

rejected HaMoked's petition based on the contents of the affidavit. HaMoked continues to follow up the situation in Hebron to ensure, amongst other reasons, that at least curfews remain within the limitations stated in the Hebron commander's affidavit.

Departures Abroad

The Oslo Accords stipulate precise regulations for the movement of residents from the Occupied Territories through the border crossings (bridges) into Jordan and Rafah. The apparent intention of the new procedures was to normalize the regulation of departures and to cancel the existing status of the Occupied Territories as 'a closed military zone', with each departure requiring the approval of the commander of the IDF forces. The Oslo Accords also stipulate a specific list of conditions according to which an individual's departure abroad may be prevented: incomplete travel documents, a travel prevention order due to ongoing legal proceedings or suspicion of illegal activities requiring the arrest and investigation of the suspect. Despite these regulations, the IDF in practice continues to view the Occupied Territories as a closed military zone and exploits its hold over the border crossings in order to control the entire population. The legal arguments presented by HaMoked to the High Court are based on the assertion that following the implementation of the accords into law, the status of the Occupied Territories as a 'closed military zone' with regards to departures abroad, is cancelled. This standpoint, however, has yet to be recognized by the Court.

In reality the same practices that have been used for years continue. Many residents from the Occupied Territories continue to be sent back from the border crossings and denied permission to travel abroad. Requests from HaMoked succeed in removing a significant portion of the prevention orders; however, in the majority of cases residents are still prevented from traveling due to 'security considerations' or because of their alleged connection with one of the Islamic parties or banned organizations. The basis for these decisions remains classified, however on more than one occasion it appears that the reason behind the prevention order was either to pressurize the individual into collaborating with the authorities, to serve as a sanctioned punishment, or as a means of showing a resident, "who's the boss".

Based on the experiences of HaMoked, on more than one occasion the General Security Services (GSS) has viewed a request for permission to travel abroad as an opportunity to apply pressure on a resident in order to gain information, to 'recruit' him as a collaborator or to show him their dependence on the local GSS administrator. The GSS also demands meetings between Palestinian residents and GSS agents as a condition for handling some of HaMoked's requests to travel abroad. HaMoked protested against this practice as it acts to exploit the often-urgent need of a person to travel abroad and turns HaMoked, a human rights organization, into a mediator for the Security Services. The protest however had little effect. The GSS described these meetings as an opportunity for the individual to a hearing and to allow the authorities to finalize its security evaluations in borderline cases. The meetings, of course, do not constitute fair hearings. Security materials or evidence held against the person are not shown beforehand and the right to representation by an attorney is also forbidden. The case of R.M., for example, clearly shows the motive behind the meetings. R.M. was awarded the right to a "hearing" in the offices of the GSS in January 2000, which he decided not to attend. In August, HaMoked requested from the authorities to reconsider the order preventing his departure abroad. The response was that the request would not be handled since R.M. did not attend the earlier "hearing".

HaMoked has still not succeeded in receiving a final decision as to whether the GSS has sufficient information in their hands to again prevent R.M.'s departure or if he is permitted to travel.

An additional concern for HaMoked is the problem of prolonged delays before receiving responses from the authorities. This is in contravention to a longstanding agreement achieved through the Supreme Court whereby the waiting period for replies from the authorities was to be no more than two months. However, in the case of Y.G., a resident from Kalkilia, two years were required before a response was received. Y.G. is a lecturer at the Al-Najakh University in Nablus and needed to travel to Jordan to participate in academic conferences and events. An appeal that was submitted on his behalf in May 1998 was only answered in February this year after repeated requests were made to the Prosecutor for the IDF forces in the West Bank. In response, HaMoked was informed that his departure is prevented due to his "support of the Hamas organization." HaMoked protested the decision; it is inconceivable that an individual's freedom of movement be restricted based solely on his identification with a political organization, as opposed to posing an actual security threat to Israel. Within two weeks the authorities altered their version, concluding that he now not only supported but also was also active within the Hamas organization.

Further individuals refused permission to travel during the first half of 2000 include a 49-year old woman who wished to celebrate the annual Hajj festival together with her brother and sisters in Jordan. Her request was denied, "based on her identification with the Palestinian Islamic Jihad organization". A second woman was prevented from visiting her imprisoned son in Egypt because he is "active in the military wing of the Hamas" and due to "security considerations" her departure was prevented. Finally, a resident of Hebron was prevented from visiting his family in Jordan because he is "the father of a wanted Hamas activist" and is liable to exploit a journey abroad for aversive security purposes.

Entry into the Gaza Strip

The Oslo accords repeatedly call for the need to view the West Bank and the Gaza Strip as a single territorial unit. These declarations, even before the outbreak of the Al Aqsa Intifada when the "safe passage" was still open, were mainly meaningless phrases as many of the residents living in these two areas were still prevented from traveling freely between them. Access to the "safe passage" was conditional on the possession of an Israeli issued magnetic card, which can be withheld by Israel based on its own security considerations. An agreement involving the escorting of buses had made it possible for a number of these people to travel between the two areas, many others however were denied even this option. At the same time residents of East Jerusalem still require special permits in order to enter into the Gaza Strip. HaMoked remains very active in this area, particularly in assisting individuals who are denied entry permission.

Many people turn to HaMoked for assistance in gaining entry permits for a wide array of reasons including visiting parents, brothers, sisters or other family members, participating in conferences or lectures, trade purposes etc... – all of which constitute basic requirements of a normal life. Amongst others, in 2000, HaMoked handled cases involving a groom who was denied permission to enter Gaza in order to attend his own marriage ceremony (even though all his family members were allowed permission to