



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

SITUATION UPDATE (1 JULY – 31 AUGUST 2008)

News round-up

Entry denials

In early July, the Israeli government barred a UN human rights delegation from visiting the Palestinian areas on a fact-finding mission. Prasad Kariyawasam, head of the UN panel, reported that "no reasons were given by Israel because they do not recognise our mandate."

The 3-member panel - the UN Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories - will submit a report to the UN General Assembly later this year. The three-member panel warned against "the deteriorating human rights and humanitarian situation in the occupied Palestinian territory, the grave situation in the Gaza strip, the impact of the separation wall on the human rights of Palestinian people, and the continuing settlements policy." Kariyawasam noted: "The international community has a moral and legal obligation to ensure that all international human rights and humanitarian law standards are fully implemented at all times," (http://www.dailystar.com.lb/article.asp?edition_id=10&categ_id=2&article_id=93687)

Israeli border control – Christine Anne Bro's ordeal

Christine Anne Bro
July 2008

...My story is very simple and my verdict is genetically passed guilt for the simple reason that I am Palestinian. While in Israel, I never over stayed my visa nor did anything in Israel that would deem me a 'threat to the state.' My full name is Christine Anne Bro and I am a Canadian born and raised citizen with a valid Canadian passport, yet my only fault is that I am born of a father from Palestine before 1948 and a mother born in Lebanon after 1948. Therefore, my background as a Palestinian-Canadian, a young and recent McGill graduate of Political Science and Middle Eastern Studies currently applying for my Masters with no stable job in Canada made alarm bells ring in the head of Israeli border security.

I went to Israel for the first time from the Taba borders in October 2007 where I spent only a week there before having to return to Cairo and complete a CIDA internship I was accepted for following my graduation. When I completed the internship at the end of December 2007, I decided I wanted to spend six months in Israel/Palestine since my ticket was valid for a year (August 2007-August 2008) and I have a lot of close family in Israel/Palestine I never even met.

....On April 6, 2008 I returned to the Taba borders to re-enter Israel. This time however, I was held up and questioned for seven hours. They realized I have family in the West Bank as well and made me call my aunt's and uncle and to get the numbers of their Palestinian *hawiyehs*. ... I was not ready for the interrogation I faced and tried to volunteer as little information as possible. The Immigration officers definitely know how to ask the same question in more than one way and play psychological mind games to make the person feel they have done something wrong. During this ordeal, I called a lawyer/family friend and told him what was taking place, but the immigration officers refused to speak to him. (*continued, p.6*)

Others recently denied entry into the oPt by the Israeli authorities include:

- * A US citizen and student at Birzeit University with just 20 credits left to complete her degree was denied entry in August for the third time...
- * Christine Anne Bro, a Palestinian Canadian, was denied entry for the third time in late June. Bro, who was attempting to attend a cousin's wedding in the West Bank, had been informed by Israeli authorities via her lawyer that she would be permitted to enter for just one week and only if she could present a \$9000 draft check to the Israeli Interior Ministry. However, when she arrived at Ben Gurion airport with the \$9,000 check and a return ticket to Amman for 6 days later, she was informed that her check needed to be in Israeli currency; she was then detained and eventually deported to Brussels. (See box beginning p.1 for details.)

Family unification

According to a statement released 11 August by the Israeli human rights organisation B'Tselem **Israel has approved 31,830 requests for family unification in the West Bank and Gaza since October 2007; another 90,000 Palestinians are still waiting.** This is the first exception in Israeli policy on the issue since September 2000, when Israel froze family unification procedures and the granting of visitor's permits. The approvals, which were given in the framework of Israeli-Palestinian political negotiations, were **described by Israel as a gesture, and not a change in policy.** (http://www.btselem.org/English/Family_Separation/20080807_Family_Runification_Gesture.asp)

Recent approvals amount to slightly more than one-quarter of the requests for family unification submitted. According to figures provided to B'Tselem, since the freeze began, at least 120,000 requests for family unification have accumulated in Palestinian Authority offices. Moreover, this figure significantly understates actual need, since many Palestinians, knowing about the sweeping freeze, did not submit requests. Most approved requests relate to persons who remained in the oPt after their visitor's permit expired and continued to live with their families there. PA officials estimate that another 22,000 approvals are needed for persons living in this situation. Approval for unification of split families, in which family members have been forced to remain outside the oPt has been even more limited.

Stressed B'Tselem: "**International humanitarian law requires Israel, as the occupier, to respect the family rights of residents of occupied territory. International human rights law recognizes the right of everyone to a nationality and to found a family.** In particular, the International Covenant on Economic, Social and Cultural Rights, which Israel ratified, recognizes that 'the widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society.' "

In late July, Hussein Ash-Sheikh, chief of the Palestinian civil affairs department, announced the approval by Israeli authorities of 5,000 applicants wishing to join family in Gaza (Maan, 24 July, 2008). A second list of 5,000 for those seeking to join families in the West Bank was announced several days later. (<http://www.al-ayyam.com/znews/site/pdfs/29-7-2008/p33.pdf>)

While welcoming the recent wave of request approvals, B'Tselem demanded that the freeze on family unification procedures in the West Bank and Gaza Strip be lifted immediately, insisting that: "**A freeze policy marked by politically-based occasional exceptions – be they as generous as they may - breaches Israel's obligation to respect the human rights of residents of the West Bank and the Gaza Strip. The government of Israel must end the freeze and process requests for family unification in a way that recognizes the right of residents to family life, and arrange the status of all persons in the West Bank and Gaza Strip who presently lack a status.**"

The nuisance factor: Register your complaints!

According to Ha'aretz correspondent, Barak Ravid, US citizens protesting illegal and discriminatory practices at the hands of Israeli authorities would appear to be having the desired effect. In an article titled "Israeli official: U.S. intervention in minor Palestinian issues could damage ties" Ravid reported that "Senior officials in the U.S. State Department, including Secretary of State Condoleezza Rice, have repeatedly complained to Israel recently over relatively minor Palestinian issues that it would have ignored until a few months ago, Israeli officials say." According to Ravid, "Complaints about settlement construction or army operations that kill Palestinian civilians have always been the norm. But **Israeli officials are worried by the State Department's new tendency to intervene in a much broader range of issues.**" Among the examples provided by Ravid was the case of Zeina Ashrawi, daughter of Palestinian parliamentarian Hanan Ashrawi sought to visit Israel, whose permanent resident status was revoked after several years of living in the United States (see media links below) and the case of 10 Fulbright scholars from Gaza who Washington demanded should be permitted to travel to the US consulate in East Jerusalem for visa interviews. According to the article, Israeli officials complained that US Secretary of State Condoleezza Rice personally intervened in both cases and that "the consulate leaked the story to the New York Times to embarrass Israel." (See: http://www.nytimes.com/2008/08/05/world/middleeast/05fulbright.html?_r=2&scp=1&sq=Gaza%20Fulbright%20scholars&st=cse&oref=slogin&oref=slogin)

Immediate action for US citizens:

- Send a letter to the editor of Ha'aretz protesting misinformation and misleading reporting in Ravid's article.
- Send a letter of appreciation to the US Consulate in East Jerusalem and the US State Department for their pursuit of said cases and insist that resolution of these cases and the countless others requires a clear, transparent and lawful policy.
- Continue registering your legitimate complaints with the US Consulate in East Jerusalem, the US State Department and your congressional representatives.

The article reports that a senior Israeli official blames "this growing American criticism" on the U.S. Consul in Jerusalem, Jacob Wallace. "Every week, he receives dozens of complaints from Palestinians and transfers them to Washington without examination," the official said. "He's really inflaming the atmosphere, causing public relations damage to Israel and even may damage our relations with the U.S." (For article, see: <http://www.haaretz.com/hasen/pages/1004189.html>)

Meanwhile, the Government of Brazil officially complained to Israel, raising concerns about racist policies, after the daughter of the Brazilian Ambassador to Israel was detained in Ben Gurion airport for three hours when she came to visit her father for the summer holidays. Israeli authorities reportedly justified their suspicions on the basis that she carries the "Arab name" of Laila. <http://www.alarabiya.net/articles/2008/07/18/53327.html>

In other actions, the Israeli Committee for Residency Rights (ICCR) reported over 1,600 signatories to its petition demanding that the Israeli government immediately review three cases of entry denials to film industry professionals: French citizen Norma Marcos Howard, Italian citizen Anita Mosca and US citizen Anne-Marie Jacir, all denied entry in 2008. The ICCR petition demands that Israel "allow these persons immediate entry" and "cease indiscriminately barring persons having legitimate reasons from entering the Occupied Palestinian Territory." **To sign the ICRR petition click on: <http://www.petitiononline.com/entryOPT/petition.html>**

Sign the *Washington Report on Middle East Affairs* petition to end restrictions on freedom of movement and the press at: <http://mediausa.net/wrmea/petition/>

In the media

9 July: Israeli government continues policy of ethnic cleansing in Jerusalem,

http://english.pnn.ps/index.php?option=com_content&task=view&id=3050&Itemid=29

14 July: The Whole World Watching? CUT!!!: Blocking Journalists and Filmmakers from Palestine, <http://beyondbethlehem.blogspot.com/2008/07/whole-world-watching-cut-blocking.html>

30 July: Right to enter denied,

http://english.pnn.ps/index.php?option=com_content&task=view&id=3273&Itemid=1

2 Aug: Karin Laub, *For Jerusalem Palestinians, home not always home,*

http://news.yahoo.com/s/ap/20080802/ap_on_re_mi_ea/mideast_race_for_jerusalem;_ylt=AoR5zqhtEGxhNBe9Lk5w.IwUewgF

Take action

Third states maintaining friendly relations with Israel command the standing to challenge the arbitrary exclusion of their nationals from the oPt. They also have **an obligation to scrutinize Israel's exercise of authority as an occupying power and to oppose arbitrary denials of entry and residency** that harm Palestinian family life, educational, religious and social service institutions, businesses and socio-economic development more broadly.

Third states are urged to:

1. Ensure Israeli implementation of the rights to family unity and family reunification and the establishment of clear and transparent procedures for foreign nationals seeking to reside in the oPt, in keeping with international law.
 - obtain Israeli cancellation of the stipulation by Israel's Coordinator of Government Activities in the Territories (COGAT) that foreigners are restricted to a 27-month, single entry, maximum stay
 - demand Israel's adoption and implementation of a clear, transparent policy for issuing multiple entry residency permits to foreign nationals
2. Call for an immediate halt to Israel's arbitrary and abusive practice of denying entry to foreign nationals travelling to the oPt.
 - demand Israel's adoption and implementation of a clear, transparent policy for unhindered access to the oPt by foreign nationals
 - obtain explicit assurances that people who have previously been denied entry will be permitted to re-enter the oPt
 - end the practice of issuing permits that restrict exit and re-entry
 - end the practice of issuing permits of less than three months to those travelling to the oPt
 - cease the collective punishment of those whose relatives may have 'overstayed' their original visa duration
3. Apply vigorous scrutiny to cases of denied entry and denied residency in the oPt with a view to promoting Israel's adoption and transparent application of principles consistent with the internationally accepted rights and obligations of an occupying power.
 - set up clear mechanisms for citizens to report and appeal cases of denied entry
 - set up clear mechanisms for liaising with Israeli authorities to ensure safe passage to the oPt for all citizens and ensure the prompt and proper resolution of cases where safe passage has been hindered
 - insist on receiving a formal explanation of each decision taken by Israel to bar any of their citizens from the oPt
 - object to all arbitrary denials of entry and residency that harm Palestinian family life, educational, health and social service institutions and businesses and act to resolve all such cases of exclusion.

4. Respect the duty of all states not to acquiesce to internationally unlawful acts, bearing in mind that failing to object to *prima facie* unlawful acts or policies when notified of them implies accepting them as lawful.
5. Promote Israel's compliance with international humanitarian law with appropriate and effective tools of persuasion and dissuasion. Take appropriate measures based on reciprocity to ensure that the correct treatment accorded to Israel nationals seeking to enter third countries is reciprocated by correct treatment of their nationals seeking to enter Israel or the oPt.

Concerned individuals and organizations are called on to intensify their efforts to hold the governments of Israel, third states and the Palestinian National Authority to their respective obligations under international humanitarian law and international human rights law.

1. **Send a letter to Israeli, UN, the Quartet Representative's Office and your government representatives**, documenting your case and emphasizing the need to obtain clear assurances from Israel that persons carrying foreign passports will not be arbitrarily denied safe and secure passage to the oPt and that all foreign citizens seeking entry will be treated with dignity and respect.
2. **Write your local press** protesting Israel's unlawful policy of entry denials by telling your personal story and the impact it has had on you, your loved ones, your business, your organisation, etc.
3. **Update the Campaign on your experience.** Updated and reliable information about how entry denials (whether recent or past) continue to affect individuals, families and the general welfare of the Palestinian people in the oPt is essential to effectively combat Israel's policies. Even if you wish to keep your information confidential, it helps the Campaign to have documentation and statistics to establish trends and report impact. If you've attempted / been successful in returning, let us know. If you haven't tried, let us know why and under what conditions you might try to return. **Fill out the Campaign's denial of entry form and contribute to the Campaign's efforts to document and defeat Israel's unlawful policy of restricting entry into the oPt.** The on line form can be found on this link: <http://www.righttoenter.ps/ReportYourCase.php?mid=16&sid=18>
US citizens are also encouraged to file a report with ADC at: [http://www.adc.org/index.php?id=2980&no_cache=1&sword list\[\]=Entry&sword list\[\]=Denial](http://www.adc.org/index.php?id=2980&no_cache=1&sword list[]=Entry&sword list[]=Denial) and file a report with ADC at: [http://www.adc.org/index.php?id=2980&no_cache=1&sword list\[\]=Entry&sword list\[\]=Denial](http://www.adc.org/index.php?id=2980&no_cache=1&sword list[]=Entry&sword list[]=Denial)
For questions or assistance in taking action, please contact Christina Zola from AAI at 202.429.9210, Fahed Al-Rawaf from ADC at 202.244.2990 or Ghaith Al-Omari from AATF at 202.887.0177
4. **Encourage friends and family members affected by the policy to take action.** The successful return of individuals previously denied entry and the unhindered entry of others was made possible by **organized civic action involving a broad alliance of concerned individuals and organizations** within the Palestinian, Israeli and international communities.

RTE meetings with diplomats & delegations

08 Jul - Lilia Zaharieva, High Commission for Human Rights, Deputy Head of Office
 10 Jul - Canadian Ambassador, Jon Allen, David Viseash, Rep from the Canada Office in Ramallah and Robin Wetlaufer, the Political Officer from the Canada Office in Ramallah.
 13 Jul - Tim Rosenthal, Carter Centre (Director)
 17 Jul - Bishop Munib Younan, Lutheran Church & Mark Brown, Lutheran World Federation
 22 Jul - Father Hamam, Latin Patriarchate
 22 Jul - Michael S. McCaffrey, Embassy of Canada, Amman (Head of Visa Section)
 06 Aug - UN Protection Sector Working Group Meeting
 20 Aug - Rev. Robert Edmunds, Chaplain of Anglican Bishops

Christine Anne Bro's ordeal *(continued from p. 1)*

At first I thought it would only take two days to clear up this misunderstanding but to make matter worse, the Interior Ministry went on strike the same week. After around two weeks I received a call from the lawyer saying the Ministry had given me permission to re-enter and that I should go back to the borders. Extremely happy and exhausted from this ordeal, I went back to the borders on April 16, 2008. When I reached the Israeli side however, the Immigration officer informed me that my lawyer had to put 30,000 shekels with the Interior Ministry and that I could only enter for seven days. My lawyer was not aware of these conditions and decided to appeal the 30,000 condition with the High Court of Israel. Again that painful waiting game resumed. After another week, the High Court refused the appeal and stated that I must still pay 30 000 shekels guarantee to enter. I was so discouraged and depressed from being alone almost one month in the Sinai and had run out of money that I returned to Toronto from Cairo on April 30, 2008.

...When I returned to Canada, I contacted the Israeli Embassy in Ottawa and informed them in writing what had taken place to me at the Taba borders. I wanted to return in June for my cousin's wedding and asked if she could issue me a visa. She exclaimed that I am Canadian and for this reason could not issue me a tourist visa. My lawyer had also sent a letter to the Interior Ministry informing them that I wanted to come to Israel. They replied two weeks later stating I could come but the two conditions stand. As such, I bought a plane ticket directly to Tel Aviv and arrived June 21 at 12:00 am with a \$9,000 draft cheque to the Interior Ministry and a plane ticket booked to Amman Jordan after six days. Even with all this, I was strip searched and then questioned for about three hours. The lady even took my mobile phone and copied all my contacts. After talking with the first lady I had to wait and was taken to another room in the airport which I found out were the representatives of the Interior Ministry. I showed them the \$9,000 cheque to the Interior Ministry and ticket to Jordan. While the border police at the airport informed me they had the authority to remove the conditions, the representative told me she did not have such authority nor could they accept a cheque from a Canadian Bank in American dollars. It had to be in shekels from an Israeli bank. As such, she explained that by 'law' she had to deny me entry again. I was then taken to a room, finger printed and photographed, which they told me was procedure.

Consequently, they booked me a return ticket to Toronto via Brussels at 1 a.m. and explained they would take me to a room with a bed, TV and some food. Finally at 6am I arrived to some kind of a place that said Immigration outside and was secured all around with barbed wire. When I entered they told me to give them my mobile phone.... When I woke up at 10 am and tried to go outside because I wanted to call my lawyer now that he would be awake, I realized the place was actually more like a prison and the door was locked! I started banging on the door, panicking and yelling for being treated like a criminal until a man finally came and opened the door. I said I wanted to call my lawyer and it was my right. When he took me to the lobby area, the woman working that day said my mother and lawyer had already called and there was no need to make further phone calls so she would not allow me to use the phone.

There was a paper on the wall in 12 or more different languages that stated the rights of detainees. I started reading the paper out loud stating that I had a right to a phone call, a court appeal and a paper in writing saying why I was denied entry. The woman started yelling saying and I quote "you have no rights, get back in the room," verifying the true nature of this state. It made me wonder, is such treatment of foreigners even legal? How would Israel react if Canada treated one of their citizens in such a matter?

I still wanted to call the lawyer and see what was going myself but she would not let me and said she would relay any new messages to me if they were important. I only got my first phone call at 10pm three hours before I would be deported. The lawyer said he could not find anyone with 30 000 shekels and the banks are closed now. I begged them to give me another day to get the money or at least send me to Jordan rather than Brussels but they refused! I procrastinated enough to miss the 1 a.m. flight but they came five hours later with two men, took me from the room and put me on an El Al flight at 6 am. They even took me from the side of the plane and kept my passport until the plane landed in Brussels, where they handed it to local authorities in Brussels they called to escort me when I got off the plane.

The local authorities were shocked when they saw the so-called 'inadmissible' walk off the plane holding a book and wearing high heels. They were also upset at how Israel was dictating that I should go back to Canada the following day since at this point I was on European territory! The lady felt bad for what I had gone through ...She told me I could stay in Europe until I figure out what I want to do. She even came with me to get my luggage that was left in Brussels and helped me book my ticket back to Amman. Currently I am in Amman just waiting My lawyer has restarted the procedure to put the 30 000 shekels in the Interior Ministry as I think this may be the only option.

http://www.kibush.co.il/show_file.asp?num=28047

Summary of documented cases 2007-2008 by type
(13 Dec 2006* through 31 Aug 2008)

	Dec '06	Jan '07	Feb '07	Mar '07	Apr '07	My '07	Jun '07	Jul '07	Aug '07	Sep '07	Oct '07	Nov '07	Dec '07	Jan '08	Feb '08	Mar '08	Apr '08	May '08	Jun '08	Jul '08	Aug '08	
Ports of entry																						
Allenby Bridge	X	X	X	X	X	X	X	X		X	X	X	X	X		X	X	X	X			
Ben Gurion Airport	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Sheikh Hussein Bridge	X		X		X	X	X	X	X	X			X	X		X						X
Taba				X		X	X		X								X					
Nationals																						
Arab World**			X		X					X												
Europe	X	X	X		X		X	X	X	X	X		X	X	X	X	X		X			
Latin American	X		X				X	X									X					
North America	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Other		X	X		X							X							X			
Types of visitors																						
Business persons		X	X	X	X			X						X								
Development, humanitarian & HR workers			X		X		X	X	X			X				X	X					
Family	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X		X
Educators, health & social service workers	X	X				X		X						X								
Media workers & artists		X	X		X		X		X				X			X	X					
Students & researchers	X	X	X	X	X	X	X	X		X	X			X		X						X
Tourists & visitors	X	X	X	X	X	X		X		X	X		X		X		X	X			X	
Other***							X	X		X		X		X			X		X			

*from 13 December 2006 when Israeli Major General Mishlav, Coordinator of Government Activities in the Territories (COGAT), first informed the EU of its revised policy on entry and visa renewals for the oPt.

** Citizens of Arab countries are particularly reluctant to report entry denials. Procedures outlined in the COGAT and MOFA notices pertain only to countries having visa agreements with Israel; no provision for visas or entry permits are made for Jordanian nationals – the vast majority of those seeking family unification – or other Arab nationals seeking to visit or reside in the oPt.

*** Others include individuals affiliated with the church and/or other religious institutions and diplomatic missions.