Strip constitutes an integral part of the territory occupied by Israel in 1967.<sup>1</sup> Therefore, as Israel maintains effective control over the Strip it represents an occupying power and must uphold its legal obligations in its treatment of the population, including ensuring and facilitating effective access to medical treatment for patients.

However, facts on the ground indicate that the practice is only the opposite. Israel disregards its legal obligation towards civilians, including patients in Gaza. This fact sheet highlights the impact of the Israeli policies, including the blockade regime imposed on Gaza and on Palestinian civilians' ability to access medical treatment, particularly to hospitals in the West Bank (including Jerusalem), Israel and Jordan. These destinations require patients to cross the Erez Crossing in the north of the Gaza Strip, which is controlled by the Israeli security authorities.



- According to the World Health Organisation - oPt, the number of Gazan patients who were referred to hospitals for treatment outside Gaza between January and November

2010 was 10,740. Of those, 8,395 were able to travel. The Israeli authorities rejected 635 applications for permits to cross Erez for patients. 1,710 other requests for permits were delayed.

- The Israeli Intelligence Agency (ISA) - also known as the Shabak – called 393 patients for interviews at Erez Crossing.<sup>2</sup>
- According to the same source, 3,672 patients traveled to Egypt via Rafah Terminal. Another 4,627 patients traveled to the West Bank (3279 of them to Jerusalem), 135 to Jordan and 2,232 to hospitals in Israel.<sup>3</sup>

Al Mezan Centre has documented 195 cases of patients whose requests for permits to cross Erez were rejected or delayed by the Israeli authorities between 1 May 2009 and 30 November 2010. Al Mezan cooperated with its partner Physicians for Human Rights-Israel (PHR-I) in making interventions on behalf of these patients.<sup>4</sup> Of these 195 patients:

- 85 patients were allowed to travel after intervention by Al Mezan and PHR-I. However, 110 of them were unable to travel (85 requests for

<sup>2</sup> Monthly Report-Referral Of Patient From The Gaza Strip –Oct 2010  
[http://issuu.com/who-opt/docs/update\\_rad\\_november\\_2010](http://issuu.com/who-opt/docs/update_rad_november_2010).

<sup>3</sup> Ibid

<sup>4</sup> This cooperation is part of Al Mezan's partnership with PHR-I and Adalah, who are jointly implementing a project aiming at preventing torture and ill treatment of Palestinians by the Israeli authorities. The project is supported by the European Union.

<sup>1</sup> UN Security Council Resolution 1860 of 2006, S/RES/1860 (2009), 8 January 2009.



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permits to cross Erez were rejected and 25 cases had to be closed after exhaustion of all intervention options by Al Mezan and PHR-I without success.

On 11 November 2009, Fedaa' Hejji, 17, died due to the delaying by the Israeli authorities of the response to her request for a permit to access a hospital in Israel via Erez. Fedaa' suffered from Hodgkin's disease. On 30 August 2009, she obtained a medical referral from the Palestinian Ministry of Health to receive treatment outside Gaza. She also obtained an appointment at the Tel HaShomer Hospital in Israel and was asked to appear at the hospital on 20 October 2009. Her mother submitted a request with the Palestinian Liaison Office for her to obtain a permit from the Israeli authorities in order to access the hospital in Israel via Erez crossing. As her condition was deteriorating rapidly, the request was urgent. The ISA did not respond to her application and she lost her appointment with the Hospital. Her health condition deteriorated further, so she was given a new appointment at the Shneider Hospital in Israel for 9 November 2009, and had to re-apply for a permit. The ISA did not respond to the new urgent request for permit and Fedaa' died on 11 November 2009. Four days after she died, her family received a response from the ISA, which approved the request and issued her a permit on 15 November ٢٠٠٩

- 55 patients of the 195 were interviewed and interrogated by the ISA.
- 42 patients have still been waiting for a response to their requests from the Israeli authorities.
- The ISA arrested three patients while they were on their way to receive medical treatment or to be interviewed by the ISA upon its request. These patients were subjected to ill treatment and torture during interrogation.
- Three patients died due to the Israeli delay to their applications.
- The ISA blackmailed six patients by preconditioning entry for medical treatment on providing information about their relatives, neighbors, or friends to the ISA.
- The ISA rejected permit requests from 55 of these patients all of whom needed orthopedic neurosurgery.
- The ISA allowed 18 patients to access the Erez crossing to receive medical treatment in hospitals in the West Bank and Jerusalem. However six patients decided to travel to Egypt to receive medical treatment as their requests were delayed for a long time. The remaining patients did not receive any specialized treatment.



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- Al Mezan has documented 34 cases of patients who suffer eye conditions. 15 of those were allowed to travel via Erez to access hospitals in the West Bank (inc. Jerusalem). The rest of the patients did not receive any treatment as the ISA ejected their requests for permits.

Abdel Kareem Al Atal suffered from an eye condition in his left eye. He needed a cornea transplant. The necessary medical treatment for him was not available in the Gaza Strip. Therefore, he was given a medical referral by the Palestinian Ministry of health to receive treatment outside Gaza. On 3 August 2010, he obtained the referral and on 13 August he obtained an appointment to be admitted to St. John Hospital. Abdel Kareem then submitted a request for permission with Palestinian Liaison Office in Gaza in order to access the hospital in Jerusalem via Erez crossing. This office is located within the Ministry of Civil Affairs in Gaza and handles such requests with the Israeli authorities. On 17 August 2009, Abdel Kareem received a phone call from an ISA officer, who asked him about his condition and the doctor who followed his case in Gaza. On 1 September 2009, he received another phone call from the Palestinian Liaison Office, who told him that the ISA asked him to come to Erez crossing for an interview with them on Sunday 6 September 2009. On that day, he went to Erez crossing. But he was arrested by the ISA and interrogated. He was subjected to torture and ill treatment; including by forcing him keep in the *Shabah* position (painful binding of the detainee's hands and feet to a chair) for long hours. He was also subject to beating, cold air, and deprivation from sleeping. On 6 November 2009, Abdel Kareem was released. On 10 November 2009, Al Mezan received Abdel Kareem's complaint and worked on it with its partner PHR-I. Following their intervention, the ISA allowed Abdel Kareem to travel on 17 November 2009. On 18 November 2009, Abdel Kareem had the cornea transplantation performed and on 19 November 2009, he returned to the Gaza Strip.