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**At the Supreme Court Sitting as the High Court of Justice**

**HCJ 6868/02**

**HCJ 6870/02**

**HCJ 6871/02**

**HCJ 6872/02**

**HCJ 6873/02**

**HCJ 6874/02**

**HCJ 6875/02**

**HCJ 6876/02**

**HCJ 6877/02**

**Before:**

**The Honorable President A. Barak**

**The Honorable Justice D. Dorner**

**The Honorable Justice A. Procaccia**

**Petitioners in HCJ 6868/02:**

1. \_\_\_\_\_ Salah a-Din
2. **HaMoked: Center for the Defence of the Individual, founded by Dr. Lotte Salzberger – R.A.**

**Petitioners in HCJ 6870/02:**

1. \_\_\_\_\_ Naser
2. **HaMoked: Center for the Defence of the Individual, founded by Dr. Lotte Salzberger – R.A.**

**Petitioners in HCJ 6871/02:**

1. \_\_\_\_\_ Abu Assal

2. **HaMoked: Center for the Defence of the Individual, founded by Dr. Lotte Salzberger – R.A.**

**Petitioners in HCJ 6872/02:**

1. \_\_\_\_\_ Abdel Hafez

2. **HaMoked: Center for the Defence of the Individual, founded by Dr. Lotte Salzberger – R.A.**

**Petitioners in HCJ 6873/02:**

1. \_\_\_\_\_ Rashed

2. **HaMoked: Center for the Defence of the Individual, founded by Dr. Lotte Salzberger – R.A.**

**Petitioners in HCJ 6874/02:**

1. \_\_\_\_\_ Abu Basmi

2. **HaMoked: Center for the Defence of the Individual, founded by Dr. Lotte Salzberger – R.A.**

**Petitioners in HCJ 6875/02:**

1. \_\_\_\_\_ Abu al-Heija

2. **HaMoked: Center for the Defence of the Individual, founded by Dr. Lotte Salzberger – R.A.**

**Petitioners in HCJ 6876/02:**

1. \_\_\_\_\_ Abu Hajela

2. **HaMoked: Center for the Defence of the Individual, founded by Dr. Lotte Salzberger – R.A.**

**Petitioners in HCJ 6877/02:**

1. \_\_\_\_\_ Yasin

2. **HaMoked: Center for the Defence of the Individual, founded by Dr. Lotte Salzberger – R.A.**

v.

**The Respondent:**

**Commander of Military Forces in the West Bank**

**Petitions for *Order Nisi* and Interim Order**

Session Date:

30 Av 5762 (August 8, 2002)

Representing the Petitioners: Adv. Andre Rosenthal

Representing the Respondent: Adv. Shai Nitzan; Adv. Aner Helman

### **Judgment**

Upon the commencement of the hearing of the petitions before us we have suggested that the residents of the Area who were concerned that their houses would be damaged due to acts of terror taken by their family members as a result of which human lives were lost, would be able to turn to the respondent at their own initiative. In this request, the respondent would be provided with information which, in the family's opinion, might affect respondent's decision. To the extent possible, a structural plan of the building and a map specifying its location, would be provided. In initiated actions planned sufficiently in advance, demolition would not be carried out by the respondent before such information was considered. This proposal is acceptable to the respondent. We are of the opinion that this solves the main practical problem. As to the general problem, it has been discussed in many judgments, and we do not think that it should be discussed again at this present time.

The petitions are denied.

Rendered today 30 Av 5762 (August 8, 2002) before the counsels of the parties.

President

Justice

Justice