



Campaign for the Right of Entry/Re-Entry to the Occupied Palestinian Territory (oPt)

A Grassroots Campaign for the Protection of Foreign Passport Holders Residing in and/or Visiting the oPt

Background on Israeli Policy of Entry Denial to Occupied Palestinian Territory

Israel's arbitrary and abusive exercise of discretion over entry into the occupied Palestinian territory (oPt) continues to cause serious and unjustified harm to Palestinian families, educational, religious and social service institutions and businesses and investments in the oPt. In December 2006, the Israeli Ministry of Defense -- Coordinator for Government Activities in the Territories (CoGAT) outlined¹ new procedures for entry into the oPt. In March 2007 a similar statement was issued by the Israeli Ministry of Foreign Affairs and addressed to third state missions. Despite reported assurances from Israeli officials that under the new procedures entry denials would be based on legitimate security considerations, documented cases of persons denied entry indicate that the practice resulting from the implementation of announced procedures remains arbitrary, abusive and internationally unlawful. Furthermore, **persons who fall within the categories that Israel has declared eligible for entry and visa renewal are being barred from doing so in practice.**

The two notices issued by Israeli authorities address only the issue of temporary admissions (typically granted for short term family visits, tourism and humanitarian, business, educational or other professional activities). **Procedures for granting residency** to foreign nationals whose center of life is in the oPt remain unaddressed.² Israel's continued refusal to process **family reunification** applications directly affects as many as 500,000 to 750,000 people who may be forced to leave the oPt to keep their families intact. Together with the many foreign nationals who have established their primary business, investment or professional activities in the oPt, or otherwise aspire to build their lives in the oPt, the new procedures place them, at best, in a state of continuous uncertainty under constant threat of expulsion and exclusion.

Israel's announcements **arbitrarily and unreasonably limit the categories of residents and travelers eligible to apply for permits to the oPt.** No provisions are made for the right of dependent children above the age of 16 to reside with their parents in the oPt. Similarly, no provision is made for the eligibility of adult children and siblings,

¹ On December 28, a letter announcing new procedures for foreign nationals wishing to visit, live or work in the oPt was sent by CoGAT to Dr. Sa'eb Erakat head of the PLO Negotiation Affairs Department, and several diplomatic missions in Tel Aviv, including the German (currently representing the EU-presidency) and US Embassies. On 5 March, the Israeli Ministry of Foreign Affairs issued a similar statement entitled "Transit Policy to the West Bank via Israel." The letter was again distributed to embassies in Tel Aviv.

² Those eligible for visa renewals may receive a maximum of 27 months residency followed by a mandatory departure with no assurance of return. Moreover, visa periods are restricted to a single entry.

grandparents or in-laws to visit or reside with their families. Such exclusions are devastating to social stability and family welfare in the Palestinian community which relies heavily on the extended family as an essential provider of care across several generations for both the young and the elderly. If a key family member is denied entry, extended family units are often forced to relocate. Also excluded from the list of eligible categories are tourists, putting travelers at risk of being arbitrarily barred from entry and further undermining the already fragile Palestinian economy.

Additionally, the notices offer no prospective solution to any of **the thousands of individuals who have remained in the oPt after the expiration of their original visas owing to the refusal of the Israeli authorities to process duly submitted visa renewal applications**. The notices also fail to offer a clear solution for the **untold numbers of individuals and their families who have been forced to relocate out of the oPt** due to previous entry denials unjustly issued by the Israeli authorities. Finally, the notices provide no indication that **foreign nationals seeking entry into occupied East Jerusalem or the Gaza Strip** will be eligible to apply for temporary admission or visa extensions. Access to the Gaza Strip, in particular, has been severely restricted since early 2006.

Failure to implement announced procedures

Cases documented by the Campaign demonstrate that **Israel is failing to implement even** the limited procedures outlined in the announcements by the Israeli Ministry of Defense (12/06) and the Ministry of Foreign Affairs (3/07) **in a consistent and transparent manner:**

- 1. Individuals continue to be denied entry at all major ports of entry -- Allenby Bridge, Sheikh Hussein Bridge, Ben Gurion Airport and Taba.**
- 2. The overwhelming majority of documented cases involve US citizens.** Among the cases of entry denial are citizens from Australia, Canada and EU member countries as well as countries in Latin America, East Asia, the Middle East and Eastern Europe. **Documented cases include men, women and children, ranging from 2 to over 70 years in age.**
- 3. Procedures set out in the announcements are not being implemented in a clear, consistent and transparent manner.**
 - * Individuals who have demanded explanation for their denial of entry have been physically abused and forced back into vehicles returning to Jordan.
 - * Individuals who have previously traveled to the region on a regular basis have been denied entry for the first time. Others who have never visited the country have also been denied.
 - * Israeli assurances to third state representatives regarding granting entry for particular foreign nationals have failed to materialize in a number of instances.
 - * Individuals seeking to apply for permits from Israeli embassies / consulates in their home countries to enter the West Bank (the procedure "recommended" in CoGAT announcement) have been informed upon inquiry that this procedure is not in effect.

- * Individuals have been denied entry without access to a CoGAT representative contrary to stipulations in the CoGAT announcement.
- * Many of the individuals permitted to enter have been able to do so only through exclusive arrangements – often for fees including sometimes exorbitant fees to lawyers. Some individuals are being required to provide monetary deposits (between NIS 20,000 and 50,000) to guarantee their departure before the expiration of their visas.
- * Moreover, the duration of visas issued to a number of individuals granted entry varies widely and is issued without clear reason or explanation. Documentation includes cases of individuals granted visas for as little as one week and suggests that the Israeli authorities are increasingly issuing visas of shorter duration to those indicating their intention to travel to the oPt.
- * Despite a reactivation of visa extension processes, documented cases suggest that Israel's granting of visa extensions remains arbitrary, clearly harming Palestinian family life, educational and social service institutions and businesses. Moreover, even those who do receive visa extensions are unable to leave the country since they fear they will be denied entry on their return.

4. The welfare and integrity of countless Palestinian families continue to be affected by separation or the imminent threat of separation.

- * Spouses remain separated despite provisions in the CoGAT announcement for visa entry and renewal of spouses.
- * Young children continue to be separated from their parents and the elderly are denied visits and essential care from their immediate family.

5. The functioning of Palestinian health, educational and social services continue to be affected.

6. Clergy, volunteers and staff of religious institutions and pilgrims have been among those denied entry and/or refused visa renewals.

7. Continued interference and uncertainty regarding access thwarts business and investment and undermines international and national efforts to support economic development.

8. Members of the international press , filmmakers and artists have been among those denied entry .

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