

Frequently Asked Questions: Students trapped in Gaza

November 2008

The following document seeks to answer questions and common misperceptions about the situation of Palestinian students who are residents of the Gaza Strip and have been prevented from leaving in order to reach universities abroad by the policy of closure.

FAQ #1: Why can't students leave the Gaza Strip?

⇒ Following the Hamas takeover of the Gaza Strip in June 2007, Israel sealed Gaza's borders, preventing passage for 1.5 million people and allowing for only severely limited exceptions. A September 2007 Israeli Security Cabinet decision officially authorized, among other things, "restrictions on the movement of people into and out of Gaza", institutionalizing what human rights groups consider to be collective punishment. See the [text of decision](#) on the Ministry of Foreign Affairs website.

Despite the restrictions, in August-September 2007 and again in December 2007-January 2008, Israel arranged shuttle bus services which allowed some students in Gaza to leave for study abroad via the Erez Crossing (between Israel and Gaza) directly to the Nitzana and Kerem Shalom border crossings between Israel and Egypt. In total, however, only around 480 students successfully exited the Gaza Strip via the shuttles during the 2007-2008 academic year – fewer than half of those who wanted to leave. Most reached their destinations late, missing the first semester of their studies. Beginning in January 2008, Israel said it would no longer allow students to leave Gaza, declaring that "only urgent humanitarian cases" would be permitted to exit. Hundreds of students were trapped.

For background, see Gisha's report [Held Back: Students Trapped in Gaza](#) (pages 6-9).

FAQ #2: What is Israel's current policy regarding students from Gaza seeking to leave?

⇒ Following the public outcry over the cancellation of Fulbright grants to seven students destined for the United States, and pressure from U.S. Secretary of State Condoleezza Rice and important European officials, Israel partially relented and agreed in principle to permit a few dozen students to leave Gaza in possession of "recognized scholarships" as a gesture to "friendly countries". **The general policy trapping students in Gaza has not changed.**

According to Israeli Foreign Minister Tzipi Livni (letter dated July 7, 2008):

"The policy of not permitting exit abroad for students from Gaza is part of the Security Cabinet decision from 19.09.07 which defined Gaza as a hostile entity and placed restrictions on the borders for passage of goods and movement of people from the Strip and to it except for humanitarian cases.

As of today, there is no change in this policy. At the same time, after consideration of particular cases, **a few exceptions were approved**, following, among other things, requests made by international actors".

Additional letters from the military make it clear that students without "recognized" scholarships to "friendly" countries, primarily Western countries, will not be permitted to leave. The military has declined to define what a "recognized" scholarship is (July 15, 2008 letter to Gisha, English translation available). Requests from students who do not have scholarships or are seeking to study in non-Western countries have been rejected or ignored by the military.

FAQ #3: How many students are trapped?

⇒ Each year, well over 1,000 Palestinian students from Gaza enroll in universities abroad and seek to leave Gaza in order to study. For example, at various points in time during the last academic year, when limited exit was available, 1,100 students and dependents had "registered" to leave Gaza, including by submitting supporting documentation – letters of acceptance and student visas.

At this time, there are hundreds of students who have been accepted to universities abroad and wish to leave the Gaza Strip in order to reach their studies. However, so long as the ban on students leaving Gaza remains in place, we will not know precisely how many students need to leave – because there is no way to "apply" to leave Gaza.

Last year, the Palestinian Civil Affairs Committee in Gaza, which is subject to the authority of the Ramallah-based Palestinian Authority, registered thousands of residents seeking to leave Gaza on the "shuttle" services, including well over a thousand students and their dependents. However, beginning in January, Israel refused to receive those requests, as part of the ban on students leaving Gaza. As a consequence and because there was no way to get them out of Gaza, the Civil Affairs Committee stopped registering students (see page nine of Gisha's report [*Held Back: Students Trapped in Gaza*](#) for more information). If Israel were to change the policy and permit students to leave Gaza, the Civil Affairs Committee could resume its registration, which includes a process of collecting supporting documentation.

The longer the policy stays in effect, the more severe the "chilling effect" will be on students who are discouraged from applying to universities abroad or paying registration fees and applying for visas. Many students have already forfeited their places at universities and the scholarships they were awarded to pay for their studies.

In addition, many students studying abroad who returned to Gaza for vacation during the summer of 2007 have been forced to interrupt their studies, because they have been

unable to leave Gaza. The longer the interruption in their studies – the more difficult it will be to resume them.

FAQ #4: Hasn't Israel said it will let students leave Gaza?

⇒ Since the "exception" has been carved out (see FAQ #2), mostly in July and August 2008, Israel has permitted a few dozen students bound for EU countries with prestigious scholarships to leave; it has also permitted about a dozen students to leave for studies in the United States and a few students with European scholarships have been able to travel to Jordan, for a total of approximately 70 students. These students left via the Erez Crossing between Israel and Gaza, traveled through Israel into the West Bank, and from the West Bank crossed into Jordan for further travel. Israel has required that these students be escorted from Erez Crossing to the Allenby Bridge (between Jordan and the West Bank) by consular officials from the country "receiving" them. This is a burdensome and limited mechanism.

Hundreds of students remain trapped, including:

- Students seeking to reach European countries and the United States who are still waiting to be escorted out of Gaza;
- Students without scholarships;
- Students wanting to travel to countries which Israel does not define as "friendly" (this includes countries all over the world, including the countries where most students seek to study – in Asia and the Middle East);
- Students denied permission to leave Gaza by Israel for unspecified "security reasons" based on secret information that the students cannot review or challenge.

These students are at risk of losing their places and their financial support at universities around the world, as academic deadlines pass and classes start without them.

FAQ #5: Why can't they study in Gaza?

⇒ Opportunities for acquiring higher education throughout the Palestinian territory are limited. There are no doctorate-level programs at Palestinian universities, and the options for Master's-level programs are few.

The state of higher education within the Gaza Strip is particularly limited. Many medical and para-medical courses are not offered in Gaza, including occupational therapy, speech therapy, dentistry and physiotherapy. The limitations of the higher educational system in Gaza are due, among other things, to the restrictions on entrance to Gaza for non-residents – a policy that Israel has enforced throughout the 41 years during which it has controlled Gaza's borders. Through these restrictions, Israel has impeded entry to the Strip for lecturers and academics from abroad and even from the West Bank. This includes both those who sought entrance to Gaza to participate in particular academic activities as well as those who wished to join academic faculties there for long-term positions.

Concurrently, Israel has limited the opportunities of lecturers and academics living in Gaza to travel abroad to pursue scholarly and research activities. These harsh restrictions were transformed into a total travel ban as of June 2007. Thus ties between the academy

in the Gaza Strip and the academic community in the West Bank, Arab states, Western countries and the rest of the world have been severed.

The movement restrictions that Israel imposes on student residents of Gaza are even more intense. Since 2000, Israel has totally prohibited Palestinian residents of Gaza from studying in the West Bank and has banned Gaza residents accepted to Israeli academic institutions from entering Israel for their studies. Travel abroad is therefore the last remaining option for students wishing to pursue academic studies in the many fields not offered in the Gaza Strip.

FAQ #6: Aren't students being prevented from leaving because of concrete security threats?

No, students are being prevented from leaving Gaza pursuant to a decision taken by Israel's government on September 19, 2007 to restrict the freedom of movement of people into and out of Gaza as a response to the firing of rockets by militants in Gaza on civilian targets inside Israel. The policy places restrictions on passage of goods and movement of people into and out of Gaza with a narrow exception carved out for humanitarian cases. These restrictions are not in place to address a concrete security threat arising from the passage of people or goods; the stated intention has been to apply pressure on the Hamas government in the Gaza Strip by imposing restrictive measures on the civilian population in Gaza. Israel has also conditioned the opening of Rafah Crossing on the release of captured soldier Gilad Shalit. Punishing civilians for acts they did not commit violates the international legal prohibition against collective punishment. The July 7, 2008 letter from Israeli Foreign Minister Livni (see FAQ #2) makes it clear that Israel has decided to prevent students from leaving Gaza not because of claims of security risks, but rather as part of a policy of collective punishment that is trapping 1.5 million people in a narrow coastal strip whose borders are largely controlled by Israel.

International law forbids punishing students and other civilians for political circumstances out of their control. Students in Gaza are entitled to human rights under all forms of law which apply – including international humanitarian and human rights law, and Israeli law.

FAQ #7: Why is Israel responsible for letting students out of Gaza?

⇒ Israel is able to implement its closure policy due to its ongoing control of the borders between Gaza and the outside world, control that continues despite implementation of the “disengagement” plan in September 2005, in which Israel removed permanent military installations and civilian settlements from Gaza. Israel maintains full control of the Gaza Strip's territorial waters and air space, as well as all overland border crossings between the Strip and Israel. In addition, Israel maintains substantial control of the overland border crossing between Gaza and Egypt, because it holds veto power over the opening of the Rafah to regular traffic. Israeli control over movement, together with control over other significant aspects of life in Gaza, creates obligations for Israel under the law of occupation and under other international law provisions.

For more information, refer to Gisha's report [Disengaged Occupiers: The Legal Status of Gaza](#), especially pages 29-32.

FAQ #8: Why can't the students leave via the Rafah Crossing between the Gaza Strip and Egypt?

⇒ Rafah Crossing has been closed for regular traffic since June 2007, and Israel's opposition to its re-opening is a central factor in keeping it closed. The operation of Rafah Crossing is governed by the November 2005 Agreement on Movement and Access (AMA) reached between Israel and the Palestinian Authority and brokered by the United States. Under the terms of the AMA, the Palestinian Authority is to operate Rafah Crossing on the Palestinian side, Israel is to monitor the terms of the agreement through closed circuit cameras and by reviewing passenger lists, and the European Union is to physically supervise the opening of the crossing through monitors posted at Rafah. Egypt then opens the crossing on its side. Without the participation of all these parties, Rafah cannot be opened under the terms of the agreement – and no new agreement for opening Rafah has been forthcoming. In the past several months, Hamas and Egypt have coordinated limited openings of Rafah, mostly for humanitarian cases and pilgrims, but there has been no regular traffic through the crossing.

FAQ #9: Why is pressure being applied on Israel and not on Egypt?

⇒ Israel, as the occupying power in Gaza, bears primary responsibility for facilitating freedom of movement for goods and people to and from Gaza, subject only to security restrictions which correlate to actual threats (and not as a pressure tactic). The Security Cabinet decision calling Gaza "a hostile entity" does not give the government legal authority to enforce a closure policy which has destroyed Gaza's economy and undermined the well-being of its civilian population.

Pressure is indeed being applied to Egypt from various sources – from authorities in Gaza, from neighboring countries, and internally. Recently 23 mainly Egyptian human rights organizations called on the Egyptian government to allow passage for students from Gaza via Rafah Crossing. Other regional human rights organizations are joining this call. Egypt has permitted a few sporadic "ad hoc" openings of Rafah to "relieve pressure", primarily for humanitarian cases. On August 30-31, Egypt permitted approximately 100 students to leave Gaza via Rafah, during one of these rare border openings. On September 20-21 another 60 students and their family members were able to cross. However, Egypt refuses to open the crossing for regular traffic. It is unlikely that Egypt will agree to open the crossing for regular traffic without approval by Israel, whose participation is required under the terms of the agreement governing the opening of the crossing.

FAQ # 10: Are only students being prevented from leaving?

⇒ No. The closure of Gaza is trapping 1.5 million civilians. It is preventing them from accessing medical care, jobs, and economic opportunities, uniting with family members, and traveling for the ordinary reasons that human beings need to travel, especially residents of a crowded strip of land that is dependent on contact with the outside world and with the West Bank. The West Bank and Gaza constitute a single and interdependent territorial unit. Students are just some of those whose human rights are being systematically violated by the closure – in ways that are harmful not only for them but also for the future of Palestinian society in Gaza.

What can you do to help?

- ⇒ Join Gisha's campaign by logging on to www.trappedingaza.org in order to call on Israel's leaders to respect the right of students in Gaza to travel and access education.
- ⇒ Spread information by forwarding this message to others.
- ⇒ Public pressure helps: Statements, letters, and op-eds by academics, students, journalists, and world leaders calling for immediate passage for all of Gaza's students.