

THE HUMANITARIAN IMPACT OF RESTRICTIONS ON ACCESS TO LAND NEAR THE PERIMETER FENCE IN THE GAZA STRIP

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KEY FACTS

- Since September 2000, citing security concerns, Israel has tightened restrictions on Palestinian access to land located along the northern and eastern side of the perimeter fence in Gaza, which have fluctuated over time.
- At its widest extent, the access restricted area (ARA) included a 'no go area' reaching up to 500 metres on the Gaza side of the fence, and a 'high risk area', based on Palestinian risk perceptions, extending from the 'no go area' up to 1,500 metres from the fence.
- Since mid-2015, a road constructed and patrolled by Hamas forces at approximately 200-300 metres from the fence, appears to demarcate the current 'no go area'.
- Palestinian agricultural activity in the former 'high risk' areas has increased in recent years, although farmers' concerns about their personal safety and livelihood investment remain.
- Since 2014, the Israeli military has conducted periodic aerial spraying of herbicides, impacting farmland on the Gaza side of the fence. A spraying operation in January 2018 affected some 550 acres of agricultural lands belonging to 212 farmers, with an estimated loss of US\$1.3 million (Ministry of Agriculture).
- Since the end of the 2014 hostilities, two farmers have been killed in proximity to the fence and at least 26 have been injured, excluding in demonstrations and clashes.
- Between 30 March and 31 July 2018, 164 Palestinians were killed and over 17,000 injured by Israeli forces near the fence, in the context of the 'Great March of Return' protests, hostilities and other incidents; one Israeli soldier was killed by Palestinians and 9 other Israelis were injured.
- During this period, over 300 acres of land have been damaged by Palestinians during mass gatherings near the fence, affecting some 295 farmers; incendiary kites and balloons launched from Gaza towards Israel caused extensive damage to agricultural land and forests in southern Israel.

1. **Restrictions imposed by Israel on the Gaza side of the perimeter fence undermine the security and livelihoods of Palestinians.** Security risks cited by the Israeli authorities as emanating from the ARA include rocket firing, tunnel digging, laying of explosives, and attempts to breach the fence. Methods of enforcement include the use of warning and, occasionally, direct fire (live ammunition) at individuals, and incursions to level farm land and vegetation. Aerial spraying with herbicides has been a recurrent practice since 2014, which can damage crops up to one kilometre from the fence. Access to areas near the perimeter fence is also impaired by measures imposed by the Hamas-run Ministry of Interior in Gaza which requires humanitarian partners to seek prior approval in advance of carrying out interventions to affected communities.
2. **The Israeli authorities have refrained from officially announcing or demarcating the extent of the restricted area, generating uncertainty and increasing risks.** In practice, the 'Jakar' road, constructed by Hamas in mid-2015 at a distance of approximately 200-300 metres from the fence, appears to be the closest point at which farmers feel relatively secure while working their lands. Exceptionally, some farmers, including following coordination by the ICRC, have been able to access their farmlands up to 100 metres from the fence to cultivate and harvest lower-value, rain-fed crops, such as wheat and barley.
3. **Farmers' access to areas between 300 and up to 1,500 metres from the fence in the former 'high risk area' has visibly increased in the last two years,** in response to shrinking economic opportunities elsewhere in Gaza, among other

reasons. However, there remains a perception on the part of farmers that plants above a certain height, greenhouses, trees, fences and other infrastructure, which could impair the visibility of Israeli forces, are still not permitted in this area. In practice, farmers, the private sector and donors remain reluctant to invest in higher-value crops in areas close to the fence, due to the lack of clarity and the risk of potential loss.

4. **There is also a reluctance to invest in livestock production, agricultural roads, and irrigation systems in areas up to 1,500 metres from the fence,** despite the increase in access in recent years. These areas also remain largely off-limits for housing, services and infrastructure needs, although there is a shortage of available land elsewhere in Gaza. Potential investment in these areas is beset by the chronic electricity deficit, dwindling water reserves and lack of funding, which hinders economic activity and development throughout Gaza.
5. **Under international law, while addressing its military and security needs in areas along the perimeter fence, Israel is obliged to avoid causing disproportionate harm to the lives and livelihoods of the Palestinian population;** Israel should also respect the Palestinians' right to life, to freedom of movement, to freedom of assembly and expression, and to an adequate standard of living. During law enforcement operations, firearms may be used only in cases of extreme necessity, as a last resort, and in response to an imminent threat of death or risk of serious injury. The Hamas authorities should facilitate the access of humanitarian actors and the delivery of assistance in the ARA.



ACCESS RESTRICTED AREAS (ARA) BY LAND IN THE GAZA STRIP



6 Nautical miles limit enforced by Israeli forces until 15 July 2018

3 Nautical miles limit enforced by Israeli forces since 16 July 2018

Mediterranean Sea

ISRAEL

EGYPT

Rafah Crossing

Sufa Crossing

Kerem Shalom Crossing

Erez Crossing
Beit Lahiya
Beit Hanoun
Jabalia
Gaza City
Nahal Oz Crossing
Karni Crossing

- Demonstration Camps
- Fully/partially operating crossing
- Closed crossing

