

A Call to Responsible Governments and Non-Governmental Organizations to Help Uphold the Fourth Geneva Convention

The Free Gaza Movement calls upon the international community to join the Movement's efforts to help end the human suffering created by Israeli's strangulation of Gaza.

On August 23, 2008, 44 ordinary people from 17 countries sailed from Cyprus to Gaza on two, small, wooden boats, the SS Free Gaza and the SS Liberty. The Free Gaza Movement did what our governments would not do – take action to defend the lives and dignity of 1.5 million Palestinians under siege in the Gaza Strip. We proved that Israel cannot sustain its illegal blockade in the face of widely reported humanitarian efforts by non-violent activists, acting in accordance with international law. Today we call for a much broader effort; specifically, we are calling on other members of the international community – governments, non-governmental organizations, and others dedicated to protecting human rights – to join us by providing their own ships, humanitarian goods, and human capital to open wide the sea link to Gaza.

Despite its high profile pullout of illegal settlements and military presence from Gaza in August–September 2005, Israel maintains “effective control” over the Gaza Strip and therefore remains an occupying force with certain obligations.¹ Among Israel's most fundamental obligations as an occupying power is to provide for the welfare of the Palestinian civilian population. An occupying force has a duty to ensure the food and medical supplies of the population, as well as maintain hospitals and other medical services, “to the fullest extent of the means available to it” (G IV, arts. 55, 56). This includes protecting civilian hospitals, medical personnel, and the wounded and sick. In addition, a fundamental principle of International Humanitarian Law, as well as of the domestic laws of civilized nations, is that collective punishment against a civilian population is forbidden (G IV, art. 33).

Israel has grossly abused its authority as an occupying power, not only neglecting to provide for the welfare of the Palestinian civilian population, but instituting policies designed to collectively punish the Palestinians of Gaza. From fuel and electricity cuts that hinder the proper functioning of hospitals, to the deliberate obstruction of humanitarian aid delivery through Israeli-controlled

¹ Article 42 of the Hague Regulations stipulates, a “territory is considered occupied when it is actually placed under the authority of the hostile army,” and that the occupation extends “to the territory where such authority has been established and can be exercised.” Similarly, in the Hostage Case, the Nuremberg Tribunal held that, “the test for application of the legal regime of occupation is not whether the occupying power fails to exercise effective control over the territory, but whether it has the ability to exercise such power.” Palestinians living in the Gaza Strip, like those in the West Bank, continue to be subject to Israeli control. For example, Israel controls Gaza's air space, territorial waters, and all border crossings. Palestinians in Gaza require Israel's consent to travel to and from Gaza, to take their goods to Palestinian and foreign markets, to acquire food and medicine, and to access water and electricity. Without Israel's permission, the Palestinian Authority (PA) cannot perform such basic functions of government as providing social, health, security and utility services, developing the Palestinian economy and allocating resources.

borders, Israel's policies towards the Gaza Strip have turned Gaza into a man-made humanitarian disaster.

When a massive earthquake rocked China and cyclones ravaged Myanmar, the world responded. Governments and civilians alike rallied to help. Yet world governments have witnessed a manmade humanitarian catastrophe unfold before our eyes in Gaza and have remained silent. Karen Koning Abu Zayd, head of the United Nations Relief and Works Agency (UNRWA), has asserted that "Gaza is on the threshold of becoming the first territory to be intentionally reduced to a state of abject destitution, with the knowledge, acquiescence and – some would say – encouragement of the international community."

It's time to end the acquiescence. The Free Gaza Movement has managed to reach Gaza five times, and has been violently blocked by the Israeli Navy three times. Violence directed at us and our boats will not stop us. We will continue to sail to and from Gaza, ensuring, to the extent that we can, that access to the people of Gaza is not completely cut off. However, the humanitarian needs in Gaza are overwhelming, and the continuous operation of our small boat cannot even begin to meet those needs. Gazans need medical supplies and basic life support systems, and hundreds if not thousands need to leave Gaza for medical care that Israel continues to refuse. We've proven that the sea link to Gaza can be viable and should be available to the Palestinian people. We urge governments, non-governmental organizations, and any others who are in a position to alleviate the shameful suffering caused by Israel to provide ships, materiel, health care professionals, lawyers, and all other forms of humanitarian aid immediately, and to join us in asserting that the Palestinian people have a right to access the outside world; that we will not stay silent as the Palestinian people are deliberately starved and humiliated; that Palestinians have a right to life with dignity.