



Campaign for the Right to Enter the Occupied Palestinian Territory (oPt)

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

**Israel's refusal to issue work permits to humanitarian and development organisations
(January 2010)**

Israel's abuse of its administrative control over the occupied Palestinian territory (oPt) and its residents, in contravention of its obligations under international law, is being extended to international agencies and their staff serving Palestinian communities in the oPt.

Control over these agencies is exercised through bureaucratic means including registration with the Israeli government and entry permit requirements for foreign staff to enter and exit the oPt and move freely within it. The most recent measure is the elimination of B1 work visas and their substitution by loosely modified B2 tourist permits that may be informally noted as an international non-governmental organisation (INGO) permit. According to sources in the Israeli Ministry of Interior this permit would allow staff to live in East Jerusalem and travel into and out of the oPt. However, NGO staff that are issued a B2 visa would not be permitted by Israel to work in occupied East Jerusalem. On this basis their organizations and the third States that sponsor much of their humanitarian work would also be prevented from providing assistance to its Palestinian residents.

In this light, Israel's B1 visa substitution initiative, like the recently introduced "Palestinian Authority Only" stamp, appears to be yet another example of Israel's practices that aim to fragment and isolate parts of the occupied territory, entrench its unlawful annexation of other parts, and increase the vulnerability of east Jerusalem's Palestinian residents to Israeli measures that undermine their security, welfare and continued presence. Failure of third States to object in such circumstances implies acceptance and violates their own obligations in international law, in particular, the duty not to acquiesce to serious breaches of international law by other

states. This duty requires them to effectively oppose the implementation of illegal measures when notified of them.

INGOs and third states who do not object to this new illegal measure risk becoming complicit in the unlawful policies it implements. The Campaign recommends that:

- INGOs object to any changes to current arrangements and seek clear, written statements from the Israeli authorities setting out the legal claims and practical consequences of the new measure.
- INGOs should insist on the B1 or a similar official work permit that clearly guarantees their international staffs' unfettered movement, access and a recognized right to implement their assistance within the entire occupied Palestinian territory including East Jerusalem and the Gaza Strip, as well as their right to enter and exit Israeli territory as required by their humanitarian missions. The latter is essential given that Israel has failed, to date, to provide for free and safe passage between the West Bank and Gaza Strip.
- If instances arise where INGOs feel obliged to accept B2 permits for international staff in order not to jeopardise the provision of essential humanitarian and development assistance to the Palestinian people, the reception of a B2 permit should be accompanied by a reasoned written statement noting the recipient's reservations and expectations that the practice will be discontinued.

The Campaign respectfully reminds INGOs that their responses to this latest measure and to Israel's ongoing restrictions on movement and access to/from and within the oPt can have important repercussions on other foreign nationals seeking to visit, work or reside in the oPt, as well as on the Palestinian people's welfare and exercise of their fundamental rights in occupied Jerusalem and throughout the oPt. How INGOs decide to respond to this new Israeli measure is also likely to influence the responses of their home country governments. By marshalling their collective strength and resources and adhering to the above recommendations INGOs should at least ensure that their responses to this new measure do not facilitate the accomplishment of its unlawful purposes, but serve to reinforce calls on Israel to respect international law.

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