• Bureaucratic Harassment;

• Abuse And Maltreatment During Operational Activities

In The West Bank In The First Year of The Declaration Of Principles

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1. BUREAUCRATIC HARASSMENT

This section of the report focuses on bureaucratic harassment in the West Bank during the year since the signing of the Declaration of principles in Washington. Palestinians routinely encounter these harassments in their daily contact with the Israeli authorities, particularly the Civil Administration, which is responsible for providing civilian services to the population in various matters, among them granting of permits to go abroad, entry permits to work in Israel, and family reunification. In practice, however, the Civil Administration acts as an arm of the security forces.

A significant difference exists between Israeli citizens and Palestinians as regards the foundation upon which services are granted. The services Israelis receive from governmental authorities are set by law and provided according to standard and known criteria. When an Israeli citizen applies to the Ministry of the Interior for a passport, for example, he can be certain, except for extraordinary cases, that he will receive his passport in the mail within several days.

Palestinians are provided comparable services according to vague criteria, as if these services are provided not by right but ex gratia. Requests for permits and approvals, submitted by Palestinians to the Civil Administration, are transmitted to the General Security Service (GSS), whose approval is required. The considerations weighed by the GSS in approving or rejecting a request remain secret, and it has no legal obligation to state the reasons for its decisions; consequently, it has immense power in these matters.

A Palestinian who submits a request for a travel document (laissez passer) to that he may leave the country by air, or who wishes to go abroad via the Jordan River bridges, can never know whether permission will be granted, or the basis upon which the determination will be made. The unexplained rejection and the lack of person or entity to whom objections may be filed to contest these rejections deny the applicant the means to realize his rights.

In addition, Palestinians are uniformly directed to report in person to the offices of the Civil Administration, and information is not provided by phone or by mail. The process of submitting a request frequently entails waiting for days on line at the Civil Administration. When a person finally reaches the clerk’s window, he may encounter humiliating and demeaning behavior, or a refusal to consider his request. Palestinians are not advised in advance about their rights and obligations or the requirements for obtaining the requested permit or approval, and are often repeatedly sent away and told to bring additional documents.

Submitting an application usually entails the payment of substantial fees, in some instances hundreds of shekels (see the Civil Administration Fee List, p. 19 below). Several months often pass before the Palestinians receive a response to their application, and sometimes they receive contradictory answers and guidelines from different officials.

During the Intifada, B’Tselem and other human rights organizations received thousands of requests for assistance from Palestinians whose requests to obtain various permits and authorizations had been denied. In dealing with a request that has been denied, the organization customarily seeks, on behalf of the individual, approval of the request or an explanation of the denial. Most requests submitted by human rights organizations on behalf of
applicants are eventually granted. **More than three-quarters** of the appeals for assistance handled by B'Tselem since the signing of the Declaration of Principles in Washington regarding requests of the types addressed in this report were ultimately approved following our intervention.

The phenomenon of harassment described in this report does not necessarily depend on the transfer of power to the Palestinian Authority. Even subsequent to the dissolution of the Civil Administration in the autonomous areas, the establishment of the Coordination and Liaison Command, and transfer of some of the Civil Administration's powers in the West Bank to the Palestinian Authority, Palestinian residents remain at the mercy of Israeli authorities in matters relating to the provision of necessary daily services. This dependence continues to exist because the Israeli authorities retain the power to grant or withhold permits and approvals.

The following examples, taken from the large collection of case files of B'Tselem, HaMoked: Center for the Defense of the Individual, and the Association of Israeli-Palestinian Physicians for Human Rights, demonstrate the Civil Administration's arbitrary handling of Palestinian Requests.
A. Restrictions on Movement

1. Entry Permits into Israel

Until imposition of the closure (forbidding Palestinians from the Territories to enter Israel) of unlimited duration in March, 1993 and the more restrictive closure imposed following the massacre at the Cave of the Patriarchs in February, 1994, the livelihood of some 120,000 Palestinian residents of the territories, including the Gaza Strip, was dependent on work in Israel.

Israel currently allows approximately one-half of them to work in her territory, and many Palestinians have encountered difficulties in obtaining or renewing entry permits into Israel.

Attitude towards Palestinian Workers who enter Israel without a Permit

Because most Palestinians who do not receive entry permits are unable to find alternative work in the territories, many of them enter Israel illegally in order to support their families. Extensive operations have recently been conducted to arrest Palestinians who do not hold valid permits to enter Israel. Hundreds are often apprehended within a single week.

Between August 26-28, 1994, for example, security forces arrested 399 Palestinian laborers found in Israel without permits [Davar, August 29, 1994]. Each Palestinian arrested is fined NIS 450, a considerable sum in relation to the average Palestinian worker's income.

On June 26, 1994, IDF reservist, Ofer Cohen, who served during May-June, 1994 as officer-in-charge of the Oranit checkpoint on the Trans-Samaria road, wrote to B'Tselem about the treatment of Palestinians arrested for being in Israel illegally:

During this period I witnessed an incident that occurred every few days. An Israeli Prisons Service truck from the Abu Kabir detention facility, carrying residents of Judea and Samaria apprehended in Israel, would arrive at the checkpoint in order to release them. Each time, we were appalled by the manner in which they were stuffed into the truck. From the truck's cab, on which it is written that its capacity is four passengers, some 17-20 persons would emerge, and some 45-50 persons would exit from the rear. Incredibly crowded into the vehicle, they had made the relatively long journey from Abu Kabir with almost no air to breathe....

Raed 'Abd al-Hamid Shaqer Sweiti, resident of Dura village, Hebron District

Raed Sweiti, aged 27, is employed by a Tel-Aviv construction company. On May 27, 1993, his entry permit expired, and he applied to the government employment office in Dura for its renewal. His request was denied, and he was referred to the Civil Administration offices in
Hebron. The Civil Administration again rejected the request without explanation. Sweiti reapplied to the Civil Administration and was again refused. On September 8, 1993, B'Tselem wrote to the offices of the Legal Advisor for Judea and Samaria on behalf of Sweiti. On November 17, 1993, B'Tselem received a reply indicating that Sweiti should report to the Civil Administration in Dura to receive his permit.

'Isa Muhammad Romaneh, resident of al-Bireh, Ramallah District

'Isa Romaneh is an employee of the Ramallah Water Company. In order to perform his tasks at work, he requires an entry permit into Israel, particularly to East Jerusalem. Romaneh applied to the Civil Administration for an entry permit in early July, 1994. Because he had a criminal record, he was informed, he must receive authorization from the Israel Police Department before filing his application for an entry permit. At the Ramallah police station, he was told that his file was in Israeli police headquarters in Sheikh Jarrah in Jerusalem, and that he must go there. He could not, however, enter Jerusalem without an entry permit, for which Romaneh was making application.

On July 24, 1994, B'Tselem sent a letter on his behalf to the Israeli Police Department. Two days later, the Police replied that the ban on Romaneh's entry into Israel had been lifted, and that he may obtain his entry permit from the Civil Administration. In early August, 1994, Romaneh returned to the offices of the Civil Administration with a copy of the response to B'Tselem, but the clerks refused to grant him the permit. Romaneh again requested B'Tselem's intervention. Following another letter, dated August 21, 1994, on his behalf to the Office of the Coordinator of Government Operations in the Territories, the Civil Administration finally grated a permit to Romaneh.

2. Health Services

Whenever a closure is imposed on the Territories, the physicians and medical staff residing in the Territories who work in hospitals in East Jerusalem, which constitutes the center of medical activity for the Territories, are restricted in their freedom of movement. Immediately upon imposition of the closure, they are denied entry into Israel. When permits are finally issued, they are often limited to certain shifts and do not allow physicians to enter Jerusalem by private vehicle, even if they are on duty. These restrictions are contrary to the High Court of Justice decision of 1991 in the petition of the Association of Israeli-Palestinian Physicians for Human Rights, which was filed during the Gulf War. The decision arranged the freedom of movement of medical staff personnel during closures and curfews.

An additional widespread problem relates to payment of the cost of medical treatment provided to Palestinians wounded by security forces' gunfire. Where the security forces arrest an injured person suspected of having committed an offense, he is entitled to necessary medical treatment during detention.
The problem arises when the injured person is not suspected of having committed a crime and is not detained. In such instances, no set procedure exists whereby the security forces cover the cost of treatment. The injured person may demand the Claims Department of the Ministry of Defense to cover the costs, but most of the public are unaware of this possibility, and the authorities do not volunteer this information to the injured person or his family.

The claim for coverage of medical treatment is a lengthy process, and since Israeli hospitals demand financial guarantees prior to admission, it does not provide an adequate response in cases where immediate medical treatment is required. Where the injured person is unable to pay the cost of medical treatment and is unable to provide financial guarantees, he does not receive the required medical treatment.¹

**Physicians and Medical Staff Workers of Augusta Victoria Hospital**

[The details of the case were provided by the Israeli-Palestinian Physicians for Human Rights (PHR), which handled the matter]

On July 20, 1994, thirteen physicians and medical staff personnel, West Bank residents employed at Augusta Victoria Hospital in East Jerusalem, applied to their local Civil Administration offices in order to extend their entry permits into Israel. All were refused. PHR wrote on their behalf to the Office of the Coordinator of Government Operations in the Territories, and on August 10, 1994, some three weeks later, PHR received a positive reply regarding nine of the thirteen medical staff members. Permits for two of the remaining four were delayed due to a technical error in identity card numbers, and two were denied extensions because the GSS's decision was "Refused Exit."

Following further correspondence and phone calls by PHR, the last four permits were issued, but when these employees arrived at the Civil Administration offices on August 27, 1994 to receive the permits, they learned that the permits were valid until 7:00 p.m. only, although, as hospital employees, they are also required to work night shifts. On August 29, 1994, PHR again wrote to the Civil Administration. On September 4, 1994, more than six weeks after the original refusal, the twenty-four-hour-per-day permits were issued. During this period, the hospital functioned with an incomplete staff.

**Ahmad Isma'il Mahmud Ma'ali, resident of Salfit, Tulkarm District**

On February 28, 1994, Ahmad Ma'ali, age 26, was injured in the shoulder and jaw by IDF gunfire. The security forces did not attempt to apprehend him, and he was transported by private auto to Rafidiah Hospital in Nablus. IDF soldiers at the northern entrance to Salfit checkpoint stopped the auto and confiscated Ma'ali's identity card without providing an alternative identification document.

Ma'ali underwent surgery in Rafidiah Hospital, and he was subsequently transferred to Tel HaShomer Hospital in Israel, where he remained hospitalized for ten days. He was then returned to Rafidiah Hospital, from where he was released on March 11, 1994.

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¹ Based on information provided by the Association of Israeli-Palestinian Physicians for Human Rights.
At the time of his release from the hospital, he was instructed to undergo a series of treatments in the Tel HaShomer outpatient clinic. Without his identity card, however, he was not permitted to enter Israel. Since Ma'ali's face was temporarily disfigured, he could not be photographed for a new identity card, and he required, therefore, temporary identification papers. HaMoked repeatedly contacted the Civil Administration on Ma'ali's behalf. The authorities sent the HaMoked representative from one department to another, until permission to enter Israel was finally granted. Difficulties in obtaining the necessary documents before each treatment were commonplace. For unexplained reasons, each time he received the documents, Civil Administration officials conditioned their approval on Ma'ali being accompanied by a HaMoked representative during each entry into Israel.

During the period September 14, 1993 to August 31, 1994, HaMoked: Center for the Defense of the Individual received 110 requests for assistance from West Bank residents whose applications for permission to enter Israel for work, school, medical care, or as members of "separated families" (in which one spouse is an East Jerusalem resident and the other holds a West Bank identification card) had been denied. Of 110 requests, 38 were granted after HaMoked's intervention, and 68 are pending.

Ma'ali was scheduled for reconstructive jaw surgery and a bone graft at Tel Hashomer Hospital on June 27, 1994. The hospital conditioned Ma'ali's hospitalization on financial guarantees being provided to cover the cost of the surgery and hospitalization. Ma'ali's initial hospitalization at Tel Hashomer, immediately after he was wounded, had been covered by the Ministry of Defense. Ma'ali was required to pay for all follow-up treatment in the outpatient clinic. He had paid those expenses, but is currently unable to afford the cost of the operation. On June 13, 1994, HaMoked attorney, Badrah Khouri, wrote to Yossi Sheckter, Superintendent Staff Officer for Health Matters in the West Bank, requesting coverage for the operation and hospitalization costs. This letter, as well as numerous appeals to the Legal Advisor for Judea and Samaria and the Staff Claims Officer in the Civil Administration, were not answered, and Ma'ali was compelled to postpone the operation. Since financial guarantees have not been provided to the hospital, no date has been set for the necessary surgery.

3. Exit Permits for Travel Abroad

In the first few years of the Intifada, residents of the West Bank wanting to travel abroad via the Jordan river bridges were required to obtain authorization from the Civil Administration. Since November, 1991, West Bank residents, for a fee of some NIS 120, may purchase an "exit card" from the post office, with which they may proceed directly to the border. But purchase of the exit card does not guarantee to the holder the right to exit, and residents holding such cards are frequently refused exit at the border and returned home. The holder of an "exit card" who are permitted exit at the border are reimbursed 10% of the fee.

Exiting the area for travel abroad via Ben Gurion Airport requires a laissez passer (an alternative document issued by the Israeli authorities to Palestinian residents of the territories
not eligible for a passport since they are not citizens), which is valid for one year. The resident must apply to the Civil Administration for a *laissez passer*.

All Palestinian men aged sixteen to twenty-five are restricted in their travel since they must remain abroad for at least nine months. This condition for travel had previously applied to all men aged sixteen to thirty-five, but following a recent petition to the High Court of Justice by Attorney Dafna Szus on behalf of HaMoked and 11 residents of the Territories, whose applications to exit the country were refused or made conditional, the government reduced the age group subject to the restriction.

In response to B'Tselem's 1992-1993 bi-annual report, Lieut. Col. Shmuel Ozenboi, assistant to the Coordinator of Government Operations in the Territories, wrote: "The exit of residents of Judea and Samaria and the Gaza Strip abroad...is prohibited only if there is a concrete suspicion that their leaving the region will endanger security in the region...In many cases a resident who is refused exit applies to the authorities for permission to exit for medical, educational or other reasons, and the authorities indeed permit him to travel *ex gratia*. Permission is granted after taking into consideration the circumstances and the substance of the request. Such a favorable response should not be viewed as indicating the lack of justification for the original denial".

This response does not refute the charges of arbitrariness in granting permits. In most instances, the original request by the applicant and the later request for the same person drafted by a human rights organization contained the same reasons and set forth the same circumstances.

**The "Alfanun a-Sha'abiyah" Dance Company**

The "Alfanun a-Sha'abiyah" Dance Company was invited to perform at the annual arts festival in Jerrash, Jordan, which was to be held on July 28, 1994. The ensemble's members submitted requests to the Civil Administration for permits to exit via the Jordan River bridges. Since most of the members had not received a reply by July 20, 1994, HaMoked: Center for the Defense of the Individual, acting on behalf of nine of the company's members, requested the office of the Legal Advisor for Judea and Samaria to expedite the handling of their requests. On July 26, two days before the company's scheduled appearance, HaMoked received an affirmative response by telephone regarding five of the dancers, but no decision was transmitted regarding the other four members.

**During the period September 13, 1993 to August 31, 1994, HaMoked received 84 complaints from West Bank residents whose requests for exit permits for travel abroad were rejected, or who purchased exit cards at the post office, but were returned at the bridge. 44 of these requests were granted after HaMoked's intervention, and 36 of the remaining 40 requests are still pending.**

On the same day, Attorney Andre Rosenthal requested the immediate intervention of the headquarters of the Advocate General; he was informed that the four would not be permitted to visit Jordan. On July 27, the other five members of the company reported to the Civil
Administration offices at Halamish to pick up their exit permits, but the clerks at the Civil Administration offices refused to serve two of them, and told them to leave the office. Following HaMoked's telephone inquiry to the authorities, they were told to return to the same office at 4 p.m. to meet with the deputy commander. They arrived at the designated time, but were again ordered to leave. After repeated appeals by HaMoked, the two dancers received their permits on July 28, the day of the performance, and they immediately left for Jordan.

Bassam Saleh Abu al-'Adas, resident of Nablus

Bassam Abu al-'Adas traveled to Jordan on November 2, 1993. Although he does not belong to the age group required to remain abroad for at least nine months, when he arrived at the bridge to return to the territories on December 2, 1993, the Israeli authorities refused, without explanation, to allow him entry, and his exit card was stamped "returned upon entry." On December 12, 1993, B'Tselem wrote to the Legal Advisor for Judea and Samaria at the request of Abu al-'Adas's brother. A few days later, Abu al-'Adas was permitted to enter, and he returned home.

Luminida Romanitsa Kristo Saloum and her children, residents of al-Bireh, Ramallah District

In 1979, Luminida Saloum, formerly from Romania, married Muhammad Wahid Saloum, an al-Bireh resident. From 1983 to 1993, her husband attempted to attain residency status for her in the Territories through family reunification. Fearing that she would not be permitted to reenter the Territories since she did not have residency status, Luminida had not visited her family since 1983.

Saloum was finally granted residency in 1993, and in July, 1994, she decided to take her three children to visit her family in Romania for the 1994 summer vacation. On July 6, 1994, she applied to the Civil Administration for laissez passer documents for her children and herself. On July 12, 1994, her application was rejected without explanation. On July 16, 1994, following a referral from the Palestinian human rights organization al-Haq, B'Tselem wrote to the Office of the Coordinator of Activities, stating that "Due to the clear humanitarian nature of the request, the refusal appears to be unjustified." No reply was received, and with only three weeks of the summer vacation remaining, B'Tselem wrote again to the Coordinator's office on August 7, 1994. On the evening of August 15, 1994 the Office of the Coordinator informed B'Tselem by phone that the family was allowed to travel, and that the laissez passer documents were awaiting them at the Civil Administration offices in Ramallah. However, because the summer vacation had almost ended, Saloum cancelled the plans to visit her family.

B. Family Reunification and Visitation Permits
Residents of the Territories who marry non-residents of the Territories must apply to the Civil Administration for family unification in order to live with their spouse in the Occupied Territories. The policy implemented by the Israeli authorities, upheld by the High Court of Justice, is to view requests of Palestinians for residency status for their non-resident family members as "a special act of benevolence". Thousands of Palestinian families are divided, therefore, between residents and non-residents. Where one spouse is not a resident, some or all of the children are generally not registered on the resident parent's identity card, and may not enter the territories without a visitor's permit.

Lieut. Col. Hanan Rubin, at the time Spokesperson of the Office of the Coordinator of Government Operations in the Territories, explained the policy in a January 25, 1993 letter to B'Tselem, stating, inter alia, that beginning in 1984, "the authorities decided that it was no longer acceptable that every resident of the area who wished to do so could marry a woman from the outside and bring her into the area, or that any woman who married a resident from outside of the area could bring him in."

Following extensive public and legal pressure of Israeli and Palestinian human rights organizations, the problematic situation of non-resident spouses of Territories' residents was gradually eased. On June 23, 1992, following petitions to the High Court of Justice, the petitioners' counsel and the State Attorney reached an agreement whereby all spouses who visited the area at any time between 1990 and the end of August, 1992 would be entitled to receive identity cards, no restriction being made as regards the number of identity cards to be issued. It was also agreed that visitor's permits, then valid for up to six months, would be extended until completion of the process of registering the persons entitled. The arrangement included children under age sixteen.

### The Gaza Strip

Since the establishment of autonomy in the Gaza Strip and Jericho, residents of Gaza wishing to enter the West Bank or Israel, or to travel abroad, apply to a joint Palestinian-Israeli Coordination and Liaison Command, which then forwards the requests to the Israeli authorities, who make the final decision to approve or reject the requests.

The various human rights organizations have received numerous complaints from Gaza residents in these matters. The Civil Administration has rejected appeals submitted by these organizations on the basis that the subject is within the jurisdiction of the Coordination and Liaison Command, to whom the individual should apply directly. Those who do so often encounter the very problems mentioned below.

One particular difficulty relates to Gaza Strip students who study in institutions of higher learning in the West Bank. B'Tselem wrote to the Civil Administration on behalf of a number of students refused entry to the West Bank; in response, the Civil Administration indicated that the request would remain unanswered for the reason mentioned above.

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2 Ibrahim Natzri Salim 'Awad et al v. Civil Administration Commander, Ramallah District et al, HCJ 263, 397/85, Piskei Din 40 (2) 281.
Emma Naughton, of the Bir Zeit University Human Rights Project, told B'Tselem that since January 1994, the project received the names of eighty-three students whose requests for entry permits were rejected. Naughton also maintains that other students, who have not been identified by the project, likely face the same problem.

As a result of another petition to the High Court of Justice, it was agreed in August, 1993 that couples who had married and entered the Territories between August 31, 1992 and August 31, 1993, could remain in the Territories as visitors and apply for family reunification. The applications of these couples and of others not included in the arrangement would be accommodated according to an annual quota of 2,000 cases. Those not included in the arrangement were required to leave the territories while the authorities were reviewing their applications.

On March 29, 1994, Brigadier General Ahaz Ben-Ari, Assistant to the Judge Advocate for International Law, in a letter to attorney Eliahu Avram of the Association for Civil Rights in Israel, indicated that "an attempt will be made to shorten the time period required for processing a request for permanent residency, the goal being that a substantive response be provided within three months from the date of application."

The appropriate handling of visitation and family reunification is lacking. Thousands of family members, including newly married couples, couples absent from the Territories between 1990 and August, 1993, the period covered by the new policy, and family members of residents other than spouses, such as siblings, parents, and children over sixteen, await a solution to their problem.

In addition, in many instances the Civil Administration does not abide by the arrangement, and requests are often answered after long delays; some applications for family reunification have remained unanswered for more than a year. Visitors' permits are often not extended, and requests are denied even where applicants qualify for the arrangement agreed upon at the High Court of Justice.

Wisam Naser Hasan Muhammad 'Ali

On June 13, 1994, 'Omar 'Abdallah 'Abd al-Hafez Maslah, a resident of Na'al in the Ramallah District, submitted an application for a visitor's permit for his fiancée, Wisam Naser Hasan Muhammad 'Ali, a resident of Jordan. The couple married on August 29, 1992, and the wedding celebration³ was set for the summer of 1994. Maslah contends that he had never been arrested or charged with any crime, but "Captain Golan" of the Civil Administration in Ramallah informed him that he was "wanted" and must report to the GSS. Maslah's request for an official summons was refused by "Captain Golan". Accompanied by the village

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³ Marriage under Islamic law is composed of two parts. In the initial part, the Kahdi, Islamic religious leader, marries the couple. The wedding celebration, at which the marriage is formally announced to the public, is held at a later date. According to Islamic tradition, the couple cohabit only after the wedding celebration.
mukhtar, Maslah returned to the Civil Administration offices that same day, and was told, this time by "Captain David," that he would not receive a visitor's permit for his wife, and that his problem was insoluble.

On July 16, 1994, B'Tselem wrote to the Office of the Coordinator of Government Operations regarding the couple. In early August, 1994, the Coordinator's office informed B'Tselem by telephone that Maslah's request had been approved.

**Aminah Muhammad Hasan Sharawneh, resident of Dura, Hebron District**

Aminah Sharawneh, a resident of Jordan, married a resident of the village of Dura, Hebron District, in July, 1991, and since then has resided in the Territories on a visitor's permit. Sharawneh belongs to the population entitled residency status under the August, 1993 arrangement to which the government agreed in response to the petition to the High Court of Justice. in April, 1994, her husband accordingly applied for family reunification; he received no response. In June, 1994, Sharawneh visited Jordan. When she attempted to return, she was refused a renewed visitor's permit and was forced to remain in Jordan. In early August, B'Tselem wrote on the couple's behalf to the Office of the Coordinator of Government Operations. B'Tselem has not yet received a response.

**Nur Shams al-Haditha Plant Nursery, Tulkarm**

On June 12, 1994, a Civil Administration inspector arrived at the Nur Shams al-Haditha Nursery. The man, known to local residents as Haim Arad, was accompanied by soldiers, laborers, and truck. Arad searched the premises and confiscated, without a warrant or explanation, two thousand trays, each tray containing two-hundred-and-sixty carnation seedlings. At Arad's order, the workers loaded the trays onto the truck. Miflah Mustafa Halal, manager of the nursery, asked Arad to take only the seedlings and leave the trays, which cost twelve shekels each; Arad ignored the request, and the truck proceeded to the local garbage dump. Halal, who followed his car, watched as the trays and seedlings were dumped onto the grounded and trampled by the truck. The owner of the nursery estimates the damage to his business at NIS 120,000. On June 30, 1994, B'Tselem demanded that the Legal Advisor for Judea and Samaria order an investigation and direct that the owner of the nursery be compensated if his complaint is determined to be justified. On July 6, 1994, the Assistant to the Legal Advisor replied that the matter was being investigated. B'Tselem has not received a substantive response.

**Intisar Khalil Muhammad Manasrah**

In 1992, Intisar Manasrah, a Jordanian resident, married a resident of Bani Na'im, Hebron District. In February, 1992, Manasrah's husband applied for family reunification. For two and a half years, Mr. Manasrah received no response; Finally, in August, 1994, the authorities informed Manasrah that his request had been refused. The rejection is puzzling since Ms. Manasrah belongs to the population that the government undertook to register as residents under the August, 1993 arrangement.
Taghrid Riad 'Aqel, aged 16, and Ghadir Riad 'Aqel, aged 17

The sisters’ father died fifteen years ago, when the family was residing in Kuwait. Their mother remarried, and, in accordance with Islamic law, the sisters were transferred to the care of their paternal grandparents, who live in Luban a-Sharqiah, a village in the Nablus District. Although the sisters have been living in this village for eight years, their grandmother's repeated applications for family reunification for the girls have been rejected, most recently in August, 1994. B'Tselem then intervened on their behalf, and is awaiting a reply.

Sirin Yusuf Mahmud a-Sweiti

Sufian 'Isa Mahmud a-Sweiti received a thirty-day visitor's permit from the Civil Administration in Dura for his wife, Sirin a-Sweiti, a Jordanian resident. According to the permit, Sweiti was entitled to enter the Territories between July 1, 1994 and July 31, 1994 and to remain there for 60 days. However, Mrs. Sweiti’s several attempts to cross the bridge were unsuccessful; each time the officials at the bridge sent her back. On July 26, 1994, B’Tselem wrote to the office of the Coordinator of Government Operations requesting that Sweiti be permitted entry to the West Bank and, if necessary, that the time within which she is permitted to enter the Territories be extended without her husband being required to submit a new application. No reply has been received.

Nejah Qarraq'a and her Daughters

Nejah Hussein Mustafa Qarraq'a, a registered resident of the Territories living in Jordan, wanted to return home in the summer of 1994. Two of her daughters, aged nine and fourteen, are not listed on her identity card. Her mother, who lives in the Territories, had to request, therefore, a visitation permit for the girls. Her request was refused, it was explained, since the guidelines provide that only "first-degree relatives," i.e. spouses, siblings, parents and children, are entitled to request visitation permits for their relatives, and a grandmother is not considered a first-degree relative. Qarraq'a entered the Territories without her daughters in order to apply for a visitor's permit for her daughters. The request was again refused, this time on the grounds that minors are not allowed to enter unless accompanied by an adult. B’Tselem wrote to the Civil Administration regarding their case, and approximately six weeks after the original request was submitted, the authorities authorized the granting of permits subject to the above condition. The grandmother traveled to ’Amman to accompany her granddaughters to the Territories.

Nizam Rian Muqdeh, resident of Tulkarm

On July 3, 1994, Nizam Muqdeh applied to the Civil Administration for visitation permits for his fiancée, Suha Zuheir Muhammed Shakur, her parents and grandmother, all residents of Jordan, to attend the couple's wedding party scheduled for August, 1994 in the Territories. After some ten days, the request for the fiancée's parents and grandmother was granted, but the request for Suha Shakur was denied. On July 14, B’Tselem phoned the Office of the Coordinator of Government Operations. Muqdeh, we were told, had to submit an additional
request for his fiancée (requiring payment, for the second time, of the NIS 500 fee); Muqdeh submitted the request and paid the fee.

Several days later, Muqdeh returned to the Civil Administration office, where his request was returned to him, without the usual indication that the request had been approved or rejected. B'Tselem again contacted the Civil Administration, who indicated that the matter would be examined. Muqdeh then went to the Civil Administration offices in Salfit, where "Captain Mansour" told him his request had been approved, but after checking Muqdeh's identity card, he said that he was unable to handle the case of a Tulkarm resident, and that the applicant had to go to Captain Yossi Avraham, Vice Governor of Tulkarm. Avraham referred Muqdeh to a man named "Asi" at the Civil Administration offices, and handed Muqdeh an authorization to the Civil Administration to approve his request. However, when Muqdeh submitted the note to the Civil Administration staff, he was sent home without being assisted. B'Tselem again contacted the Office of the Coordinator, who said that Muqdeh must return to Vice Governor Avraham. When Muqdeh went to the Civil Administration the next day, he was told that the Vice Governor was not present. After waiting an additional several days, Muqdeh received a visitor's permit for his fiancée.

**Muhammad Ahmad Muhammad Daud**

Muhammad Daud, a resident of the Territories, spent four years abroad. Three years after he had left the Territories, his wife, who lives in the Territories, was supposed to renew his exit permit, but she neglected to do so, and Daud lost his residency status. In 1994, Daud's wife requested a visitor's permit for him. Without a permit in his possession, the IDF repeatedly denied Daud entry at the bridge. On August 26, 1994, B'Tselem wrote to the Office of the Coordinator of Government Operations requesting that Daud be allowed to enter the West Bank. A reply has not yet been received.

**Saleh Sha'awit**

Saleh Sha'awit, a resident of Jordan, is married to a resident of the Territories. The couple live in Jordan. Sha'awit's mother-in-law, Farhah Falah Sa'id 'Odeh, ninety-years-old, a resident of Hawarah, Nablus District, was on her deathbed. Family relatives living in the Territories submitted, in January, 1994, an application for a visitor's permit for Sha'awit so that he could care for her. His wife, the only daughter of 'Odeh, is disabled and was, therefore, unable to come herself.

After the Civil Administration rejected the application for a visitor's permit submitted by family members on his behalf, B'Tselem sent an urgent letter to the Legal Advisor's office on January 30, 1994, requesting that Aha'awit be allowed to enter the Territories. The authorities did not respond to this request. 'Odeh died two days later. On February 27, 1994, the following response was received: "Our review of the matter indicates that the woman died. The request for a visitors' permit for her son-in-law was approved after he was summoned by

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4 Residents of the territories who lose their residency status due to failure to renew their exit permits on time may enter the territories only with a visitor's permit requested by relatives in the Territories.
local family members.” In fact, the son-in-law did not receive the permit until after 'Odeh's death, and he did not enter the territories until March.

C. Illegal Confiscation of Documents

Wael Fawaqah, resident of Sur Baher, south of Jerusalem

On July 24, 1994, soldiers at the Beit Sahour checkpoint confiscated, contrary to law, the identity card of Wael Fawaqah. He was given alternative documentation valid for one day only, and he was permitted to continue on his way. On the document he received were written instructions directing him to report to Civil Administration headquarters in Bethlehem the following day.

Mr. Fawaqah made several fruitless visits to the Civil Administration offices. He then returned there accompanied by a B'Tselem staff member. They were told that the identity card was at the Bethlehem police station, but when Fawaqah went to the police station, he was advised that the card was at the Civil Administration offices in Bethlehem. Since the substitute document he had received at the checkpoint was no longer valid, Fawaqah had no alternative but to wait on line in vain several times and for many hours. Notwithstanding his patience, he did not receive his identity card.

On July 28, 1994, B'Tselem wrote to the Office of the Coordinator of Government Operations. On August 18, 1994, the Coordinator's office informed B'Tselem by telephone that the identity card was in the Tax Bureau at Civil Administration headquarters in Bethlehem.

On June 9, 1994, soldiers searched the house of the Abu Laban family in the Deheisheh refugee camp. In the course of the search, soldiers confiscated the identity card of Yusuf Abu Laban and the automobile registration documents of his wife, Mufidah. The following day, Abu Laban reported to the Civil Administration Office in Bethlehem and received his card, but when he asked for his wife's registrations, the clerks told him they had been lost. Abu Laban asked for documentation to use as proof of the loss, but was refused. When the couple attempted to apply for new documents, they were told that they must produce proof of the loss. On June 16, 1994, B'Tselem contacted the staff transportation officer on their behalf, but received no reply. The Abu Labans informed B'Tselem that two weeks later the documents were returned to them following the intervention of the refugee camp director.

Mufida Othman Amtir, resident of the Qalandiah refugee camp, Ramallah District
During a search in the Amtir home in Qalandia, soldiers confiscated the attachment to her identity card. When she applied to the Civil Administration office at a-Ram, Amatir was told that she must provide written confirmation that she had informed the police about the loss of the attachment and a sworn statement to the same effect. On December 12, 1993, Amtir declared before the Magistrate's Court in Ramallah that the attachment had been taken by soldiers, and two days later she informed the police of the document's "loss". With the two authorizations in her possession, Amtir applied again to the Civil Administration for a new attachment. Her request was refused without explanation. On May 25, 1994, B'Tselem wrote to the Office of the Legal Advisor in Beit-El concerning the case and enclosed copies of the relevant documents. No reply has yet been received.
The following letter was sent to the Office of the Coordinator of Activities for the Territories by HaMoked:

Lieut. Col. Shmulik Ozenboi  
Assistant to the Coordinator of Government Operations in the Territories  
Ministry of Defense  
The Kiryah, Tel Aviv

VIA FAX  
July 14, 1994  
Ref. 6147

Re: Urgent return of confiscated identity card and "harassment", Anwar Yusuf Muhammad al-Haliyah  
I.D. 932713472, of 'Anata, Ramallah District

1. Mr. al-Haliyah is married to a Jerusalem resident. Accordingly, he was in possession of an entry permit, valid from May 11, 1994 to August 9, 1994, and of permit No. 37968, according to which he is allowed entry to Jerusalem from 5:00 a.m. to 7:00 p.m. and, in addition, overnight stay. The permits are enclosed.

2. On June 7, 1994, on his way from the Hadassah Ein Karem Hospital to Bethlehem, he was stopped at the checkpoint at the entrance to Bethlehem by soldiers, who took his identity card and gave him alternative documentation. The soldiers took his card, they explained, because his permit was valid only until 7:00 p.m., and he reached the checkpoint at 7:30 p.m. The card was, therefore, confiscated. As previously mentioned, he also possesses a permit for the night hours. Mr. al-Haliyah was told to go to the Civil Administration Office in Bethlehem in order to receive his card.

3. On June 8, 1994, he was told by the authorities in Bethlehem to go to Ramallah. On June 9, 1994, he was told by the authorities in a-Ram to go to Bethlehem. On June 9, 1994, he was told by the authorities in Bethlehem that the card had been sent to a-Ram. On the same day, he returned to a-Ram and was told to return on Sunday, July 12, 1994. He returned to a-Ram on Sunday, where he was told that his card had disappeared and that he should return in two days.

4. The above are the harrassments he encountered as of July 12, 1994.

5. We request your urgent assistance:
   a. to instruct the staff to return the documents to him as soon as possible;
   b. if his card was lost, to order a new card, exempt from any charges and stamping fees;
   c. to instruct checkpoint personnel to honor entry permits issued by the authorities.

6. Thank you for your assistance.

Sincerely,

s/

Dalia Kerstein  
Director

Encl.
Day permit  
Night permit  
Alternative documentation
On July 27, 1994, HaMoked was informed that al-Haliya's card had been returned to him about a week earlier.

Entry permit covering the night hours for the period. May 11, 1994 to August 9, 1994, issued to Anwar Yusuf Muhammad al-Haliyah
## Civil Administration Fee List for West Bank residents and comparison with the fees charged by the Palestinian Authority and by the Israeli Interior Ministry for Identical Services

The following is a list of charges collected by the Civil Administration from Palestinian residents of the West Bank for various services, and the fees collected for identical services from residents of the autonomous areas by the Palestinian Authority and from Israeli citizens by the Interior Ministry in those matters in which identical services are provided. The substantially higher fees (other than for reunification of families) demanded from the West Bank Palestinians are particularly significant since incomes in the territories are appreciably lower than incomes in Israel.

### Services which are provided to West Bank Palestinians, residents of the Palestinian Authority, and Israeli citizens

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Fee for West Bank residents</th>
<th>Fee for Palestinian Authority residents</th>
<th>Fee for Israeli citizens</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Laisser Passer - valid for one year, and may be extended, for no additional charge, for one more year.</td>
<td>160</td>
<td>160</td>
<td>120</td>
</tr>
<tr>
<td></td>
<td>Foreign citizens in Israel</td>
<td>120</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Palestinian Authority residents</td>
<td>160</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fee for extension</td>
<td>80</td>
<td></td>
</tr>
<tr>
<td></td>
<td>For a passport valid for five years, which may be extended for five years for no additional fee, Israeli citizens pay</td>
<td>120</td>
<td></td>
</tr>
<tr>
<td>2. Replacement of worn identity card</td>
<td>47</td>
<td>25</td>
<td>No Charge</td>
</tr>
<tr>
<td></td>
<td>West Bank residents</td>
<td>West Bank residents</td>
<td>West Bank residents</td>
</tr>
<tr>
<td></td>
<td>Palestinian Authority residents</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Israeli citizens</td>
<td>No Charge</td>
<td>No Charge</td>
</tr>
<tr>
<td>3. Replacement of lost identity card</td>
<td>200</td>
<td>75</td>
<td>32</td>
</tr>
<tr>
<td></td>
<td>West Bank residents</td>
<td>West Bank residents</td>
<td>West Bank residents</td>
</tr>
<tr>
<td></td>
<td>Palestinian Authority residents</td>
<td>75</td>
<td>75</td>
</tr>
<tr>
<td></td>
<td>Israeli citizens</td>
<td>32</td>
<td>32</td>
</tr>
<tr>
<td>4. Birth certificate, original No Charge, for each additional copy</td>
<td>15</td>
<td>5</td>
<td>No Charge</td>
</tr>
<tr>
<td></td>
<td>West Bank residents</td>
<td>West Bank residents</td>
<td>West Bank residents</td>
</tr>
<tr>
<td></td>
<td>Palestinian Authority residents</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Israeli citizens</td>
<td>No Charge</td>
<td>No Charge</td>
</tr>
<tr>
<td>5. Request for family reunification</td>
<td>299</td>
<td>100</td>
<td>325</td>
</tr>
<tr>
<td></td>
<td>West Bank residents</td>
<td>West Bank residents</td>
<td>West Bank residents</td>
</tr>
<tr>
<td></td>
<td>Palestinian Authority residents</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Israeli citizens</td>
<td>325</td>
<td>325</td>
</tr>
</tbody>
</table>

### Services which are provided to West Bank Palestinians, residents of the Palestinian Authority, and Israeli citizens

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Fee for West Bank residents</th>
<th>Fee for Palestinian Authority residents</th>
<th>Fee for Israeli citizens</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Exit permit to Jordan</td>
<td>127</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td></td>
<td>West Bank residents</td>
<td>West Bank residents</td>
<td>West Bank residents</td>
</tr>
<tr>
<td></td>
<td>Palestinian Authority residents</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>2. Visitor's permit to Jordan</td>
<td>500</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>West Bank residents</td>
<td>West Bank residents</td>
<td>West Bank residents</td>
</tr>
<tr>
<td></td>
<td>Adults</td>
<td>Adults</td>
<td>Adults</td>
</tr>
<tr>
<td></td>
<td>Children under sixteen</td>
<td>Children under sixteen</td>
<td>Children under sixteen</td>
</tr>
<tr>
<td></td>
<td>Palestinian Authority residents – For application</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Israeli citizens</td>
<td>No Charge</td>
<td>No Charge</td>
</tr>
</tbody>
</table>

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5 The data were provided by the office of the Coordinator of Government Operations in the Territories, the Israeli Interior Ministry, and the Department of Population Registry of the Interior Ministry of the Palestinian Authority.
<table>
<thead>
<tr>
<th>Extension of visitor's permit from Jordan</th>
<th>Upon approval for application</th>
<th>90</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Bank residents</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>Palestinian Authority residents</td>
<td>50</td>
<td></td>
</tr>
</tbody>
</table>
Conclusion

The Civil Administration operates in the territories as an Israeli public authority, and as such is bound by the rules of Israeli public administration. These rules include, *inter alia*, that decisions be made according to uniform, clear, and known criteria, that reasons substantiating the decision be provided, and that replies to inquiries be forwarded within a reasonable time. The information and cases presented above clearly indicate that the Civil Administration does not comply with these rules.

For example, not infrequently a resident of the Territories applies to renew his entry permit into Israel and receives a laconic "exit refused", a response which apparently indicates that the GSS thinks that person's entry into Israel would endanger public security. But after the intervention of a human rights organization, the permit is granted in most cases, although the facts and circumstances of the particular instance remained the same. Clearly, then, the initial rejection was arbitrary.

In many instances negative responses are given although no substantive examination of the application has been conducted. Since only a standard, non-explanatory denial is provided, it is impossible to weigh the considerations upon which the refusal is based.

The types of harassment mentioned in this report, and harassments similar to them, are a daily cause of substantial suffering and inconvenience to Palestinian residents of the territories. Simple procedures capable of being handled within a few hours become complex missions which consume much energy, time and money.

The bureaucratic harassments, the arbitrary manner of treating persons in need of services, the repeated delays, the unexplained rejections based on hazy criteria are unjustified and inconsistent with proper administration, and they significantly infringe the rights of hundreds of thousands of Palestinians who require the approvals and permits of the Civil Administration.
2. ABUSE AND MALTREATMENT DURING OPERATIONAL ACTIVITIES

Extensive operations by Israeli security forces continued in the West Bank in recent years. In the context of these "operational activities", the security forces conduct violent searches of Palestinian homes and harass residents.

Violent searches, usually conducted at night, have been routine during the Intifada. Armed soldiers enter a home, wake the occupants and move them out of the house or into one room. The soldiers then search the house, for several hours in many instances, often behaving crudely, cursing and disparaging the occupants. They frequently leave the house with its furniture and utensils broken, and foodstuffs spilled on the floor and mixed.

In some instances, residents were illegally ordered to perform actions within the responsibility of the security forces, such as searching houses in which the security forces suspected armed persons wanted by them are hiding, and removing dead bodies. In at least one such case, where a grenade was seen on the body of a person who had been killed by the security forces, the Palestinian required to handle the body was placed in a potentially life-threatening situation.

Aabud Village, January 8, 1994

On January 8, 1994, soldiers arrived at the home of the Abd al-Majid family in the village of Aabud, near Ramallah, and arrested some family members. The soldiers returned the following day to conduct a search. The family members testified to B'Tselem that during the search the soldiers overturned furniture, mixed sugar with flour and poured olive oil on the mixture. They then ordered the occupants to leave the house, claiming they were going to "blow it up." When the family returned to the house that evening, they found that water pipes outside the house had been smashed.

The soldiers returned on January 26 and conducted another search. After they gathered the family members in the living room, the soldiers smashed interior walls, baths, and toilets.

Hebron, April 25, 1994

On April 25, 1994, at 11:20 p.m., soldiers arrived at the home of 'Abd al-Khaleq Hassan a-Natshe in Hebron and conducted a search. The owner of the house testified to B'Tselem that the soldiers forced him to remain on the balcony throughout the search. When they left, he found that the soldiers had piled books, including sacred texts, on the floor, cut pictures from their frames, shattered glass vessels, and slashed furniture.

On the same day, soldiers also searched the home of the al-Junidi family in Hebron. In their testimony to B'Tselem, the members of the family stated that soldiers had awakened them at 1:20 a.m. by banging on the doors and windows of the house with their weapons. Shouting and making threatening gestures with their rifles, the soldiers ordered the occupants to open the door and then ordered them, including an elderly woman and a disabled boy of four, to
leave the house. The search took some two hours, during which the soldiers broke the kitchen table, mixed quantities of salt, tea, and sugar, and left the house in a chaotic state.

**Tapuah Village, May 22, 1994**

On May 22, 1994, the home of Hassan Khamaisa, located on a hill to the north of the village of Tapuah, Hebron District, was demolished during a security forces operation against wanted individuals. According to testimony B'Tselem obtained from a neighbor, a large contingent of soldiers arrived in the village early that morning. At 6 a.m. the soldiers sent one of the neighbors to tell the owner of the house that he must evacuate all the occupants. The soldiers separated the men from the women and children. The men were taken to a nearby valley, where they were blindfolded and forced to lie on the ground. They were kept in that position throughout the operation, which lasted until the late afternoon. The soldiers fired on the house with missiles and other weapons; then they razed the house with a bulldozer. Jihad Ibrahim Mahmud 'Asfur, a 22-year old wanted man, was killed, and two persons were wounded in this operation.

**Karawat Bani Hassan, June 29, 1994**

At about noon on June 29, 1994, soldiers from a special undercover unit, accompanied by an official of the Civil Administration offices in Salfit known to local residents as "Captain Mansour," his deputy "Zvika," and GSS agent "Captain Na'im" arrived at the home of the Aasi family in the village of Karawat Bani Hassan in the Tulkarm District. One member of the family, Ali Othman Muhammad Aasi, was wanted by the security forces and was killed about six weeks after the events described here. His sister, Zuheira Othman Muhammad Aasi, testified to B'Tselem that she had been in the house when she heard shots followed by someone shouting: "Get out of the house before it is demolished on top of you!" When the occupants emerged, the soldiers ordered them to sit on the ground. Occasionally they were made to get up and move to another spot while the soldiers cursed and humiliated them.

The wife of Ali Aasi (the wanted individual mentioned above) testified that one of the soldiers in the special undercover unit said to her: "From now on you will be a widow. Ali's body will come out of the house in little pieces." The soldiers ordered the members of a neighboring family to put on flak jackets and enter the Aasi home to find out whether Ali Aasi was hiding inside. The neighbors complied and reported to the soldiers that the house was empty. The special undercover unit then carried out its own search. When the family reentered, they found bullet holes in the walls and refrigerator, the sofas slashed, other furniture vandalized, and bags of food emptied onto the floor.

**Nablus, July 11, 1994**

In the predawn hours of July 11, 1994, Israeli soldiers surrounded a house in Nablus. Bashar Amudi and Ali Aasi, both wanted individuals, were inside. Using massive firepower, the soldiers killed both men, in the process destroying the apartment on the first floor of the building and damaging nearby buildings.
Some of the neighbors were ordered to participate in the operation. Before opening fire, the soldiers ordered three neighbors to endanger their lives by going into the house to determine if the armed men, against whom the operation had been mounted, were hiding there. Afterward, three other neighbors were commanded to remove the bodies, even though it was likely that one of them was booby trapped. A neighbor testified to B'Tselem as follows:

A rifle, two pistols, and a grenade were lying underneath the two bodies. The grenade was tied to one of them. The soldiers, who were standing on the roofs told us to remove the bodies and leave the weapons in place. We refused because we were afraid that the grenade would explode. They aimed their rifles at us and demanded again that we do it.

Again we refused, and we asked them to send a police bomb disposal expert to defuse the grenade. The soldiers told us that we had to remove the grenade and lay it on the side. Under their threat, I picked up the grenade and placed it next to the wall. We tied up the bodies and removed them one after the other from the house. I picked up the bodies by the feet and the two others grabbed the hands.6

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6 From the testimony of Mueir Zuheir Hilmi Salem, a next-door neighbor, given to B'Tselem on July 11, 1994.
Conclusion

The cases described above are only a small sample of a continuously repeated phenomenon. These deliberate acts of violence seem designed to intimidate the population, either to deter the residents from sheltering "wanted individuals" or simply to make a show of strength. The possibility that armed soldiers will burst into the homes of civilians in the middle of the night, remove the occupants and ransack the home undermines the residents' feeling of domestic security. The authorities do not offer compensation for the damage to the Palestinian residents' property, and the residents must apply to the Civil Administration for recompense. In many cases, the operations do not result in the arrest and trial of suspects, which increases suspicion that these are arbitrary actions serving no legitimate purposes.

**BOX WITH PICTURE.** Explanatory text: A house in Karawat Bani Hassan, Tulkarm District, after a search.
Re: B'Tselem Report "One Year After the Washington Declaration of Principles: Bureaucratic and other Harassments"

1. Our response to the specific cases mentioned in the report is as follows:

A. **Raed 'Abd al-Hamid Shaqer Sweiti** (p. 4):

B'Tselem wrote to the Legal Advisor of the Civil Administration on 8 September 1994 (sic), and the Legal Advisor responded on 7 November 1994 (sic). He indicated that following additional review with security personnel and the Civil Administration, it was possible to direct Raed Sweiti to the offices of the Civil Administration in Dura to receive the requested permit.

B. **'Isa Muhammad Romaneh** (p. 5):

Criteria exist for allowing entry to Israel during a "seger" (closure). The applicant was refused entry by the Police, and he also was not registered with the Employment Office, as required. Although he presented the documents indicating the Police no longer objected to his entry, he did not have a properly arranged application of his employer. Upon his referral to the Coordinator of Government Operations in the Territories, he was instructed what he must do, and when he presented the authorizations from the Employment Office, he received the permit to work in Israel.

C. **Ahmad Isma'il Mahmud Ma'ali** (p. 6):

The applicant was refused entry to Israel for security reasons, but following the April 18, 1994 request of HaMoked: Center for Defense of the Individual to
the Coordinator of Government Operations in the Territories, and following additional review with the security personnel, it was agreed for humanitarian reasons to permit him to exit for the purpose of receiving medical treatment at TelHashomer Hospital, provided that he be accompanied by a representative of HaMoked. This condition was suggested by HaMoked. The permit was issued on 20 April 1994.

D. **Mu’in Jaber** (p. 8):

The exit card purchased at the post office entitles a person to remain outside the area for 3 years. Renewal is not required during that period. When the resident returns, however, he is not allowed to exit the area on the basis of the same card. He must obtain a new card.

E. **George Yusuf Salem Awed** (p. 8):

B’Tselem's request, dated 27 June 1994, states that the above-mentioned applied on 13 June 1994 for a laissez passer for travel abroad and was refused. In fact, he applied on 3 June 1994, and after his request was processed, he received the requested authorization on 28 June 1994.

F. **Luminida Romanitsa Kristo Saloum and her children** (p.8):

A request for a laissez passer for travel abroad is involved. B’Tselem wrote on 7 August 1994. Following review, it was found that four of the requests were granted immediately upon the request of the resident. She did not, however, come to the reception window at the Ramallah District offices to receive them. The serial numbers of the authorizations were transmitted to B’Tselem, and we requested that B’Tselem send her to receive them.

G. **Zahi 'Abd El-Hadi Muhammed Jardath** (p. 9):

The afore-mentioned was denied exit for security reasons, and the response was immediately sent to B’Tselem.

H. **Farhah 'Odeh** (p. 10):

B’Tselem wrote on 30 January 1994. During the course of the review, we were advised that Mrs. 'Odeh passed away. The handling of the matter ceased, and the Legal Advisor forwarded an appropriate response.

I. **Sirin Yusuf Mahmud a-Sweiti** (p. 11):

According to our records, a visiting permit (No. 20000589931) for Mrs. Sweiti was issued by the Civil Administration. Mrs.
Sweiti utilized the permit and entered the region on 24 July 1994.

J. **Wisam Naser Hasan Muhammed 'Ali** (p. 11):

B'Tselem did not request us to review the matter. The couple's request was approved, and the permit was immediately issued.

K. **Nejah Qarraq'a and her daughters** (p. 11):

Regarding the request of the resident to the Bethlehem District, the Civil Administration officer acted according to the customary procedures. The request was forwarded to the offices of the Coordinator of Government Operations in Judea, Samaria and the Gaza Strip, after which an exceptional arrangement was made to resolve immediately the specific humanitarian problem involved.

L. **Nizam Rian Muqdeh** (p. 12):

The Civil Administration authorizes the entry of persons pursuant to a visiting permit only for relatives of the first degree. Upon receiving B'tselem's request, the Coordinator of Government Operations in Judea, Samaria and the Gaza Strip made an exception and authorized his fiancee to enter. As regards the contention about the supplemental charge of 550 NIS for the additional application that the resident was required to submit for his fiancee, the aforementioned was not requested to pay an additional amount, and when he was refused, he was referred to the post office branch to receive a refund for the stamping fees. Our records also indicate that no request for authorization to enter the territories was made on behalf of the parents and grandmother of his fiancee; the only request was for his fiancee. It is possible that they were invited by relatives of the first degree. The resident was initially sent to the Salfit offices since B'Tselem's letter indicated that the applicant is a resident of Zawiah, whose residents are handled by those offices.

In addition, when it was noted that according to his identity card, the aforementioned is a resident of Tulkarm, he was referred immediately by the Salfit personnel to the Civil Administration in Tulkarm. From the moment the exceptional authorization for the woman to enter the area was received, and once the resident was located, no significant delay occurred in issuing the authorization and forwarding it to him, and he even acknowledged that fact to the Civil Administration official who handed him the authorized permit in Tulkarm.

M. **Muhammad Ahmad Muhammad Daud** (p. 12):
The request reached the offices of the Coordinator of Government Operations in the Territories on 26 August 1994 and is still under review.

N. **Wael Fawaqah** (p. 13):

The applicant's identity card was forwarded by soldiers of the regional brigade in Bethlehem to the Civil Administration. When the identity card was received, B'Tselem was notified that the individual could go to the offices of the district Tax Coordination Officer to receive the identity card. It is emphasized that soldiers of the brigade are continuously instructed by the Civil Administration regarding the proper procedures for the taking of identity cards.

O. **Anwar Yusuf Muhammad el-Halya** (p. 13):

An authorization until 7 p.m. does not permit overnight stays. Mr. Halya remained in Israel illegally, and his identity card, therefore, was confiscated. He was issued temporary identification. Your statement that the identity card was taken illegally is incorrect.

P. **"Alfanun a-Sha'abivah"** (p. 14):

As regards 4 of the 9 members of the ensemble, it was feared that their exit to Jordan would endanger the security of the area, and they were, therefore, not allowed to exit. As regards the other 5, six days after B'Tselem's communication, they were permitted to exit and received the requested authorizations.

Q. **Mufida Othman Amtir** (p. 14):

Review of the file with the Civil Administration in Ramallah and a-Ram indicates that the attachment to the identity card of Mrs. Atir was not in her possession, according to B'Tselem, because it was confiscated by soldiers in Ramallah. In such instances, the resident must provide a declaration made in the presence of a judge and the Police that the attachment was taken from her. The review we made with the offices of the Legal Advisor indicates that no record exists of B'Tselem's communication in this matter, as was mentioned in the report. In the event that a request, accompanied by the appropriate documents, is received, we shall handle the matter according to the applicable procedures.

R. **Nur Shams al-Haditha Plant Nursery** (p. 14):

According to the Order in the Matter of the Planting of Ornamental Plants (Judea and Samaria) (No. 818), 1980, a person shall not plant or sow or seed ornamental plants except in accordance with an individual limitation set for him by the agricultural staff officer. About 12 months prior to the confiscation...
of the carnation seedlings, the agricultural staff officer approached the growers and requested that they contact him concerning the setting of the maximum amounts pursuant to the order. According to the staff official, no grower contacted him for the purpose of setting the individual amounts. The carnations were planted in the area, and in the Tulkarm district as well, therefore, contrary to the above-mentioned law, and the Civil Administration may confiscate the seedlings in accord with the authority granted it under the Order in the Matter of Security Directives (No. 378) (Judea and Samaria), 1978 in that the items involved are merchandise or objects that are suspected of having been used in the commission of an offense.

2. **Our response to other contentions set forth in the Report and general comments regarding the Report is as follows:**

A. Page 2: "But a Palestinian who submits a request ... for a permit to exit via the Jordan River bridges, can never know whether or not he will receive the permit after waiting for days on line at the Civil Administration office." In fact, a resident wanting to go to Jordan goes to his local post office, purchases an "Exit Card" and then continues on to the Allenby Bridge in order to cross into Jordan. We do not understand, therefore, to which lines and delays the report's author is referring. It is true that residents between the ages of 16-25 wanting to remain less than 9 months outside the area must apply to the Civil Administration for special authorization to return prior to the expiration of the (9 month) period. Parenthetically, the report, at page 7, describes the procedure of purchasing the exit card at the post office, so there is an inconsistency between that description and the statements mentioned on page 2.

B. As regards the complaints of 110 residents of the region to HaMoked relating to the refusal to grant exit permits to Israel (p. 5), during that same period, the Civil Administration issued 400,000 permits to the population of Judea and Samaria; 180,000 of them were work permits, and 220,000 were granted for humanitarian and other reasons.

C. As regards the problem of the physicians and medical staff personnel (p. 5), of the medical staff of 280 persons at the Augusta Victoria Hospital, 200 are from Judea and Samaria, and all of them, to the best of our knowledge, possess authorizations to exit to Israel.

D. The report mentions that "many" who arrive at the bridge with exit cards are notified by the officials that they are "refused exit" and are required to return to their homes. Can the author of the report really be contending that "many" of the 500,000 who cross the Allenby Bridge each year to Jordan are returned?!!

E. As regards the complaints of 84 residents of Gaza, Judea and Samaria whose applications for permits to travel abroad (most of them to Jordan) were denied,
it is unclear as to which permit is involved. No permit is required to visit Jordan, the exit card being sufficient. In a number of instances, residents arriving at the bridge are refused exit, and as a result of human error and outdated information on the computer are required to return. The Civil Administration makes every effort to ensure that such instances will not recur.

Very truly yours,

Hani Yeshurun, Captain
Coordinator Spokesperson

Translated from the Hebrew by B'tselem.
RESPONSE OF THE IDF

IDF BEHAVIOR TOWARDS THE LOCAL POPULATION DURING OPERATIONAL ACTIVITIES - IDF'S SPOKESMAN'S RESPONSE TO "BETZELEM" REPORT.

The guiding principle of IDF policy is pinpoint operations for capturing perpetrators of violent activities in general, and preventing acts of terror in particular. These measures are carried out with extreme caution to prevent casualties amongst the local population.

Searches carried out in residential areas are conducted on the basis of prior information, indicating the presence of suspected terrorists, or weaponry or inciting material.

Prior to entering a house known to serve as a hideout for wanted terrorists, the IDF utilizes all possible measures to prevent unnecessary casualties. In order to prevent bloodshed prior to any operation, the IDF calls for residents to evacuate their homes, also enabling wanted terrorists to surrender themselves to the authorities.

Often, weaponry, including guns, explosive material and automatic guns are found.
If left in the hands of terrorists these weapons could very well have been used to launch attacks, killing or wounding IDF soldiers and innocent civilians.

In cases where property has been damaged as a result of IDF operations, the residents who suffered damage are eligible to receive compensation from the Civil Administration.
As a matter of course, all claims of deliberate damage to property by IDF soldiers is investigated.