

(Official letterhead of the Ministry of Defense)

Ministry of Defense

Office of the Spokesman    Coordinator of Government activities in the Territories

**Re: Policy on Movement of People between the State of Israel and the Gaza Strip**

Updated as of May 5, 2011

1. In the summer of 2005, Israel unilaterally implemented the disengagement plan, in the context of which IDF forces evacuated the Gaza Strip, the military administration established in 1967 was abolished and the Palestinian Authority took control of the entire Gaza Strip with no Israeli involvement. In accordance thereto, Israel holds the position that the laws of belligerent occupation no longer apply to the relationship between it and the residents of the Gaza Strip, and that Israel therefore no longer bears an overall responsibility for the welfare of the population but only basic humanitarian obligations with respect thereto.
2. In June 2007, the Hamas organization staged a violent coup in the Gaza Strip which culminated with it seizing control of the Gaza Strip by force. This organization is involved in an ongoing armed conflict with the State of Israel and does not recognize Israel's right to exist.
3. Therefore, in decision B/34 dated 19 September 2007, the Security Cabinet declared that the Gaza Strip is a "hostile entity", controlled by a terrorist organization, against which a number of civilian-economic sanctions will be imposed. These restrictions included limiting the types of goods Israel allows into the Gaza Strip, reducing fuel and electricity supplied by Israel to the Gaza Strip and restricting movement of people between Israel and the Gaza Strip.

It should be noted that the decision explicitly stipulates that the restrictions will be applied in accordance to the legal obligations incumbent upon Israel and that a humanitarian crisis must be avoided. Israel's position with respect to the scope of its obligations toward residents of the Gaza Strip and the legality of the restrictions imposed on the Gaza Strip were subsequently approved by the Supreme Court.

4. Thus, the policy on the movement of people between the Gaza Strip and Israel is inextricably linked to the shifting political-security circumstances between Israel and the Gaza Strip and its surroundings. Accordingly, the criteria for movement of people are derived from the aforesaid changing circumstances and are frequently reviewed by the relevant officials.
5. All applications made by Palestinians to enter Israel from the Gaza Strip are submitted to the Gaza DCO through the Palestinian Civilian Affairs Committee in the Gaza Strip, which is subject to the Civilian Affairs Ministry in Ramallah. In exceptional cases, applications submitted by officials from the international community and recognized international organizations are also accepted.
6. In addition to the criteria for reviewing applications to enter Israel, which are determined periodically, all applications are reviewed on their merits, according to the individual circumstances of each and every case and according to an individual security check relating to the applicant and/or his relatives, and a review of the security, political and strategic interests of the State of Israel in approving the applications. The authenticity of the attached documents is also examined.

7. Following is a list of the cases in which movement between the Gaza Strip and Israel is allowed, organized by type of travel (entry into Israel, exit to the Strip) and broken up into the various groups:

**A. Entry into Israel**

- 1) Medical Treatment – Entry into Israel for the purpose of medical treatment, including for the purpose of passage to the Judea and Samaria area or abroad, is permitted subject to applications from the Palestinian medical coordinator who operates under the Palestinian Civilian Affairs Committee and is in charge of prioritizing the applications, classifying their urgency and transmitting them to the DCO for the purpose of receiving life-saving medical treatment or medical treatment without which quality of life is entirely altered, all subject to unavailability of the sought medical treatment in the Gaza Strip.

At this point, it should be stressed that payment for the medical treatment is transferred from the Palestinian Authority directly to the hospitals in Israel. Therefore, the Palestinian Authority requires prior approval of the patient's entry into Israel (in many cases, the Palestinian Authority prefers to provide treatment for the patient in the Gaza Strip or in Judea and Samaria due to the high cost of treatment in Israel).

- 2) Medical Crews – Entry of medical crews to hospitals in Israel or Judea and Samaria for the purpose of medical seminars and trainings which may strengthen and improve the treatment provided to residents of the Gaza Strip in life-threatening cases or cases in which lack of treatment would result in an entirely altered quality of life.
- 3) Entry for the purpose of visiting a seriously ill relative – Entry of residents of the Gaza Strip into Israel (including for the purpose of passage to the Judea and Samaria area or abroad) for the purpose of visiting an immediate relative who has a serious disease which is life-threatening or which requires prolonged hospitalization. It should be noted that the patient's age is taken into account in this context.
- 4) Entry for the purpose of attending a funeral or a wedding – Entry of residents of the Gaza Strip into Israel (including for the purpose of passage to the Judea and Samaria area or abroad) for the purpose of attending a wedding or funeral of an immediate relative.
- 5) Entry of accompanying children – Entry is permitted of minors (children up to age 6) of residents of the Gaza Strip who have been allowed to enter Israel for the purposes detailed in sections 3 and 4 above or for any other humanitarian purpose, as per the discretion of the relevant officials.
- 6) Entry of merchants and business people – 70 merchants are authorized to enter (Israel, Judea and Samaria and abroad) per day. Entry is allowed subject to an application by the Palestinian Civilian Affairs Committee and subject to the applicant being a senior merchant whose entry may contribute to the improvement of the economy of the Gaza Strip and who trades in goods approved under the civilian policy at the time the application is submitted.
- 7) Senior Palestinian officials – Entry of Palestinians in key positions in the Palestinian Authority whose names appear in lists provided by the Civilian Affairs Ministry of the Palestinian Authority and have been approved by the Coordinator of Government Activities in the Territories (persons in possession of VIP and VIP2 cards).

*Unofficial translation by Gisha*

- 8) Palestinians who are in the process of “family unification” – may enter Israel and renew their permits to remain in Israel subject to periodic security checks, according to criteria put in place by the Ministry of Interior.
- 9) Entry of scholarship recipients to Israel – Residents of the Gaza Strip who are recipients of scholarships recognized by a country that has diplomatic relations with the State of Israel or by an international organization which is recognized by the State of Israel (by the welfare, interior or foreign affairs ministries), who wish to undertake academic studies abroad, may enter Israel in order to attend a visa interview or travel abroad, subject to a direct application by the embassy or consulate of the country in which they intended to study and subject to an embassy or consulate escort.
- 10) Foreign nationals – Residents of the Gaza Strip who are dual citizens and foreign nationals and their immediate relatives (spouses and children under the age of 18) may enter Israel for the purpose of traveling to the country in which they have status, subject to an application by the consulate or embassy of said country and an escort on its behalf from the Erez Crossing to the Allenby Bridge.
- 11) Palestinian employees of international organizations – Palestinian employees of international organizations recognized by the welfare, interior or foreign affairs ministries or employees of diplomatic missions (embassies, consulates and diplomatic missions to the Palestinian Authority) of countries which have diplomatic relations with Israel are permitted to enter, including for the purpose of travel to the Judea and Samaria Area and abroad.
- 12) Entry of Palestinians whose official address is in the Judea and Samaria Area for the purpose of returning to the Judea and Samaria area– Where travel to the Gaza Strip was approved by and coordinated with Israel and where return to the area via Israel has not been restricted.
- 13) Entry of journalists into Israel – Residents of the Gaza Strip who are employed as journalists, who belong to news agencies or media outlets with offices in Israel and are registered with the Government Press Office may enter Israel subject to an application by the agency or outlet to allow their entry for the purpose of professional seminars, business meetings or receiving a journalistic award.
- 14) Entry of threatened individuals to Israel – Residents of the Gaza Strip who have been recognized by the committee on threatened individuals as threatened individuals are approved for entry into Israel and renewal of their stay permits.
- 15) Entry of soccer players – Members of the Palestinian national soccer team and the Palestinian Olympic team are permitted to enter Israel, including for the purpose of travel to the Judea and Samaria area or abroad, in order to participate in training and matches, subject to an application by the Civilian Affairs Ministry.
- 16) Entry for Palestinian Authority conferences and events – Periodically, and subject to submission of a detailed request from Palestinian Authority, representatives in the Judea and Samaria area and the authorization of the Minister of Defense, residents of the Gaza Strip are permitted to enter Israel in order to participate in conferences or special events sponsored by the Palestinian Authority.

**B. Departure to the Gaza Strip:**

1) Exit of Israelis to the Gaza Strip –

It must be noted at the outset, that under the Disengagement Plan Implementation Law, the power to allow Israelis to exit to the Gaza Strip is vested in the OC Southern Command.

a. Exit in cases of exceptional humanitarian need –

(1) Israelis are permitted to exit to the Gaza Strip for the purpose of visiting an immediate relative who has a serious disease which is life-threatening or which requires prolonged hospitalization. It should be noted that the patient's age is taken into account in this context.

(2) Exit of Israelis to the Gaza Strip for the purpose of attending a wedding or funeral of an immediate relative.

b. Exit in the framework of the “divided families” procedure – Exit of Israelis whose spouse resides in the Gaza Strip for the purpose of unification with the spouse.

c. Exit of accompaniers – The immediate relatives (spouse or children under the age of 18) of a person whose entry into the Gaza Strip has been permitted may exit to the Gaza Strip.

2) Exit of diplomats appointed to Israel – Exit by diplomats from countries which have diplomatic relations with Israel who are appointed to Israel and hold official documents issued by the Ministry of Foreign Affairs.

3) Exit of official foreign country representatives – Exit by representatives of countries which have diplomatic relations with Israel for official purposes on behalf of the country which they represent, for whom a formal request was submitted by the official diplomatic mission in Israel and the political diplomatic nature of whose visit does not conflict with the interests of the State of Israel (e.g. – a meeting with Hamas officials).

4) Exit by foreign employees of international organizations – Exit by employees of international organizations which are recognized by the State of Israel (welfare, interior or foreign affairs ministries), who are foreign nationals and are in possession of official documentation by the Ministry of Foreign Affairs or on whose behalf an official application was submitted by the international organization's headquarters in Israel.

5) Exit by representatives of recognized international organizations – Exit by foreign nationals who are not employees of international organizations but on behalf of whom an official application was submitted by the Israeli headquarters of the international organization and who are professionals whose specialization is required for the organization's operations (such as physicians, engineers, specialized technicians).

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- 6) Exit by Palestinian residents of the Judea and Samaria area who are employees of international organizations – Exit by Palestinian residents of the Judea and Samaria area who are employees of international organizations which are recognized by the State of Israel (welfare, interior or foreign affairs ministries) or representative of diplomatic missions of countries that have diplomatic relations with Israel and whose specialization or profession is vital for the operation of the organization or the mission in the Gaza Strip.
- 7) Exit of Israeli (East Jerusalem residents) employees of international organizations – Exit of Israelis from East Jerusalem who are employees of international organizations which are recognized by the State of Israel (welfare, interior or foreign affairs ministries) or representative of diplomatic missions of countries that have diplomatic relations with Israel and whose specialization or profession is vital for the operation of the organization or the mission in the Gaza Strip.
- 8) Exit of employees of Christian organizations – Employees of organizations which are recognized by the Department of Religions at the Ministry of Interior are permitted to exit.
- 9) Exit of journalists to the Gaza Strip – Journalists who hold a foreign passport (which is not Israeli) and press cards issued by the Government Press Office are permitted to exit.
- 10) Exit of residents of the Judea and Samaria Area to the Gaza Strip – exit of Judea and Samaria residents to the Gaza Strip is made possible subject to an application by the Palestinian Authority Coordination Offices and in the following cases:
  - a. Exit for the purpose of visiting a seriously ill relative –Exit of residents of the Judea and Samaria Area to the Gaza Strip for the purpose of visiting an immediate relative who has a serious disease which is life-threatening or which requires prolonged hospitalization. It should be noted that the patient's age is taken into account in this context.
  - b. Exit for the purpose of attending a funeral or a wedding – Exit of residents of the Judea and Samaria area to the Gaza Strip for the purpose of attending a wedding or funeral of an immediate relative.
  - c. Exit for the purpose of settling in the Gaza Strip and transferring the resident's center-of-life thereto.
- 11) Exit of senior Palestinian officials – Exit of Palestinians in key positions in the Palestinian Authority whose names appear in lists provided by the Office of the Chairman of the Palestinian Authority to the Coordinator of Government Activities in the Territories and approved by the Minister of Defense.