

[letterhead of the Ministry of Defense]

Coordination of Government  
Activities in the Territories  
Office of the Coordinator  
Public Liaison

Tel: 03-6977957

Fax: 03-6975177

General – 9729

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15 Elul 5772

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To:  
Dr. Nomi Heger  
Gisha

Re: **Criteria and considerations with respect to granting permits to merchants to exit the Gaza Strip**

1. Following your request on the subject appearing in the heading dated May 2, 2012, find attached the criteria and consideration and procedures for entry by merchants.
2. Regards,

Tom Dror, Lieutenant

Public Liaison Officer

**Procedure for granting Gaza Strip residents permits to enter Israel and the Judea and Samaria Area for business purposes.**

1. **General:**

- a. Entry by Palestinian residents of the Gaza Strip into the State of Israel and the Judea and Samaria Area is subject to a permit issued by the Gaza DCO.
- b. The policy with respect to entry by Gaza Strip residents into Israel for business purposes is formulated periodically according to the political security situation.
- c. A resident of the Gaza Strip has no inherent right to enter the territory of the State of Israel for any purpose whatsoever, including business and/or travel to the Judea and Samaria Area.

2. **Purpose:**

Defining principles with respect to the procedure for granting Gaza Strip residents permits to enter Israel for business purposes.

3. **Procedure:**

- a. Applications for permits to enter Israel and the Judea and Samaria Area by Gaza Strip residents for business purposes are received via representatives of the Palestinian Civil Affairs Committee.
- b. Applications are submitted in writing and include the following details: the occupation of the person applying for a permit for business purposes, the exact destination of the permit, the dates requested for the permit and the requested hours.
- c. Applications for permits for business purposes are processed by the economics branch at the Gaza DCO.
- d. Processing and review of the application includes consultation with the the relevant DCO coordinators (agriculture, industry and trade, transportation) by the DCO economics branch.

e. **Processing of the application includes:**

- 1) Receiving an official application from the Palestinian Civil Affairs Committee.
- 2) Ascertaining that [the applicant] is a merchant who meets the criteria stipulated in Section 4.
- 3) Checking whether any kind of preclusion is recorded in the “rolling stone” system against the merchant. Applications by persons who are precluded from traveling to Israel will be denied.
- 4) Meeting criteria: between the ages of 16 and 35, [applications] are transferred for ISA screening and approved by DCO Head. Outside this age bracket, approved by Economics Branch Head. Screening proceeds according to whether or not preclusion with respect to travel to Israel appears in the “rolling stone” system.
- 5) Residents who are precluded from traveling to Israel will not be approved. In exceptional

cases and at the discretion of the DCO, such cases will be referred for screening by the precluding agency.

4. **Criteria for determining who is a “merchant”:**

This procedure applies only to merchants who meet one of the two alternatives specified below:

a. **Application for a new permit:** The applicant has not had merchant permits in the past, or has not held a permit for more than six months.

- 1) A person with permanent business ties with Israeli companies or with Palestinian companies in the Judea and Samaria Area will present proof as detailed in Sec. 4.a.2.
- 2) Documents demonstrating business ties with Israel/Judea and Samaria:
  - (a) A commercial contract with an Israeli/Judea and Samaria Area business and/or an affidavit from Israeli/Judea and Samaria Area business with respect to business ties with the applicant.
  - (b) Documents of Israeli, international and Judea and Samaria Area companies with which the merchant has business ties, including attachment of invoices or documents demonstrating entry of goods via the Kerem Shalom crossing etc.)
  - (c) Confirmation of business from Palestinian Civil Affairs Committee.
  - (d) Attachment of documents of Israeli, international and Judea and Samaria Area companies with which the merchant has business ties, including attaching invoices or documents demonstrating entry of goods via the Kerem Shalom crossing etc.
  - (e) Attachment of documents showing applicant’s business in Gaza, including commercial registration, business permit, etc.
  - (f) Financial report for the preceding year, confirmed by an accountant and the Palestinian Tax Authority. The financial report must demonstrate annual sales of at least 100,000 ILS.
  - (g) The aforesaid review will be conducted once a year.

3. Persons with temporary ties with Israelis:

- (a) Will receive, subject to Sec. 3.e., a permit for single entry in order to provide an opportunity to present documents showing business ties with Israelis.
- (b) In order to continue receiving permits, must meet criteria stipulated in Sec. 4.a.1.

b. **Application for permit renewal:** The applicant holds a valid merchant permit, or has held a valid merchant permit within the past six months. No documentation further to the application is required.

5. **Approval/Denial of application:**

- a. DCO Head, DCO Economics Branch Head will review applications, including the opinions of the relevant coordinator.
- b. In case of a decision to deny an application – records will be updated and notice will be issued to the Palestinian Civil Affairs Committee.
- c. In case of application approval – transferred, with signature of Economics Branch Head to the Civil Coordination Desk or to the permit recipient at the Erez crossing, following advance coordination.
- d. Provision of permits to Palestinian Civil Affairs Committee is carried out by the Civil Coordination Desk or to the permit recipient at the Erez crossing, following advance coordination.

6 **Highlights:**

- a. The quota of merchants permitted to enter Israel for business purposes is a standing quota which is determined periodically according to the political-security situation. It will be specified in the permission status document.
  - b. The permit will be valid for Israel and the Judea and Samaria Area/Israel/the Judea and Samaria Area, for business purposes.
  - c. Permits will be issued to sons/daughters of merchants (“son/daughter successor”) subject to personal approval by the Head of the DCO, proof that son/daughter works in the business, proof of the purpose of entry for business purposes and security screening as per this procedure.
  - d. Records of applications for permits will be kept for the purpose of preserving the ability to historically reconstruct application processing. Denied permits will also be kept on record, including the grounds for denial (records may be kept electronically, there is no obligation to keep hard copies).
  - e. Gaza merchants may remain overnight in the Judea and Samaria Area only, subject to DCO approval. Overnight stay in Israel is not approved.
  - f. Authentication of Israeli documents will be conducted vis-à-vis the Israeli authority/entity that signed the document.
  - g. New and unrecognized merchants will be summoned for an introductory meeting and to provide proof that they are merchants.
  - h. Specifics and processing related to application must be entered into the “rolling stone” system.
7. Attached is a flow chart of the process of reviewing applications by Gaza Strip merchants for permits to enter Israel.

**Flow chart - Processing of applications by Gaza Strip merchants for permits to enter Israel**

