

Date: July 15, 2018
Ref: 10010

To:
Mr. **Binyamin Netanyahu**, Prime Minister
Mr. **Avigdor Lieberman**, Minister of Defense

By fax: 02-6496659
By fax: 03-6976218

Re: **Decision to close Kerem Shalom Crossing**

Dear Sirs,

On behalf of Gisha – Legal Center for Freedom of Movement, I hereby urgently appeal to you with a demand to immediately lift the restrictions you have imposed on the movement of goods at Kerem Shalom Crossing and publish all sanctions imposed on the civilian population of the Gaza Strip in order to allow public debate on the matter. The grounds for this request are as follows:

1. On July 9, 2018, the media reported your decision to close the Kerem Shalom crossing such that only humanitarian items may enter the Strip. The decision was reportedly made with the objective of putting pressure on the de facto Hamas authorities to put an end to the phenomenon of incendiary kites.
2. The deliberate and indiscriminate damage caused to farmland in Israel is egregious and lamentable, and there is no dispute that action must be taken to stop it. However, it cannot justify the closure of the main commercial crossing of the Gaza Strip. Kerem Shalom serves the entire population of Gaza, including children, the elderly and the sick, a total of some two million people, and has no substitute.
3. Merchants and farmers who received unexpected notice about the immediate closure of the crossing have suffered tremendously, in ways that may be irreversible. In addition to the immediate financial losses caused as a result of agricultural produce decaying and business deals being cancelled due to failure to supply goods in the agreed timeframes, the restrictions on shipping goods outside the Gaza Strip will cause severe damage to factories and businesses, and lead to loss of livelihoods. As is known, Gaza's economy has been in deep crisis for quite some time, and any further damage could lead to its collapse.
4. Your decision constitutes **collective punishment**, first and foremost, of a civilian population suffering from extremely difficult living conditions already. As you are aware, both Israeli and international law categorically and unequivocally prohibit the use of collective punishment. **We urge you to lift the restrictions imposed on the movement of goods immediately and to avoid further measures, as such acts cause deliberate and indiscriminate harm to the civilian population for actions over which they have no control.**

5. As noted, your decision with regard to Kerem Shalom Crossing is unlawful. Moreover, the decision was reached behind closed doors and was not formally published, preventing public debate on the matter. Your decision could have disastrous implications not only for Gaza residents but for residents of the region, as a whole.
6. The public has a right to know what restrictions are being imposed on Gaza residents, how long they are expected to remain in effect, and what measures you have put in place to ensure the safety and well-being of the civilian population. In these circumstances, you are obligated to inform the public immediately of all present and planned measures with respect to the Gaza Strip.

We thank you for your prompt response.

Sincerely,
[signed]
Tania Hary, Executive Director