compensation of NIS 15,000. The criminal case against the policemen is still pending; the State has refused to represent the defendants.

Freedom of Movement

For many years, Israel has imposed restrictions on the Palestinian residents of the Occupied Territories. Since 1991, the closure of the Territories has been one of the main forms of collective punishment used against the population. In addition to the clear infringement of freedom of movement, the closure also infringes other human rights, such as the right to work and to a livelihood; the right to receive appropriate medical treatment; the right to education; and the right to family life. The closure causes particular damage to the livelihood of those Palestinians who work in Israel; it disconnects East Jerusalem from the rest of the West Bank; disconnects the north and south of the West Bank; and prevents travel between the West Bank and the Gaza Strip. The damage to the city of Jerusalem, which formerly served as a social, economic, cultural and religious center for the residents of the Territories, is particularly severe. In addition to the general closure of the Territories, the concept of "internal closures" was introduced in 1996, referring to the practice of preventing Palestinians from entering or leaving specific locales. During the Al-Aqsa Intifada, Israel has used this tool extensively. The IDF has used earth mounds, concrete blocks or ditches to block access roads to Palestinian locales. Israel has also imposed total curfews on several Palestinian locales for days and weeks on end, particularly in areas close to Jewish settlements.

Travel Abroad

The Oslo Accords include detailed provisions allowing for the passage of the Palestinian residents of the Occupied Territories through the border crossings on the Jordan River and at Rafah (on the border with Egypt). The accords include a defined list of cases in which the departure of a resident may be prevented: the absence of travel documents, a court order prohibiting the individual from leaving the area in the context of legal proceedings, or suspicion of illegal activities requiring detention and interrogation of the suspect. These provisions ostensibly imply the elimination of the situation that pertained since the occupation of the Territories in 1967, when the area was declared a "closed military zone," and any departure required the approval of the IDF commander. In practice, however, the IDF continues to treat the Occupied Territories as a closed military zone, and exploits its control of the border crossings to prevent the departure of residents for reasons other than those stipulated in the accords. In a statement of defense submitted by the State in response to a civil suit filed by HaMoked in 1995, the State argued that the security orders from 1967 and 1970 relating to closed areas continue to apply, and that the Palestinian residents of the Territories do not, therefore, enjoy an automatic right to travel outside the area. The IDF adjutant-general in the West Bank expressed similar positions in July 1999 and in April 2001 in letters to HaMoked, explicitly claiming that the right to travel abroad is in fact a privilege, and that the Israeli security forces still have the right to decide who is entitled to leave the Territories. HaMoked has asked the Supreme Court to consider the argument that the signing of the accords ended the status of the Territories as a "closed military zone" in the context of foreign travel, but the Court has yet to rule on this issue.

In practice, therefore, the arrangements that have applied for many years continue to be imposed. Many Palestinians wishing to cross at the Allenby Bridge or the Rafah Crossing

are rejected without explanation. Intervention by HaMoked in cases when Palestinians are denied the right to travel abroad have only been successful in a small number of cases; HaMoked is usually informed that the resident was prevented from leaving "for security reasons" due to his membership of organizations active against Israel. The information used to reach the decision to prevent the resident from leaving remains classified. In March 2001 alone, HaMoked was informed in four separate cases that the resident was prevented from leaving since he was "an active member of Hamas." The authorities have never responded to HaMoked's requests to receive detailed grounds for rejection.

The case of Z.R. and M.R. from Ramallah exemplifies the belief of the Israeli authorities that they are under no obligation to prove that the departure of a Palestinian resident threatens Israel's security – rather, it is the resident who must prove that there is a "good reason" for his or her departure. Z.R. submitted several applications to travel to Jordan in order to care for her elderly mother, who had become sick. Her daughter, M.R., filed similar applications. In correspondence with HaMoked, the authorities claimed that the women's departure "had been prevented for security reasons." In June 2001, HaMoked contacted the authorities once again, asking them to reconsider their refusal. In response, we were informed that in order to process the application, the women must produce "medical documents testifying to the condition" of the elderly relative in Jordan.

Requests for travel permits are often exploited by the GSS as an opportunity to pressure residents to cooperate with the Israeli security services. With this goal in mind, the authorities inform HaMoked that further processing of applications will require a meeting between the Palestinian resident and the GSS. HaMoked protested this procedure, which cynically exploits the person wishing to travel abroad, and makes HaMoked itself into an unwilling mediator in arranging meetings for the GSS. HaMoked's protests have been to no avail, however, and the GSS continues to implement this policy. The only difference is that the terminology has now changed – the summons to the GSS is described as an opportunity for a "hearing," in order to enable the GSS to complete its security evaluation of the applicant in borderline cases. In practice, the meeting could in no way be considered a genuine hearing: the applicant is not informed in advance of material or evidence relating to his/her case, and is not allowed legal representation.

On March 24, 2001, A.E.R. was turned back from Allenby Bridge after attempting to cross to Jordan in order to continue to the USA, where he was enrolled in academic studies. After refusing to allow him to cross the border, the authorities gave him a summons to a meeting with the GSS. At the meeting, which took place two days later, he was informed that he would only be permitted to depart for Jordan if he agreed to collaborate with Israel. A.E.R. refused. After HaMoked contacted the authorities, we were informed that in order to re-examine the application, A.E.R. must once again come to a meeting with the GSS. A.E.R. attempted to cross the border again, was turned back and was once again ordered to attend a meeting with the GSS. On June 5, 2001, A.E.R. attended the meeting, and once again refused to agree to collaborate. The next time he attempted to cross the Allenby Bridge, A.E.R. was arrested by the Israeli security forces; he was still in detention at the time of writing this report.

R.K., a resident of Nazlat Sharqiya, was ordered to meet with the GSS as a condition for processing his application to travel to Jordan. After HaMoked intervened in March 2001, the authorities sent a letter including unreasonable demands that R.K. must meet in order

for his application to be processed. He was asked to submit an affidavit stating where he would stay and sleep, “including addresses and telephone numbers, and how long he intends to spend outside the region.” The letter further stated that “insofar as his departure is permitted,” he would be required “to declare and undertake not to exploit his departure for any activity injurious, or liable to be injurious to the security of the region and/or the security of the State of Israel.”

In other cases, the authorities have conditioned their consent to the departure of residents on their agreement to spend an extended period (over one year) outside the region – thus constituting a form of voluntary deportation. In February this year, A.A. was turned back from Allenby Bridge after attempting to cross to Jordan on his way to the United Arab Emirates, where he intended to meet his fiancee and examine employment options. HaMoked was informed that A.A. would be permitted to leave if he undertook “to spend a period of at least one year outside the region.” After agreeing to this condition, A.A. crossed to Jordan in June 2001.

B.A. attempted to cross to Jordan several times; each time, he was sent back from Allenby Bridge. His requests to receive permission to travel to Jordan were rejected. B.A. was recently accepted to doctorate studies in Jordan, and paid the registration fee. He met a GSS officer in Kalkiliya who informed him that he would only be allowed to leave if he undertook to stay outside the region for three years. B.A. refused to agree to this condition, and his application was rejected. If he cannot begin his studies in October 2001, he will lose the registration fee. At the time of writing, his appeal is pending.

A.A.A. began doctoral studies in England some five years ago. In 1998, his studies were interrupted after the authorities refused to permit him to leave the region. In response to a letter sent by HaMoked in July 2000, the authorities inquired how long the applicant intended to spend abroad, and whether he would be willing to undertake not to return to the area until he completed his studies. HaMoked replied that the applicant is a part-time external student; his family and place of work are in Nablus. Accordingly, he needed to travel for occasional brief periods. In October 2000, the authorities replied that his departure had been disallowed “for security reasons.” In May 2001, six months after the authorities’ response, HaMoked submitted an application for reconsideration according to the procedures, and was informed that the application would be considered if A.A.A. agreed not to return to the region for two years. After HaMoked protested, the authorities stated that the application would be considered “subject to an undertaking to leave the region for at least one year.” A.A.A. refused, since his departure for such an extended period would severely harm his family.

HaMoked secured a significant achievement this year relating to the authorities’ obligation to inform Palestinians in advance that they are not permitted to leave the region. In May 1994, the members of a sports team from Hebron were due to participate in a competition in Jordan. The authorities refused to allow seven members of the team to leave. On April 26, 1994, after HaMoked intervened, all seven received permission to travel to Jordan. However, on arriving at Allenby Bridge a few days later (on May 5, 1994), A.S. was forced to return. HaMoked contacted the authorities and expressed its anger that within a few days permission to travel had been reversed. The authorities replied that A.S. was prevented from leaving because he was a member of Hamas. After the authorities refused HaMoked’s demand to compensate A.S. for their error, HaMoked filed a civil suit at Jerusalem Magistrate’s Court. The Court recently ruled that the authorities must inform an individual whose departure has been approved

if this status is changed. "There is no cause to injure the dignity of any individual beyond the required degree, whether he is a member of Hamas or an innocent 50-year old citizen. The required degree is preventing his departure. There is no cause not to inform him of this in advance." Accordingly, the Court ruled that the State acted negligently in failing to inform A.S. of the cancellation of permission to travel, and that it must compensate him both for his travel expenses and for the mental anguish caused to him.

Closures and Curfews

HaMoked and other human rights organizations have filed several petitions against curfews and closures imposed on villages and towns in the West Bank since the beginning of the Al-Aqsa Intifada. These petitions detailed the specific circumstances of each closure or curfew, and raised general arguments against such steps on the part of the IDF. The petitions emphasized that the specific circumstances in these villages were identical to those in other locales in the West Bank. The tendency of the Supreme Court has been to reject the general sections of these petitions on the grounds that they are insufficiently specific. Accordingly, and based on repeated Supreme Court rulings, HaMoked decided to file separate petitions relating to villages and towns subjected to particular severe curfew or enclosure.

During the course of discussions between HaMoked and the IDF relating to specific villages, the IDF claimed "with regard to each of the Palestinian villages, at least one road has been left open permitting entry to and exit from the village, as well as access to another locale providing vital needs, such as medical services, food and water." Unfortunately, HaMoked is aware of many villages where the principle of one open road has not been maintained.

HaMoked submitted a petition to the Supreme Court demanding lifting the restrictions imposed in Hebron, which have resulted in 30,000 residents being confined to house arrest by the IDF. In the petition, HaMoked specifically demanded all restrictions be lifted during the Eid al-Fitr festival and that Palestinian vehicles not be prevented fro traveling in Israeli controlled areas during intervals between curfews. On the basis of an affidavit submitted by the IDF area commander, which described a "virtual reality" not reflected by any reports by observers in the Hebron area, the Court rejected the petition.

Curfew in Silat Al-Daher

On June 20, 2001, after a Jewish settler was killed by Palestinians, the IDF imposed a curfew on the village of Silat Al-Daher, which is in Area "B" (Israeli security control and Palestinian civilian control). The residents of the village (which has approximately 6,000 inhabitants) were effectively imprisoned in their homes. Students were not allowed to take their matriculation examinations; ambulances and medical personnel were prohibited from entering the village; pharmacies, bakeries and grocery shops were forbidden to open; refuse collection was halted; and commercial life ground to a complete halt. After the curfew was imposed, several olive-trees belonging to villagers were burnt by Jewish settlers. Throughout the period of curfew, Border Guard police broadcast offensive attacks on the villagers over loudspeakers every morning. On June 28, 2001, HaMoked petitioned the Supreme Court against the closure; three days later the closure was removed and the petition withdrawn.

Curfew in Al-Sawiya