

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that allow a few thousand workers to enter Israel – according to the needs of the Israeli economy – which are usually withdrawn shortly after.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

checkup in May, since the soldiers at the roadblock outside her village did not let the ambulance through. The checkup was rescheduled for June, but the ambulance was again not allowed to pass. A new date was set for August, three months after the original appointment. N.T.'s parents contacted HaMoked, asking to make sure that their daughter would be allowed out of the village, through the West Bank and into Jerusalem. HaMoked spoke with the Civil Administration, which authorized N.T. and her father access to the hospital. In September, as the next scheduled appointment approached, the father once again contacted HaMoked, which again was able to secure the necessary permits. However, because of the curfew imposed on Kafr Jammal, the father was unable to go to the DCO to collect the papers.

(Case 18011)

Israel prides itself on the full freedom it allows human rights organizations working within its borders.⁴⁸ HaMoked has made appeals on behalf of employees of human rights organizations. These have been rejected, despite the fact that when they are not allowed into the country, this compromises the operations of their organizations.



HCJ

A.D., a journalist who is a resident of Tubas, has been working as a field researcher for B'Tselem since February 2002. The field workers of this organization document human rights violations in the Territories, and their training is fundamental to the operations of B'Tselem. The importance of these activists has increased even further since civilian Israelis have been prohibited from

entering the territory of the PA. Since the intifada began, field researchers have no longer been able to reach the offices in Jerusalem on a regular basis, and B'Tselem therefore decided to hold concentrated seminars for its workers. The first seminar took place in October 2001. Field researchers from the Territories received entry permits to Israel. Toward the second seminar in October 2002, B'Tselem once again contacted the authorities, asking for permits for its staff, but A.D.'s entry was denied. The only explanation provided was that the GSS did not allow it. B'Tselem contacted HaMoked, which appealed to the State Attorney's Office to enable A.D. to attend the seminar. The State Attorney's Office handed the matter over to the IDF, which responded that confidential intelligence indicates that A.D. is active in the Popular Front for the Liberation of Palestine. A.D. flatly denies this: except for being briefly detained about 10 years ago for staying in Israel without a permit, and except for an incident when his camera was confiscated when he was talking with reporters about how his nephew had been killed on August 14 while being forced by the IDF to serve as a "human shield", A.D. was never arrested or questioned by the authorities. The second seminar took place as scheduled, without A.D. Before the third seminar, in December, the military disallowed the entry of A.D. and two other field researchers. HaMoked petitioned the HCJ on behalf of A.D. and B'Tselem, and concurrently endeavored to

⁴⁸ See article 588 of the report Israel has submitted to the UN Commission on Human Rights.

secure entry permits for the other two staff members. The Court rejected the petition,

and the two other researchers were not allowed into Israel. **(Case 23038)**

Roadblocks

There are more than 300 roadblocks in the West Bank.⁴⁹ Some, particularly those at the entrance to Israel and to settlement blocs, are permanent, while others are unannounced and posted in various locations for different lengths of time.

Roadblocks have created a new meaning for the term "distance" – the main component in the definition is no longer the number of kilometers between point A and point B, but rather the number of roadblocks along the route. Every roadblock delays traffic by many hours, during which Palestinians are exposed to humiliation and abuse by soldiers. In the absence of clear instructions, the decision as to who will pass and who will not is up to the individual soldiers at the roadblock, and is mostly arbitrary.

Since March, HaMoked has handled more than 500 appeals from residents of the Territories and representatives of various organizations, asking to allow the passage of persons who had been detained for many hours, and to restrain the soldiers. HaMoked's communications with the Civil Administration, the different DCO's and the soldiers on the ground, yielded results in most cases, but only after many hours. When clients requested, HaMoked pursued an investigation into the incident and if necessary sought indictments.

N.G., a disabled person who is a resident

of Jerusalem, his wife and their eight children were trying to pass through the roadblock at Qalandiya. One of the soldiers opened their car door, took N.G.'s crutches and started playing with them. N.G.'s entreaties to give them back were to no avail, and the soldier kept them for about an hour. Only after HaMoked intervened were the crutches returned, and N.G. was allowed through the roadblock. **(Case E656)**

On October 3, an ambulance carrying a pregnant woman on her way to have a Cesarean section was detained at the Huwwara roadblock. The ambulance reached the roadblock at 10:20 AM, but by 10:50 AM was still not allowed through. The ambulance driver contacted HaMoked. After HaMoked called the Civil Administration, the ambulance was finally allowed to pass, at 11:10 AM. **(Case E403)**

On the afternoon of October 22, HaMoked received calls from Jerusalem residents who were being held at the Qalandiya roadblock on their way home. The roadblock was opened and closed intermittently, and people and cars went only allowed through very slowly, which created long queues. Since the roadblock