

B. Gaza and the Freedom of Movement

9. File #31706, Pre-petition
This is a principle pre-petition, demanding clear guidelines and regulations for entry of Israeli residents into PNA's jurisdiction in Gaza, following a military order of 1994, which stipulated that entry of Israeli residents is conditional on personal permits. Since the signing of the order on 17.5.94, total confusion surrounding entry procedures ensued. Hundreds of people had waited for hours at the Erez checkpoint only to be refused entry. These included women married to Gaza residents, returning from family visits, teachers, students, residents employed in Gaza, the business community, NGO employees, the press, etc. Throughout months of intensive advocacy, HaMoked had not been able to achieve any breakthrough in the arbitrary administrative procedures surrounding entry into Gaza, to obtain any relevant information concerning eligibility criteria or to learn which office or instance is responsible. HaMoked had turned to the State Attorney's office in May 1995. As a result, the IDF was charged with responsibility for the issuing of permits and organizational and technical procedures for the application process were set. HaMoked still comes up against unreasonable practices surrounding the whole process, yet since there is now at least a specific address responsible, it can demand redress in individual cases.

10. File #7735, Pre-petition
A Gaza resident is a student of civil engineering in Germany since 1994. During the winter semester break in early 1995, he visited his family in Gaza, intending to return to Germany for the next semester. At the Erez checkpoint, however, on his way to the Ben Gurion airport, he was denied transit entry into Israel by Israeli authorities, eventhough he was in possession of all valid documents, including a ticket to Germany. Following HaMoked's ~~dated entry into Egypt by Egyptian authorities through Egyptian~~ Israeli transit permit. HaMoked then turned to the State Attorney's Office, whereupon the student was allowed to exit and continue on to Germany, eventhough considerably later than he had originally intended.

11. File #8021, Pre-petition
A Jerusalem resident, lecturer at the Islamic University of Gaza was refused entry into Gaza, in spite of the fact that he was issued with such permits untill April 1995. He was returned from the Erez checkpoint 3 times, where he was finally told that he is ineligible. He had turned to the Liaison committee, where he was refused without a reasoned answer. The PNA had recommended his entry into Gaza, the university had also appealed on his behalf, since he is the only lecturer available in several compulsory courses. HaMoked had advocated as well, and was not able to receive a reasoned answer from the Liaison Committee either. HaMoked had then turned to the State Attorney's office. The lecturer is refused on "security grounds".

12. File 9020, Pre-petition
A Pre-petition to the State Attorney's Office in the case of a music lecturer from the A-Najah university in Nablus. The petitioner is a resident of Gaza, employed for 13 years at the Arts department of the university with a tenure. The Israeli authorities refuse to issue him with an entry permit into the West Bank, denying his freedom of movement and thus effectively preventing him from dispensing his responsibilities at the university, the source of his employment. The State Attorney's Office is still deliberating.