

prohibited to go abroad through Ben Gurion Airport, on October 6 HaMoked submitted an urgent application to the West Bank legal advisor, asking him to consider allowing A.G. to leave for Greece through Jordan. On October 22, the IDF replied that A.G.'s application to leave the area was rejected because of "security reasons" – without any further detail. HaMoked, on A.G.'s behalf, has urged the State Attorney's Office to reconsider. As of the date of this report, no response has been received. **(Case 16465)**

In some cases in which exit is denied, HaMoked's intervention leads to positive results – whether after appeals to the IDF or to the State Attorney's Office. In these cases, the applicant is finally allowed to leave the Territories.

In 1999 A.K., an assistant school principal from Tulkarm, was sent back from Allenby Bridge, which he wanted to cross on his pilgrimage to Mecca. Since then, HaMoked has contacted the IDF three times in an attempt to get permission for A.K. to leave. The first time, the application was denied because A.K. "is a Hamas activist". The second time, the authorities took nine months to respond that A.K. was not allowed to leave because of "security reasons." And the third time, his exit was

again denied because "he is an Hamas activist." In August 2002, HaMoked once again contacted the West Bank legal advisor, and in September, less than a week after the application was made and after more than three years in which A.K. was not allowed out of the West Bank, HaMoked was notified that he was free to leave. **(Case 14135)**

G.A. was accepted to the Ph.D. program at the Faculty of Islamic Studies at the Jordan University in Amman. He signed up for the first semester starting October 15, but when he tried to cross Allenby Bridge, he was sent back and had to postpone his studies until December. In November, HaMoked submitted an urgent request to the IDF to allow G.A. to leave. The response was received on December 1: G.A. was not allowed to exit the Territories because of "security reasons". After G.A. managed to postpone the beginning of his studies by about a month, HaMoked appealed to the State Attorney's Office. At first, the West Bank legal advisor replied that G.A.'s application was rejected once again, but the State Attorney's Office provided an update: the security agencies have withdrawn their objection, and G.A. will be able to start his Ph.D. program in Jordan. **(Case 23312)**

## Passage between the West Bank and the Gaza Strip

Under the Oslo Accords, the West Bank and the Gaza Strip constitute a single

territorial unit. But even when the "safe passage" that connected the West Bank

to the Gaza Strip was operative, before the onset of the intifada, many residents of these two areas were not allowed to use it – a special magnetic card was required, which was given only if there was no security-related reason to prohibit an individual from commuting. Since the current intifada began, Israel has altogether halted passage of residents between the West Bank and the Gaza Strip. Nowadays, getting a permit to pass between two strips of land that are only a few kilometers apart takes many months, despite the HCJ ruling in HaMoked's petition against the deportation of three West Bank residents to Gaza, which endorsed the State's position that the West Bank and the Gaza Strip are a single territorial unit (see the section about deportation).

The marriage contract between West Bank resident, L.H., and Gaza Strip resident, H.K., was signed in November 2001. The marriage ceremony was to take place at the groom's home, where the bride and her mother were to go for this purpose. The two women applied four times to the DCO, asking it to arrange a permit that would allow them out of the West Bank and into the Gaza Strip, and were rejected time after time. A date for the ceremony could therefore not be set. In December 2001, HaMoked contacted the IDF on their behalf. In February 2002, the authorities said they would only let the women through if the mother signs a written undertaking to leave – and return to – the West Bank together with her daughter; obviously, this way L.A. and H.K. would not be able to conduct a married life, which was the reason for which the

permits were sought in the first place. Despite this condition, the mother and daughter decided to take the pledge so that the ceremony could be held as soon as possible. HaMoked forwarded their consent to the IDF, but the processing of the application was delayed, and in March the IDF invaded the PA and the application was not handled at all. In July HaMoked contacted the State Attorney's Office asking it to allow the passage of the two women, which had already been approved five months before. No answer was received over the next three months. Meanwhile, L.A. was summoned to the DCO for questioning by the GSS, after which she was told repeatedly to come there to get her permit – only to go back empty handed every time. In November 2002 an answer was received: HaMoked was instructed to contact a specific officer at the DCO in Hebron to coordinate the precise time for the mother and daughter's journey. However, attempts by HaMoked, the daughter and even IDF officers to coordinate such a date with the DCO were to no avail. In December, L.A.'s father passed away, so her mother could not accompany her. HaMoked appealed to the authorities to allow a brother to go with L.A. instead. The IDF finally permitted L.A. to leave for Gaza on January 19, 2003, more than one year after the first application, but prohibited the brother from leaving. In her despair, L.A. decided to go to Gaza on her own. Another one of her brothers, who is in Jordan, is to come to the Gaza Strip through Egypt, so that one of her own relatives can be with her at her wedding ceremony as is customary. **(Case 16755)**

Even when the reason for the need to go from the West Bank to the Gaza Strip or vice versa stems from an error of the Israeli authorities themselves, the latter are in no rush to rectify their mistake. HaMoked has received several applications from detainees who are residents of the West Bank but were sent to the Gaza Strip after their discharge, in violation of an undertaking that the State has made in a petition that HaMoked had filed concerning detention conditions at Ofer Camp (see section about detainee rights: detention conditions). HaMoked's attempts to enable them to go back to their homes in the West Bank have not been successful so far.

H.K., a resident of Ramallah who is married to another resident of the city, was detained on March 3 at the Allenby Bridge, where he wanted to enter Jordan. He was held in Ashkelon Prison for one day, and from there he was taken to the Gaza Strip – because in Israel's records he is registered as a resident of Gaza, although he had already changed the address in his ID in 1998. For six months H.K. was trying to get back to his wife in Ramallah. After his inquiry was received, HaMoked asked the West Bank legal advisor to intervene. As of the time that this report was compiled, no response has been received. **(Case 23309)**

## Closure

Since the previous Gulf War in 1991, residents of the Territories have not been allowed into Israel and East Jerusalem except with a special entry permit. Until 1993 Israel issued many permits that were valid for relatively long periods, but after a terror attack in March 1993, it imposed a general closure on the Territories that is still effective today. Roadblocks have been posted along the Green Line to prevent Palestinians who do not have permits from entering Israel; criteria for permits have not been publicized and permits were rarely given. Since October 2000, permits have been granted only in very special cases or when “concessions” are made that allow a few thousand workers to enter Israel – according to the needs of the Israeli economy – which are usually withdrawn shortly after. Anyone

apprehended in Israel without an entry permit, risks imprisonment and criminal conviction, and in the future may well be denied an entry permit or any other kind of movement permit because of this criminal record. Most applicants who contact HaMoked asking for permits to enter Israel, do so when no solution to their specific problem is available within the Territories and they must seek an alternative.

N.T., a six-year-old girl from Kafr Jammal, was injured in the eye in an accident at home. That same day she was taken by ambulance to St. George Hospital in Jerusalem, where she was operated. For the treatment to succeed, N.T. had to return to the hospital for periodic checkups. N.T. did not make it to the first