

## **PROCEDURE FOR SETTLEMENT IN THE GAZA STRIP BY RESIDENTS OF JUDEA AND SAMARIA AREA**

### **1. General:**

- A. In 2006, a decision was made to introduce a policy of separation between the Judea and Samaria Area and the Gaza Strip in light of Hamas' rise to power in the Gaza Strip. The policy currently in effect is aimed at reducing travel between the areas. Therefore, residents of the Gaza Strip and the Judea and Samaria Area are not permitted to travel between the areas in the absence of a permit designated for this purpose. Applications that receive approval despite the separation policy are applications for travel by senior officials, medical humanitarian applications and applications for settlement by members of split families.
- B. The premise is that a resident of the Judea and Samaria Area may file an application for permanent settlement in the Gaza Strip for any purpose that is considered humanitarian (usually family unification). Generally, one-time travel may not be denied in the absence of concrete security reasons.
- C. As settlement of Gaza residents in the Judea and Samaria Area is possible only in the rarest cases (under the Procedure for Settlement in the Gaza Strip by Residents of Judea and Samaria Area), the need to allow the family unit to be maintained in the Gaza Strip arises.

### **2. Purpose:**

- A. The formulation of a procedure that establishes the requirements and authority for approving passage to the Gaza Strip by residents of the [Judea and Samaria] area for the purpose of permanent settlement.
- B. Providing clarification on how to operate in the case of a resident who breaches his declaration regarding permanent settlement in the Gaza Strip and applies to travel between the areas frequently.

### **3. Method:**

- A. A resident of the area who wishes to settle in the Gaza Strip shall file an application via the Palestinian Coordination Office in his area of residence or via the Civilian Affairs

Ministry. The application will be transferred to the relevant CLA and forwarded as unclassified to the permit center.

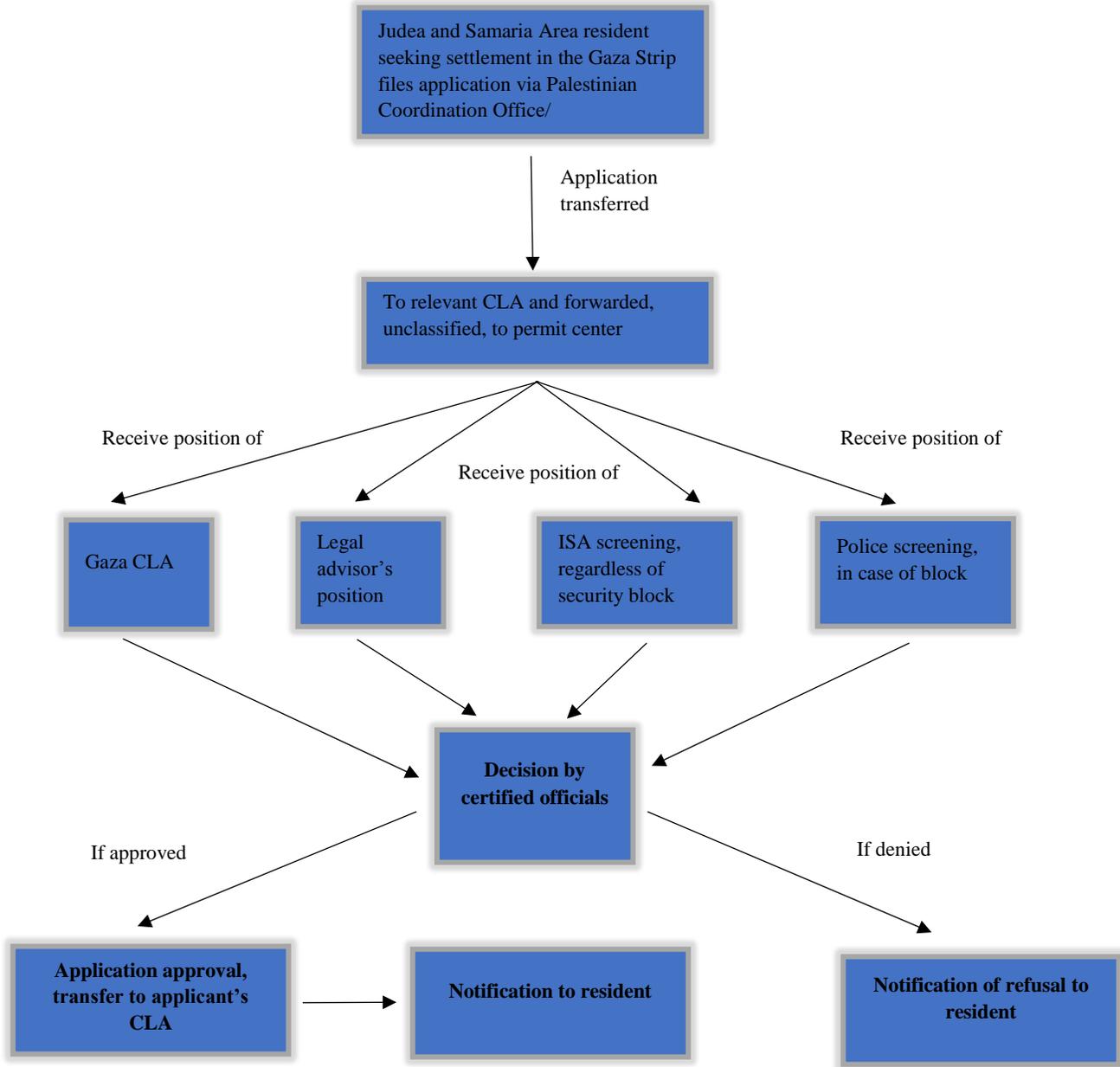
- B. At the time the application is filed, the CLA representative will make sure that the resident has signed the declaration which details the possible implications of the approval of his application to settle in Gaza. The declaration clarifies, inter alia, that the applicant will not be able to return from Gaza to the Judea and Samaria Area, other than in exceptionally rare cases.
- C. The application, specifying the reason justifying the resident's settlement in the Strip, shall be transferred for examination of the permit center. The declaration shall be transferred as a scanned document to the unclassified desk.
- D. In order to make a balanced decision, the position of the following officials shall be obtained: the military legal advisor for the Judea and Samaria Area, the Gaza CLA and the security officials. The decision regarding the settlement is under the purview of the branch head of operations division of Judea and Samaria Area/Civil Administration Head/Coordination of Government Activities in the Territories.
- E. Approval or denial of the application shall be recorded in the permit database on the basis of follow-up processing of the application, listing the reason for the application by the resident and the reason for approval/denial.

4. **Highlights:**

- A. The return of the resident to the Judea and Samaria Area in future shall be examined in view of the policy in effect at the time. It should be noted that travel to the Judea and Samaria Area by a resident who has chosen to settle in the Strip is not currently made possible. However, every application to return to the Judea and Samaria Area must be examined in its own right in coordination with the legal advisor for the Judea and Samaria Area and the legal advisor to the Gaza CLA.
- B. The aforesaid declaration shall be filed by the CLA in a file designated for concentrating "settlement declarations", and shall be scanned and saved in the computer database. The declaration shall remain valid for such time as the policy on travel between the areas with respect to separation remains in effect.

5. **Appendices: Declaration Statement**

A. **Flow chart:**



## **Declaration**

I hereby inform you that your application for a permit to travel from the Judea and Samaria Area to the Gaza Strip has been approved in light of your declaration that you intend to permanently relocate your center-of-life to the Gaza Strip.

We wish to inform you that according to the policy currently in effect, residents whose center-of-life is in the Gaza Strip are permitted to enter the Judea and Samaria Area only in humanitarian and exceptional cases.

We emphasize that inasmuch as you wish to return to the Judea and Samaria Area via the territory of the State of Israel, you will be obliged to file a detailed application with the Palestinian Civil Affairs Committee. Inasmuch as the application is transferred to the Israeli side, it will be examined in accordance with the policy in effect at the time.

Resident name:

ID No.: