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Israel: Travel documents issued by the Israeli government to residents of the West Bank and Gaza; how they are issued and by whom; restrictions, including the length of time for which they are valid; whether problems are experienced with refusal of entry upon return

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According to the United States Central Intelligence Agency's *The World Factbook*, transnational issues involving the Gaza Strip and West Bank remain subject to the terms outlined in the 28 September 1995 *Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip* (US 24 Jan. 2008a; *ibid.* 24 Jan. 2008b). Under the agreement, a Joint Civil Affairs Coordination and Cooperation Committee (CAC) was established to deal with civil policy matters such as travel to and from the West Bank and Gaza and the granting of permits (Israel 28 Sept. 1995, Annex III, Art. I).

Annex I, Article IX of the Agreement, which instructs on entry and exit and movement within the West Bank, Gaza and Israel, makes specific provisions for Israel's right to impose closures at crossing points for security reasons (*ibid.*). It also stipulates that Gaza and West Bank residents wishing to enter Israel must carry an identity card in addition to other documentation specified by the government of Israel and communicated to the CAC (*ibid.*).

Travel Documents

Identity cards are issued by the Palestinian Authority (PA), but Israel assigns identification numbers to the cards (US n.d.a; US n.d.b.). The PA also issues passports, which are recognized by Israel, to West Bank and Gaza residents for travel abroad as per the Interim Agreement (Israel 28 Sept. 1995, Annex III, Appendix 1, Art. 28). PA passports are valid for ten years (US n.d.b).

The issuance of "general exit permits" to residents of Gaza and the West Bank by the Israeli military began in 1972 (Gisha Feb. 2006, 2). In 1991, these permits were rendered invalid and replaced with individual permits (*Haaretz* 24 Jan. 2007; Gisha Feb. 2006, 2), which placed greater restrictions on freedom of movement and demanded stricter criteria from applicants (B'Tselem Mar. 2007, 17; Gisha Feb. 2006, 2; *Haaretz* 24 Jan. 2007). Sources indicate that the permit system is hampered by bureaucratic delays (*Haaretz* 24 Jan. 2007; B'Tselem Mar. 2007, 21), lack of transparency (*Haaretz* 24 Jan. 2007), complexity (*Forced Migration Review* Aug. 2006, 25; B'Tselem Mar. 2007, 21) and uncertainty (World Bank 9 May 2007, 4).

Issuance of Permits

According to B'Tselem, an Israeli organization that draws attention to human rights violations in the "Occupied Territories" (B'Tselem, n.d.), to apply for a permit to enter Israel, applicants must first obtain a "magnetic card" containing personal

background information from a District Coordination Office (DCO) of the Civil Administration (B'Tselem Mar. 2007, 21; see also *Forced Migration Review* Aug. 2006, 24; *Haaretz* 24 Jan. 2007). The General Security Service (GSS) then conducts another security check (B'Tselem Mar. 2007, 21). Additional criteria may have to be met or documents provided depending on the reason for which the applicant is seeking entry into Israel and the type of permit required (Israel 28 Sept. 1995, Annex III, Appendix 1, Art. 28; B'Tselem Mar. 2007, 21). Whenever a comprehensive border closure is imposed by Israel, all permits are cancelled and new requests are not processed (*ibid.*, 22). Permits are issued for a limited period and purpose and once expired, a new request must be filed (*ibid.*, 15).

Israel also controls the Palestinian Population Registry (*Forced Migration Review* Aug. 2006, 24; Gisha Jan. 2007, 13; World Bank 9 May 2007, 3), which provides it with information on residents in Gaza and the West Bank (*Forced Migration Review* Aug. 2006, 24), allowing it to administer the permit system (*ibid.*, 24, 25; World Bank 9 May 2007, 3, 4), authorize residency (*ibid.*), and monitor and control movement (Gisha Jan. 2007, 13; World Bank 9 May 2007, 4). Despite Israel's disengagement from Gaza and the subsequent *Agreement on Movement and Access* negotiated with the Palestinian Authority in November 2005 (Israel 15 Nov. 2005), Israel has not fully provided the Palestinian Authority with registry data (UN 11 Dec. 2007, 2).

Gaza

According to Gisha, an Israeli organization established in 2005 to protect freedom of movement for Palestinians and in particular, residents of Gaza (Gisha Jan. 2007, 104), Gaza's boundaries with Israel were designated international crossings on 20 September 2005 following Israel's military disengagement from the territory (Gisha Feb. 2006, 4). The authority for the issuance of permits to enter Israel has since been transferred from the Ministry of Defence to the Ministry of Interior (*ibid.*). Gisha cites a letter from the Interior Minister indicating that Gaza residents could now be required to present a passport and obtain a visa for entry to Israel as other foreign nationals are required to do (*ibid.*). A temporary order signed by the Interior Minister on 21 September 2005 exempted Gaza residents from having to obtain a visa, but the order was "due to expire within the three months following the [28 March 2006] Israeli elections" (*ibid.*, 5). Since March 2006, no Gaza residents have been admitted to Israel to work and only a select number have been granted special permits for other reasons (UN 11 Dec. 2007, 1; see also B'Tselem Mar. 2007, 19). Gaza's borders with Israel have been closed to human traffic since June 2007 and no movement of people through any internal crossings - other than those granted special permits - has been recorded by the UN since that time (UN 11 Dec. 2007, 1, 5).

The 2005 *Agreement on Movement and Access* allows for the PA to operate the Gaza side of the external border crossing at Rafah, with Egyptian, Palestinian and Israeli authorities coordinating on security measures (Israel 15 Nov. 2005). Under the terms of the Agreement, the PA must consider information on "persons of concern" identified by Israeli authorities and consult with Israeli officials and a third party, identified as the EU in the text of the Agreement, prior to allowing such persons to cross the border (*ibid.*). The Agreement also specifies that Gaza residents wishing to cross into Egypt must have a valid Palestinian ID card (*ibid.*).

Following the takeover of Gaza by Hamas in June 2007 (*Washington Post* 3 Feb. 2008), the Rafah border was closed to travellers (*ibid.*; *New York Times* 23 Jan. 2008; see also UN 24 Jan. 2008). On 23 January 2008, a barrier sealing the border was forced open and thousands of Palestinians entered Egypt (*New York Times* 23 Jan. 2008; UN 24 Jan. 2008; *Washington Post* 3 Feb. 2008). The border has since been resealed and only residents of Egypt and Gaza have been permitted to cross for the purpose of returning home (BBC News 3 Feb. 2008; *Washington Post* 3 Feb. 2008).

West Bank

Israel handles security procedures at the Allenby Bridge, the international crossing into the West Bank from Jordan (Israel 28 Sept. 1995, Annex I, Art. VIII). Issues related to transit to the West Bank are handled by the Coordinator of Government Activities in the Territories (COGAT) (*ibid.* 5 Mar. 2007). Foreign

citizens who are residents of the West Bank and who have travelled externally and wish to return may do so via the Allenby Bridge, provided they have a Palestinian passport or identity card, a valid permit, and are listed in the West Bank Population Registry (ibid.). Spouses of Palestinians listed in the registry who are not registered themselves are considered "foreign citizens" and may obtain an entry permit valid up to a maximum of three months (ibid.). Procedures are "subject to imperative considerations of policy and security" (ibid.).

Nationals of countries that do not have a visa-exemption agreement with Israel and who are married to Palestinians registered in the West Bank Population Registry must apply for a visa at an Israeli consulate or embassy, and may apply to the "Palestinian Population Registry in Ramallah" for an extension of up to a year, but not in excess of 27 months total (Israel 5 Mar. 2007). Special cases are handled by the Population Registry of the Ministry of Interior in Beit-El (ibid.). Gisha notes that a permit is distinctive from a visa because the Israeli Ministry of Interior has broader discretion to refuse to grant a visa, whereas permit restrictions are "supposed" to be imposed for security reasons only (Feb. 2006, 5). The granting of a visa does not guarantee entry (Israel 5 Mar. 2007; Campaign for Entry/Re-Entry 1 Jan. 2008, 3, 4).

Only Palestinians present in the territories in 1967 were listed in the population registry and assigned identity cards (World Bank 9 May 2007, 3; *Forced Migration Review* Aug. 2006, 24), so Palestinians who were absent at that time lost their right of residence (ibid.). Amnesty International reports that a longstanding policy limiting residency rights of Palestinians has been practised by Israel (21 Mar. 2007) and Gisha adds that few additions to the Palestinian Population Registry have been made since 2000 (Jan. 2007, 13). In its January 2008 update, the Campaign for the Rights of Entry/Re-Entry to the Occupied Palestinian Territory (Campaign for Entry/Re-Entry) reports that only 3,500 of "tens of thousands" of applicants for residency in the occupied territories based on family reunification have been granted residency in the past ten years (1 Jan. 2008, 1).

Cases of Denial of Entry

Cases of denial of entry to Palestinian-born foreign nationals and other foreign nationals with ties to the West Bank for family unification have been recorded by several sources (*Forced Migration Review* Aug. 2006; AI 21 Mar. 2007; Campaign for Entry/Re-Entry 1 Jan. 2008). In order to live with their partners, spouses without residency rights who hold tourist visas must leave the West Bank every three months to renew them or remain illegally (*Forced Migration Review* Aug. 2006, 25; AI 21 Mar. 2007; World Bank 9 May 2007, 4-5). The Campaign for Entry/Re-Entry and Amnesty International allege that tens of thousands of families are affected (Campaign for Entry/Re-Entry 1 Jan. 2008, 1; AI 21 Mar. 2007). Sources report that individuals who had been exiting and re-entering the West Bank for decades are now being denied entry (*Forced Migration Review* Aug. 2006, 25; AI 21 Mar. 2007; World Bank 9 May 2007, 5).

Since the *Transit Policy to the West Bank* was announced by the Israeli government in March 2007, the Campaign for Entry/Re-Entry has documented over

100 incidents of denied entry (Campaign for Entry/Re-Entry 1 Jan. 2008, 3). Eighty-one percent of these reports came from nationals of the United States or member states of the European Union, and forty-seven percent involved family reunification (ibid.). The Campaign for Entry/Re-Entry notes that citizens of Arab countries are "particularly reluctant" to report incidents of denied entry (ibid., 4). The information in this paragraph could not be corroborated among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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