

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 from 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

On June 5, 2001, an Israeli baby was injured after a stone was thrown at a car carrying settlers along Road No. 60, close to the village of Al-Sawiya. Following this incident, a curfew was imposed on the village. The curfew was not announced publicly, and no time limit was announced for the measure. The curfew was implemented by means of blocking both entrances to the village, from the south and the north, preventing anyone entering or leaving the village. The villagers were also forbidden to leave their homes. Deep ditches were excavated at the southern entrance to the village and earth mounds were created. A military checkpoint was installed at the northern entrance. The curfew led to a shortage of food in the village, particularly fresh food. The day after the curfew was imposed, a large number of Jewish settlers attacked the village, throwing stones at houses and damaging solar heaters on the roofs. The settlers uprooted olive-trees in groves close to the edge of the village. The IDF forces took no steps to protect the villagers, and did not detain any of the Jewish rioters. The incident took place in the full view of the soldiers.

HaMoked filed a petition against the curfew on June 14, 2001. The judge ordered the IDF Commander to respond within three days. In fact, the curfew was lifted the day after the petition was filed.

Closure to the East of Jenin: blocking the access roads between Jenin, Faqu'a and Adjacent Villages

At the beginning of October 2000, the IDF prevented any possibility of access from Faqu'a and other villages to the east of Jenin and the city itself. The authorities blocked the main road from the east linking these villages to Jenin, installing a three-meter high earth embankment and a barricade of car scrap and concrete blocks. At various times a tank was positioned at the main check-point, preventing residents even from reaching the earth embankment. In order to prevent the villagers from using dirt tracks to reach Jenin, the IDF dug ditches along the by-pass road to a depth of two meters and a width of three meters, and erected a three-meter high earth embankment. Parts of the road border areas of large rocks, so that the ditches were superfluous since passage was in any case impossible. Thus the IDF blocked all the principal, secondary and makeshift possibilities allowing villagers from Faqu'a and the surround areas to access the city of Jenin.

In May 2001, HaMoked contacted the authorities and complained that the villages had been disconnected from the city of Jenin, their sole center for a variety of services. After threatening to petition the Supreme Court, the IDF changed its deployment in the field. People and vehicles were allowed to pass through a central intersection leading to Jenin from the north, and the earth embankment was removed from the main road entering Jenin from the east.

Closure of Azoun

During the first half of 2001, all the entrances to the village of Azoun were gradually disconnected, cutting the village off from the outside world. The 8,000 residents of the town were prevented from leaving, and thus could not reach the nearby towns providing vital services – Kalkiliya, Tulkarem and Nablus. The main roads were blocked with concrete blocks and ditches across the road, while secondary roads were blocked with two-meter high earth embankments. HaMoked contacted the IDF, demanding that main thoroughfares to the surrounding towns be kept open. The IDF made changes to the nature of the closure, slightly alleviating the possibilities of leaving the village. HaMoked is continuing to work to improve the situation.