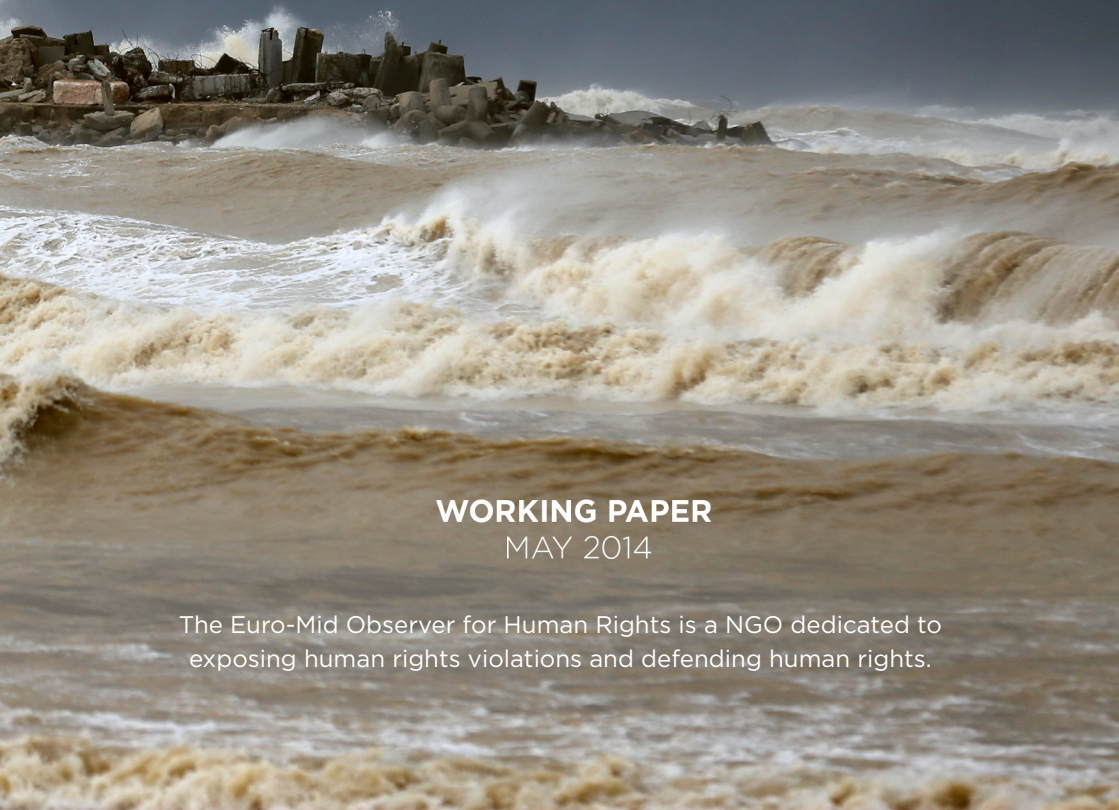




Euro-Mid Observer

المركز الأوروبي لحقوق الإنسان

GAZA SEAPORT: A WINDOWPANE TO THE WORLD



WORKING PAPER
MAY 2014

The Euro-Mid Observer for Human Rights is a NGO dedicated to exposing human rights violations and defending human rights.

The UN's Coordinator of Humanitarian Affairs in the Palestinian Territories, Mr. James Rowley, has called for Israel to lift the siege imposed on the Gaza Strip and to reopen the closed legal crossings. Thousands of Palestinians are stuck in a miserable limbo unable to leave or easily enter the Gaza Strip, for study abroad, medical care, work or family visits for the past 7 years. Siege and blockade are causing severe shortages of essential supplies from building materials to medicines in Gaza and generating a sense of despair.

The United Nations High Commissioner for Human Rights, Navanethem Pillay, has repeatedly condemned Israel's blockade of the Gaza Strip, calling it "a direct contravention of international human rights and humanitarian law".

Amidst the chronic crisis, the most effective long-term solution has been ignored: reopen Gaza's seaport routes to the outside world. Establishing a windowpane from Gaza to the outside world is not an impossible task if goodwill and efforts are combined. It is imperative to alleviate the suffering of the residents of the Gaza Strip and to give them an opportunity to live in dignity and peace by providing them with a secure passageway and free them from dependence on the usually absent goodwill of Israel and Egypt.

Gaza Fishery harbor can be easily developed in order to facilitate the transport of goods and humans out and back to Gaza through a maritime corridor between Gaza and Cyprus. Israel's fears and objections over who would control the port and inspect the cargo could be handled by international monitors deployed at the port. The European Union, in agreement with the Palestinian Seaport Authority, should reactivate the mandate of the EU Border Assistance Mission (EU-BAM), with a maritime dimension, as well as deploying an international naval force to monitor the Gaza seashore.

It is time for the international community to end Israel's collective punishment of the Palestinians in the Gaza Strip. It is time for the UN and the EU to respect their own resolutions and take steps to ensure the sustainable opening of all the crossing points to and from Gaza, including the port of Gaza, with adequate international end-use monitoring, to allow the unimpeded flow of humanitarian and commercial goods necessary for reconstruction and a self-supporting economy, as well as currency flows and free movement of people.

Part I

Introduction

Since June 2007, an unprecedented blockade by land, air and sea of the Gaza Strip - one of the most densely populated areas on earth - has been implemented by Israel against its 1.5 million Palestinian inhabitants. The effects have been devastating.

According to a 2009 report *Locked in: The humanitarian impact of two years of blockade on the Gaza Strip* by the UN Office for the Coordination of Humanitarian Affairs (OCHA) “the blockade has caused the erosion of livelihoods and the gradual decline in the state of infrastructure, and the quality of vital services in the areas of health, water and sanitation, and education”. Since then the situation only worsened.

As of July 2013, OCHA stated that 57% of Gaza households are food insecure and about 80% is aid recipients. Over a third (34.5%) of those able and willing to work are unemployed (according to the Palestinian Central Bureau of Statistics) - one of the highest unemployment rates in the world.

Additionally, a longstanding electricity deficit, compounded by shortages in fuel needed to run Gaza's power plant, results in power outages of up to 12 hours a day. Only a quarter of households receive running water every day, during several hours only. Over 90% of the water extracted from the Gaza aquifer is unsafe for human consumption. Some 90 million liters of untreated and partially treated sewage are dumped in the sea off the Gaza coast each day, creating public health hazards.

According to OCHA the blockade severely restricts imports and exports, as well as the movement of people in and out of Gaza, and access to agricultural land and fishing waters. Palestinians in Gaza are unable to provide for their families and the quality of infrastructure and vital services has deteriorated.

After the Israeli assault of the Gaza Flotilla in 2010 – an effort by activists of the Palestine solidarity movement to break the blockade – the UN Security Council expressed deep regret at the loss of life and injuries resulting from the use of force during the Israeli military operation [...] in international waters against the convoy sailing to Gaza, and condemned those acts which had killed at least 10 civilians and wounded many more. Additionally, the Security Council stressed that “the situation in Gaza is not sustainable. The Council reiterated its grave concern at the humanitarian situation in Gaza and stresses the need for sustained and regular flow of goods and people to Gaza as well as unimpeded provision and distribution of humanitarian assistance throughout Gaza”.

Illegality of the blockade: collective punishment

In 2009 Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, John Holmes characterized the blockade by Israel as a form of collective punishment on the entire population of the Gaza Strip.

In 2010, the International Committee of the Red Cross (ICRC) has reported Israel's blockade of the Gaza Strip as a violation of the Geneva Conventions. The ICRC stressed that “the whole of Gaza's civilian population is being punished for acts for which they bear no responsibility. The closure therefore constitutes a collective punishment imposed in clear violation of Israel's obligations under international humanitarian law”.

In July 2013, Robert Turner, Director for UNRWA (United Nations Relief and Works Agency (for Palestine Refugees in the Near East) Operations in Gaza, considered that the Gaza blockade is illegal and represents a collective punishment against 1.5 million Palestinians.

Recently, in April 2014, the Commissioner-General of UNRWA, Pierre Krahenbuhl, called for the end of the blockade of Gaza as “it amounts to an illegal collective punishment”.

Over the years the United Nations High Commissioner for Human Rights, Navanethem Pillay, has called the blockade “a direct contravention of international human rights and humanitarian law”.

Article 33 of the Fourth Geneva Convention states that “No persons may be punished for an offense he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited”. Therefore collective punishment is a violation of international law, as such a war crime.

UN, ICRC, EU responses

In 2010, the Council of the European Union stated that “the situation in Gaza remains unsustainable. The continued policy of closure is unacceptable and politically counterproductive. The EU calls for an urgent and fundamental change of policy leading to a durable solution to the situation in Gaza. In line with UNSC Resolution 1860, the EU reiterates its call for an immediate, sustained and unconditional opening of crossings for the flow of humanitarian aid, commercial goods and persons to and from Gaza including goods from the West Bank. The EU stands ready to contribute to the implementation of a mechanism based on the 2005 Agreement on Movement and Access that would permit the reconstruction of Gaza and the revival of its economy. To this end, full and regular access via land crossings, and possibly by sea, on the basis of a list of prohibited goods, should be the prime aim, while at the same time providing strict control over the destination of imported merchandise”.

The UN, the ICRC, the EU and many states and humanitarian organizations have repeatedly urged the Government of Israel to remove the restrictions on Gaza's borders and to allow free import and export of goods into the Gaza Strip. These are the urgent first steps needed to start the reconstruction of homes and infrastructure, the revival of the economy and the restoration of human dignity in Gaza.

However, calls from UN agencies and international human rights organizations urging both Israel and Egypt to open their land crossings and ease their restrictions are going unheeded.

Israel's obligations under international law

Regarding the naval blockade imposed on Gaza by the Israeli Navy, the San Remo Manual on International Law applicable to Armed conflicts at sea states that “if the civilian population of the blockaded territory is inadequately provided with food and other objects essential for its survival, the blockading party must provide for free passage of such foodstuffs and other essential supplies, subject to:

- (a) the right to prescribe the technical arrangements, including search, under which such passage is permitted; and
- (b) the condition that the distribution of such supplies shall be made under the local supervision of a Protecting Power or a humanitarian organization

which offers guarantees of impartiality, such as the International Committee of the Red Cross.

The blockading belligerent shall allow the passage of medical supplies for the civilian population or for the wounded and sick members of armed forces, subject to the right to prescribe technical arrangements, including search, under which such passage is permitted”.

A way out: re-open Gaza's seaport

Amidst the chronic crisis, the most effective long-term solution has been ignored: re-open Gaza's seaport routes to the outside world. This would provide Palestinians in Gaza with a secure and dignified passageway and free them from dependence on the usually absent goodwill of Israel and Egypt.

-
1. http://www.ochaopt.org/documents/Ocha_opt_Gaza_impact_of_two_years_of_blockade_August_2009_english.pdf
 2. http://www.ochaopt.org/documents/ocha_opt_gaza_blockade_factsheet_july_2013_english.pdf
 3. <http://www.un.org/News/Press/docs/2010/sc9940.doc.htm>
 4. <http://unispal.un.org/UNISPAL.NSF/0/16E3162D405F3E168525754C004D641B>
 5. <http://www.icrc.org/eng/resources/documents/update/palestine-update-140610.htm>
 6. <http://www.unrwa.org/newsroom/official-statements/commissioner-general-pierre-kr%C3%A4henb%C3%BChl-calls-end-blockade-gaza>
 7. http://www.un.org/apps/news/story.asp?NewsID=28983&Cr=palestin&Cr1=#.U0HnF_mSx-GY
 8. http://www.europarl.europa.eu/meetdocs/2009_2014/documents/deve/dv/council_gaza_1406/council_gaza_140610.pdf
 9. <http://www.icrc.org/applic/ihl/ihl.nsf/385ec082b509e76c41256739003e636d/7694fe2016f347e1c125641f002d49ce?openDocument>

Part II

From the realm of imagination to the realistic

According to the 2004 United Nations Conference on Trade and Development (UNCTAD) report *Transit Trade and Maritime Transport Facilitation for the Rehabilitation and Development of the Palestinian Economy*, the envisioned State of Palestine is depending completely on the utilization of neighboring transport facilities for participation in international trade due to its land-locked status. However, “in contrast to other land-locked states, whereby access to international markets is obstructed by the absence of a sea shore, Palestine’s poor market access conditions are dictated by the absence of a national seaport, not the absence of coastal fronts. In addition, Israel control of the main borders and transport routes causes Palestinian trade to be totally dependent on political considerations and developments in the peace process and regionally”.

At present, Palestinian enterprises are mainly relying on Israeli port facilities for export and import activities. Due to Israel’s imposed security measures and cumbersome customs and overland transport procedures at the main borders, trade has turned into an expensive activity for Palestinians will hardly any benefits.

Hence, small-scale infrastructural improvements would have made a significant difference to the quality of life of many Palestinians. However, “the protracted crisis in the occupied Palestinian territory since October 2000 has effectively isolated it from the rest of the world, paralyzing Palestinian trade with devastating effects on the economy’s growth potential. Hence, the urgent need for considering alternative regional maritime routes for facilitating the flow of Palestinian trade until circumstances permit the construction of a Palestinian seaport in Gaza” .

10. http://unctad.org/en/Docs/gdsapp20031_en.pdf

11. Idem

12. Idem

The role of the International Community

The international community as a whole has the obligation to apply international law. In the case of ending the Gaza blockade by re-opening Gaza's seaport the EU as well as Turkey and Greece could play an important role.

The European Union Common Security and Defense Policy (CSDP) established the European Union Border Assistance Mission in Rafah – code name EUBAM Rafah – on 24 November 2005. Its role is to monitor the operations of the border crossing point between the Gaza Strip and Egypt, after the Government of Israel and the Palestinian Authority concluded an Agreement on Movement and Access (AMA) on 15 November 2005. This agreement was welcomed by the Council of the European Union as it approved that the EU should undertake the third-party role proposed.

On 17 November 2009, the European Council confirmed the EU's readiness to redeploy at short notice at the Rafah Crossing Point (RCP), should circumstances allow. Despite the suspension of operations, the Mission is maintaining its operational capability and is ready to re-engage should a political solution was made available.

In June 2010 the European Parliament adopted Resolution P7-TA0235 that urges EU Member States to “take steps to ensure the sustainable opening of all the crossing points to and from Gaza, including the port of Gaza, with adequate international end-use monitoring, to allow the unimpeded flow of humanitarian and commercial goods necessary for reconstruction and a self-supporting economy, as well as currency flows and free movement of people”.

Additionally, this resolution urges “to immediately take the initiative by submitting an EU plan to the Quartet [United States, European Union, Russian Federation, Office of the UN Secretary-General] with the aim of ending the blockade of Gaza and addressing Israeli security concerns by ensuring international monitoring of the crossings, including the reappraisal of the mandate of the EU Border Assistance Mission (EU-BAM), potentially with a

maritime dimension, as well as its reactivation, and deploying an international naval force to monitor the Gaza seashore” .

Furthermore, the World Bank's report *Disengagement, the Palestinian Economy and the Settlements* , warns of the potential disintegration of the Palestinian economy under the sustained pressures of conflict and Israeli closure policies. The World Bank supports the development of a seaport in Gaza in a modular fashion, beginning with a simple roll on, roll off (RoRo) pier, in order to accelerate the port's opening (possible within two years) and to avoid over-sizing it before obtaining a good sense of actual demand.

The EU is urged to respect its own resolutions regarding the illegality of the Israeli siege on the Gaza Strip. The EU is therefore requested to assume its role in the establishment of an alternative to alleviate the misery of 1.5 million entrapped Palestinians.

The EU should negotiate with the government of Israel the fulfillment of their commitments and obligations in regard to the signed agreements concerning the Palestinian Strategic projects, of which the seaport of Gaza.

The French and Dutch government had committed themselves to the construction of a seaport in Gaza and to training of port personnel. The contract for the project has been agreed between the Palestinian Authority and the European Gaza Development group, a consortium comprising a Dutch company, Ballast Nedam, and a French company, Spie Batignolles. France has also put in a grant element of US\$ 20 million.

However, the Gaza seaport project has never been implemented as Israeli authorities have halted all operations, whereby they kept control of all movements of goods and persons into the 1967 Palestinian Occupied Territories, and thus Palestinian territories form until today a de facto customs union with Israel.

The EU should reach out to the governments of the Netherlands and France to reactivate the Gaza Seaport project, keeping in mind that the objectives of

the project are to provide Palestinians with their entitled maritime corridor to free movement and to create direct and indirect employment. By establishing an efficient Seaport Authority, transit costs will be reduced by avoiding Israeli ports for the export and import of goods, and thus to improve export earnings.

The first phase of the construction would take approximately a year. The EU should pressure the government of Israel to respect its obligations as the occupying force by allowing the entry of construction materials through its checkpoints into the Gaza Strip.

Gaza has only a fishery harbor with a basin's diameter of 400 meters and water depth of 5 meters. The port entrance channel is approximately 700 meters. The Fishery Harbor has a basin's diameter of 400 meters and water depth of 5 meters. The Fishery Harbor has only a few seaworthy boats, given the Israeli navy's restrictions on fishing off of Gaza's coast. The current harbor suffers from a lack of infrastructure and superstructure. Until construction of Gaza's Commercial Seaport starts, the current Fishery Harbor can be easily developed in order to facilitate the transport of goods and humans out and back to Gaza. Around 50,000 square miles land could make the accommodation of cargo activities possible.

The Fishery Harbor is in need of many requirements, such as the reconstruction of the existing breakwater and the existing quay as well the dredging of the basin area. The transport infrastructure would have to be developed to incorporate passengers and cargo handling terminals as well as an administrative building that will handle in-and out coming passengers boarding ships to Cyprus.

Israel's fears and objections over who would control the port and inspect the cargo could be handled by international monitors deployed at the port. The EU, in agreement with the Palestinian Seaport Authority, should reactivate the mandate of the EU Border Assistance Mission (EU-BAM), with a maritime dimension, as well as deploying an international naval force to monitor the Gaza seashore.

13. <http://www.eubam-rafah.eu/node/2313>

14. <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2010-0235&language=EN&ring=B7-2010-0389>

The role of the Palestinian Authority and the Palestinian private sector

In 1999, the Palestinian Seaport Authority was created to oversee the implementation of the Gaza Seaport project. A future Palestinian State will need to secure an independent supply line to provide the critical needs of the Palestinian economy. The Palestinian economy will have to liberate itself from the restrictions imposed on imports and exports by Israel. Given the strategic importance of the implementation of the Gaza Seaport for the Palestinian economy, this project has always remained high on the list of priorities of the post-Oslo Palestinian Authority (PA) despite Israel halting all operations.

The World Bank has advised the PA to establish its own unified border services agency. According to an Interim Assessment of Passages and Trade Facilitation prepared by the World Bank Technical Team in 2006 “such an organization is necessary in order to ensure efficient and secure border management and would significantly bolster the PA’s ability to assume responsibility for the management of a port, airport and land borders with third countries. These benefits would result from having a single national entity responsible for the delivery of integrated services including the uniform application of laws and regulations, and maintaining key relationships with the private sector, Israeli customs and border security, and with foreign border services agencies”.

The PA should work towards providing these solutions in order to re-open the Gaza Commercial Seaport’s file with all concerned parties via its diplomatic lines. The PA should welcome and work towards solutions to end the siege of Gaza, and not link it to the Palestinian internal division or the final peace talks. Until a final status is reached regarding Palestinian statehood, Palestinians in Gaza should be relieved.

The Israeli authorities insist that Gaza’s land, sea and air borders be firmly controlled - by a trusted third party if not by Israel. Provided that security solutions are put in place that address Israel’s concerns, the seaport could be made operational within months, and could be used to export agricultural products as

well as permit the travel of investors to and from Gaza (World Bank 2006).

The PA, with the assistance of UNCTAD, should identify major direct shipping routes or regional links to/from the Palestinian territories to regional countries that can be used when maritime facilities become available. One such route could be between Gaza Fishery Harbor and Cyprus until future routes are established. The PA should work on developing the infrastructure and superstructure of the Gaza Fishery Harbor as a short-term solution to the seven years long Israeli siege of the Gaza Strip.

In 1999 the PA launched the National Economic Dialogue with the aim of enhancing a progressive dialogue with the private sector, in order to reduce fragmentation in policy-making, and identify and prioritize the private sector's interests regarding key policy issues. The Palestinian private sector is a key player in the economic development of Palestine, including the Gaza Seaport.

The Palestinian private sector would play a key role during the development of the Gaza Seaport through the expansion of global trade, export development, local industries and business services. According to a study by the Palestinian Seaport Authorities in 2005, if a seaport was established, at least 5,000 job opportunities would have been created and the equivalent of 2 million tons of goods would have been imported and exported in 2005, with a rise to 6.15 million tons in 2012.

This project will be vital to the Palestinian economy, and would additionally facilitate Palestinians' daily lives and subsequently sustain peace for all.

The role of Turkey

Establishing a windowpane from Gaza to the outside world is not an impossible task if goodwill and efforts are combined. It is imperative to alleviate the suffering of the residents of the Gaza Strip and to give them an opportunity to live in dignity and peace.

Turkey has put Gaza at the centre of its interests as a result of its ongoing humanitarian

crisis. Turkey has committed to rebuilding areas that have been destroyed by Israel during consecutive attacks. One of Turkey's strongest moves of solidarity was the Mavi Marmara, a ship that was part of a flotilla heading towards Gaza to break the siege in 2010. All six ships were boarded by armed Israeli commandos in international waters, about 130 km (80 miles) from the Israeli coast, leading to the tragic death of nine Turkish civilians.

Since then Turkey and Israeli have entered a negotiation process in order to settle the dispute which led to strained relations between Tel Aviv and Ankara. In 2013 Israel has officially apologized to Turkey, and the negotiation process is now in its final phase. The negotiations have focused on two main points. The first one is about the compensation of the victims' families and the second one is related to ending the Israeli siege imposed on the Gaza Strip.

In this regard, Turkey can demand Israel to supply Gaza with a maritime route to the outside world. This could initially be a route from Gaza to Cyprus, or to one of Turkey's harbors. This is a practical way for Israel to provide assurances to Turkey on easing the siege, by not obstructing the operations and by allowing the entrance of construction materials into the Gaza Strip without any further delay.

The Palestinian private sector as well as the Palestinian Seaport Authority will play a pivotal role in the arrangements between Israel and Turkey. Both Turkey and the Palestinian private sector could cooperate and manage the port facilities, as the local government of Gaza has declared previously its willingness to hand over the management of border crossings to the private sector.

If all Israeli demands are met, regarding security and monitoring, the only remaining obstacle is for the international community to perceive Palestinians in Gaza as humans who deserve a dignified life. Only then sustainable peace in the region would be steered into the right direction.

15. Idem

16. <http://documents.worldbank.org/curated/en/2004/12/6074645/stagnation-or-revival-israeli-dis-engagement-palestinian-economic-prospects>

17. <http://unispal.un.org/UNISPAL.nsf/2ee9468747556b2d85256cf60060d2a6/606c76072407b0c-d852571e0004e8fbb?OpenDocument#sthash.C8R5xEgc.dpuf>

<http://www.oecd.org/countries/palestinianadministeredareas/35157499.pdf>

Recommendations:

Mapping practical solutions to achieve a sea route from Gaza to the outside World;

- The State of Israel (SoI) and Egypt are urged to end immediately their illegal blockade of the Gaza Strip and to restore fuel supplies to Gaza and allow the passage of humanitarian assistance and commercial supplies. Furthermore, the SoI is urged to allow the unhindered movement of persons and goods in and out of the Gaza Strip;
- The SoI is urged to allow construction materials into the Gaza Strip for the implementation of the Gaza Commercial Seaport and the expansion of the Gaza Fishery Harbor. The SoI should therefore end its naval blockade of the Gaza Strip;
- The European Union (EU) is urged to respect its own resolutions regarding the illegality of the Israeli siege on the Gaza Strip and pressure the state of Israel to lift the siege on Gaza and to fulfill its commitments and obligations in regard to the signed agreements concerning the Palestinian Strategic projects, of which the Seaport of Gaza;
- The EU should ensure the sustainable opening of all the crossing points to and from Gaza, including the port of Gaza, with adequate international end-use monitoring, to allow the unimpeded flow of humanitarian and commercial goods necessary for reconstruction and a self-supporting economy, as well as currency flows and free movement of people;
- The EU is urged to promote the development of the existing Gaza Fishery Harbor in order to facilitate the transport of goods and humans out and back to Gaza;
- The EU should promote a maritime route from Gaza to Cyprus to alleviate the consequences of the Israeli siege on Gaza by addressing Israeli security

concerns. The EU is urged to ensure international monitoring of the crossings, including the reappraisal of the mandate of the EU Border Assistance Mission (EU-BAM), with a maritime dimension, as well as its reactivation, and deploying an international naval force to monitor the Gaza seashore;

- The EU is urged to support the development of a seaport in Gaza in a modular fashion, beginning with a simple roll on, roll off (RoRo) pier, in order to accelerate the port's opening;
- The Palestinian Authority (PA) should welcome and work towards solutions to end the siege of Gaza, and not link it to the Palestinian internal division or the final peace talks. Until a final status is reached regarding Palestinian statehood, Palestinians in Gaza should be relieved;
- The PA should promote a maritime route from Gaza to Cyprus to alleviate the consequences of the Israeli siege on Gaza;
- The PA is urged to provide solutions in order to build the Gaza Commercial Seaport and develop the Gaza Fishery Harbor by negotiating the upgrade of the infrastructure along the main corridors and improve the efficiency of border management agencies;
- Turkey is urged to demand Israel to supply Gaza with a maritime route to the outside world;
- As part of its negotiation with the state of Israel regarding the Mavi Marmara dispute, Turkey is urged to demand assurances from Israel on ending its siege on Gaza, and allowing the entrance of construction materials into the Gaza Strip without any further delay.

ANNEX

Construction of the Gaza Seaport

According to the 2004 UNCTAD report “Transit Trade and Maritime Transport Facilitation for the Rehabilitation and Development of the Palestinian Economy” , the deep-water Gaza seaport was planned to be built on a site some 5 kilometres south of Gaza city, around 200 kilometres west of Amman, and to service not only Palestinian traders but also Jordanian traders, providing them with an alternative transit corridor to Europe and North America. Future plans include expanding the port’s capacity to handle large vessels of up to 50,000 to 70,000 DWT, and linking its facilities to the neighbouring ports of Port Said in Egypt, Ashdod, Beirut and Cyprus.

In addition to the seaport, the project design also included other infrastructure and facilities, such as an electrical substation, communication system, water supply system, surface water drainage system, waste disposal facility, storage facilities, transportation plan and access roads. An industrial zone, including cement and other heavy industries was also contemplated.

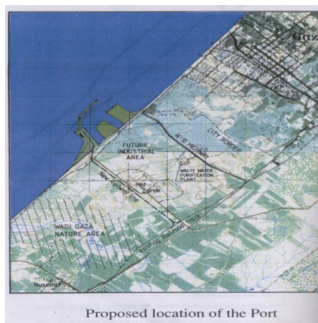
The Gaza Seaport Project ¹⁶

The port is highly needed to strengthen the Palestinian economy in general, and increase employment in Gaza, in particular.

The seaport development phases were divided according to the following principals:

- Provision with a primary capacity of the port to receive vessels and shipping traffic to and from Gaza only (Phase 1).
- A potential to easily extend Phase 1 without major investments with regards to maritime security premises so as to meet future needs in Gaza (Phase 2).
- A potential to extend the exterior parameter of the port to cope with the shipping process of the West Bank, Jordan and other countries of the area (Phases 3-4).

Port location and area: The port area extends over 323 metres south of Sheikh Ejleen road up to the north of the coastal road south of Sheikh Ejleen village.



Phase 1 includes the construction of facilities such as a 200 metres cargo

16. Source:

http://www.euromedaviation.org/fileadmin/download/maincontract/diagnostic/part2_palestinian_en.pdf

quay and a Ro-Ro terminal; water depth will be 11 metres to enable vessels of up to 30 000 dwt to enter the port. The port will also be supplied with a 730 metres breakwater. Presumably, during this phase, loading and unloading will be performed by shipboard cranes. It will be recommended for the coming years to have mobile cranes bearing 10-30 tonnes each. The ideal method to handle all cargo is through tractors and trailers provided they have appropriate size for container handling; then trucks will be used. Cranes will have to be used for operations nearby the port.

Maritime service facilities: Phase 2 requires a towboat with tightening and towing pillars bearing 20 tonnes, one 500 HP pilotage boat and two 150 HP quay boats for maritime services. Two towboats are recommended (one to be used in case of breakdown) as vessels over 15 000 dwt will require at least two towboats. Supplementary navigation equipment will be needed for the seaport. Lighting will be installed along the top of the breakwaters and the dock will be marked by two lighting buoys.

The inlet leading to the port will be distinguished by other two lighting buoys and staffs. Furthermore, a VHF-UHF transmission system should be installed to provide communications between vessels and the harbourmaster's office. As for port internal communications, a PABX transmission system should be installed.

Port operations: The PA has adopted the Landlord Port model to run the seaport. The PA will run the port until its operations are transferred to private companies. Therefore, the Landlord Port model will allow for special operations provided that regulations for the port's operations are subject to the PA's command. Such a model will provide suitable competition for private companies in all activities carried out in the port, such as cargo and equipment ownership, and the model will facilitate private investment and foreign capital flows into the area.

Long-term contracts will be concluded with private companies regarding the renting or leasing of infrastructure (quays, berths, terminals, etc.). On the other hand, private companies will provide and maintain installations such as offices, warehouses, containers platforms and workshops, etc, and will undertake to install appropriate handling and storage equipment.

Private terminal operation companies or stevedoring companies will be in charge of employing workers whereas other companies will be responsible for activities related to ship repair and maintenance, commodities storage, freight forwarding, etc.

Port operators: Although work may start at the port with one operator, it is preferable to have two operators to handle specific freight activities (general cargo, containers, oil and grain products and others). Operators' costs relate to superstructure investments and such as handling equipment and storage facilities, amortisation of investments, salaries and other operating costs. Incomes include freight fees, storage fees and other services.

Project finance for Phase 2: The Netherlands and France are financing the project as a loan submitted by the European Investment Bank (EIB).

References and Key Readings

- Agreed documents by Israel and Palestinians on Movement and Access from and to Gaza. “Agreement on Movement and Access” and “Agreed Principles for Rafah Crossing”, 15 November 2005

Link: <http://unispal.un.org/UNISPAL.NSF/0C9A5AA5245D910BB852570BB0051711C>

- Palestinian Territories – Review of the Netherlands development programme for the Palestinian territories, 1994-1999, IOB-evaluation no. 282, pp. 32, 34, 37-38. Policy and Operations Evaluation Department (IOB) of the Dutch Ministry of Foreign Affairs, November 1999

Link: <http://www.iob-evaluatie.nl/sites/iob-evaluatie.nl/files/282%20Palestinian%20Territories.pdf>

- Netherlands Commission for Environmental Assessment - Advisory reports and projects, Gaza Strip Seaport - 1995, 1996, 1997

Link: <http://www.eia.nl/en/publications/advisory-reports/015-i>

- EuroMed Transport Project: Diagnostic Study Part II: Country Issues, Palestinian Territories, December 2004

Link: <http://bit.ly/R3szg3>

- UN News Center, November 2008 “UN human rights chief calls for end to Israeli blockade of Gaza Strip”

Link: <http://bit.ly/1krHoWE>

- International Committee of the Red Cross, San Remo Manual on International Law Applicable to Armed Conflicts at Sea, 12 June 1994

Link: <http://bit.ly/1jttDmT>

- UNESCO, “Incense Route - Desert Cities in the Negev”

Link: <http://whc.unesco.org/en/list/1107>

- The Metropolitan Museum of Art, “Trade between Arabia and the Empires of Rome and Asia”

Link: <http://bit.ly/1hhXlvm>

- The Gaza Strip: Humanitarian Impact of Movement Restrictions on People and Goods - UNOCHA July 2013

Link: <http://bit.ly/1hPcOma>

- United Nations Conference on Trade and Development (UNCTAD) : “Transit Trade

and Maritime Transport Facilitation for the Rehabilitation and Development of the Palestinian Economy” - 2004

Link: http://unctad.org/en/Docs/gdsapp20031_en.pdf

- The European Union Border Assistance Mission in Rafah – code name EUBAM Rafah –

Link: <http://www.eubam-rafah.eu/node/2313>

- United Nations, Office of the United Nations Special Coordinator: ‘The Impact of Closure and other Mobility Restrictions on Palestinian Productive Activities’ – October 2002.

- European Parliament Resolution on “The Israeli Military Operation Against the Humanitarian Flotilla and the Gaza Blockade” – June 201

Link: <http://bit.ly/1e9ZXvJ>

- “Stagnation or Revival? Israeli Disengagement and Palestinian Economic Prospects” - The Services Group / USAID and World Bank, 2003

Link: <http://bit.ly/1i2phmE>

- World Bank Technical Team Report - “An Update on Palestinian Movement, Access and Trade in the West Bank and Gaza” – August 2006

Link: <http://bit.ly/1i2prdP>

- World Bank Technical Team Report – “An Interim Assessment of Passages and Trade Facilitation” – February 2006

Link: <http://bit.ly/1sBAoI9>

- United Nations Information System on the Question of Palestine (UNISPAL) – “The Palestinian-Israeli Private Sector Working Group To Unveil Joint Declaration At World Bank-HMT Conference” - 2006

Link: <http://bit.ly/1lQN8sM>

- Palestinian Seaport Authority - Palestinian Authority, “Gaza Ports and Maritime Transport” - 2005

Link: <http://www.wafainfo.ps/pdf/SeaTrans.pdf>

- “Managerial Obstacles Facing the Gaza Seaport Project” - Dissertation Mahmoud Zakaria Al-Madhoun - May 2007

Link: <http://library.iugaza.edu.ps/thesis/73888.pdf>







Euromid Observer

المرصد الأوروبي المتوسطي لحقوق الإنسان

جميع الحقوق محفوظة
المرصد الأوروبي المتوسطي لحقوق الإنسان

Maison des Associations Rue
des Savoises 15 CH-1205
Genève
جنيف – سويسرا



info@euromid.org



www.Euromid.org