

Urgent Appeal

UA 3/12



Defence for Children International/Palestine Section
الحركة العالمية للدفاع عن الأطفال / فرع فلسطين

Incident: Attacks on fishermen
Locations: Mediterranean Sea, Gaza
Date of incidents: Continuing
Number of incidents: 13
Ages: 13-17 years
Date of issue: 5 September 2012
Updated: 12 November 2012



Bayan B. (17) (**New**) – On 22 October 2012, a 17-year-old boy, his father and other relatives are fired upon by an Israeli patrol boat and later detained whilst fishing **within** Israel's three nautical mile limit.



Mahmoud A. (15) – On 20 August 2012, a 15-year-old boy and his father are fired upon by an Israeli patrol boat and later detained whilst fishing **within** Israel's three nautical mile limit.



Sami N. (17) – On 5 June 2012, a 17-year-old boy is fired on by an Israeli patrol boat and later detained whilst fishing off the coast of Gaza. Sami's fishing boat was also confiscated.



Yaser A. (17) – On 1 May 2012, a 17-year-old boy and his cousins are detained by an Israeli patrol boat whilst fishing **within** the Israeli imposed three mile maritime restriction zone off Gaza.



Aed B. (13) – In April 2012, a 13-year-old boy is fired on by an Israeli patrol boat whilst fishing **within** the Israeli imposed three nautical mile maritime restriction zone off Gaza.



Mohammad R. (14) – On 12 February 2012, a 14-year-old boy and his brother are detained by an Israeli patrol boat whilst fishing **within** the three mile maritime restriction zone off Gaza.



Anas S. (16) – On 18 December 2011, a 16-year-old boy and his father come under fire and are detained whilst fishing **within** Israel's three nautical mile limit off the coast of Gaza.



Mo'men S. (15) - On 30 November 2011, a 15-year-old boy is detained by the Israeli navy whilst fishing off the coast of Gaza. He is detained for around 12 hours wearing only his underwear.



Abed B. (17) - On 10 November 2011, a 17-year-old boy comes under fire from an Israeli naval boat and is detained whilst fishing **within** Israel's three nautical mile limit off the coast.



Mohammad B. (17) - On 11 September 2011, a 17-year-old boy from Gaza City is arrested while fishing and is offered money by an Israeli interrogator to become an informant.



Saher J. (15) - On 11 January 2011, a 15-year-old boy is detained by Israeli forces whilst fishing with his friends **within** the three mile zone off the coast of Gaza.

Nature of incidents

According to a recent [UN](#) report, Israeli naval forces continue to restrict the access of Palestinian fishermen to three nautical miles from the coast. This policy, often enforced through the use of live ammunition, severely limits access to fishing grounds. Palestinian fishermen risk arbitrary detention and confiscation of their boats by the Israeli patrol boats. According to local human rights organisations, in the 12 months prior to 15 June 2012, a total of **66** Palestinian fishermen were detained and **18 boats** were confiscated. In these cases, fishermen reported that they had been within the three-nautical-mile limit and had posed no threat to Israeli patrol boats. For many years, [Palestinian fishermen](#) have reported being [harassed and humiliated](#) by Israeli patrol boats whilst attempting to fish. Some boats are eventually returned to Gaza months later provided the owners pay a "transfer" fee of between \$900 and \$1,300. In some cases these boats have also had their engines dismantled by the Israeli authorities for "security" reasons.

Since January 2011, DCI-Palestine has documented **13 cases** in which fishing boats containing children have been intercepted by Israeli patrol boats off the coast of Gaza. In sworn testimonies collected by DCI, fishermen report being fired upon, sprayed with water cannon, detained and interrogated without any apparent legitimate reason. These incidents have also been reported by the [US State Department](#).

In the majority of cases documented by DCI, children were fishing when they were suddenly approached by Israeli patrol boats. In **12 cases (92 percent)**, the patrol boats open fired without prior warning and the crew of the fishing boats, including children, were ordered to strip down to their underwear and swim to the patrol boat, even in winter. Once on board, in **12 cases (92 percent)**, the children were tied and in some cases blindfolded. The children were not told why they were being detained before being taken to the Israeli port of Ashdod for interrogation. In none of the cases documented by DCI, were the fishermen accused of an offence. The purpose of the interrogations appears to be to illicit information about Gaza and its residents. The fishermen are generally released within 24 hours, but in at least **eight cases (62 percent)**, their boats and fishing equipment were confiscated without reason, thereby depriving them of their only [source of income](#). In **nine cases (69 percent)** documented by DCI, the boats were intercepted within the three nautical mile sea limit [unilaterally imposed](#) by the Israeli authorities in 2008.

Background information

By agreement reached in 1994 ([Oslo Accords](#)), Palestinians living in Gaza were permitted to fish up to 20 nautical miles off the coast. Since the start of the Second Intifada in September 2000, this limit has been steadily reduced by Israel to its current distance of three nautical miles. These [restrictions are mirrored on land](#) where Palestinians have been totally or partially [prevented from accessing land](#) located up to 1,500 metres from the border with Israel. The effect of these restrictions is that fisherman are prevented from accessing 85 percent of the sea areas agreed to under the Oslo Accords, whilst on land the restrictions apply to 17 percent of the land mass, or 35 percent of the agricultural land. It is estimated by the [UN](#), that these restrictions affect 178,000 people, including 65,000 people directly and indirectly affected by the maritime restrictions. The effect of these restrictions is that the [UN](#) is now predicting that Gaza may become unlivable by 2020.

The reasons given by the Israeli authorities for the restrictions are stated to be based on security considerations. For example, in July 2011, an Israeli military spokesperson said: “[T]he ongoing hostilities between Israel and the Palestinian terror organizations create significant security risks along the coast of the Gaza Strip. Due to these risks, fishing along the coast has been restricted to a distance of three nautical miles from the shore. Fishermen in Gaza are aware of these restrictions as they have been notified of them on numerous occasions.”

However, the explanation given by the Israeli military spokesperson leaves a number of questions unanswered, such as:

- Why are fishing boats being fired upon within the three nautical mile fishing zone and without prior warning?
- In situations where there is a legitimate security concern, why are the fishing boats not being searched at sea, and immediately released in all cases where the fishermen are exercising their legitimate right to fish?
- Why are adults and children being detained and taken to Israel for interrogation when there is no evidence that an offence has been committed? Further, why are adults and children not being informed why they are being detained?
- Finally, why are boats and fishing equipment being confiscated when there is no evidence that an offence has been committed?

Recommended action

Please send Urgent Appeals recommending that the Israeli authorities should:

1. Respect the legitimate right of Palestinian fishermen to work unhindered off the coast of Gaza;
2. Desist from detaining Palestinian fishermen, including children, whilst they are exercising their legitimate right to fish off the coast of Gaza;

3. Desist from attempting to recruit children as informants during interrogation in violation of Israel's international legal obligations; and
4. Desist from confiscating Palestinian boats and fishing equipment engaged in lawful activity off the coast of Gaza, and immediately return all boats and equipment to their rightful owners.

Appeals to:

- **Your elected representatives;** and
- **The Israeli embassy in your country** [[list of Israeli diplomatic missions worldwide](#)].