

Unclassified
State of Israel
Ministry of Defense

Coordinator of Government
Activities in the Territories
Office of Coordinator
Tel: 03-697-5351/02
Fax: 03-697-6306
Coordinator – 240911
24 Iyar 5769
May 18, 2009

Gisha – Adv. Tamar Feldman

Re: your letter regarding the policy on allowing goods into the Gaza Strip

1. **I hereby confirm receipt of your letter to the Coordinator of Government Activities in the Territories from April 22, 2009 on the subject in reference. Following is our response:**
 - a. First may we state that the policy of admitting goods into the Gaza Strip is derived from and adjusted according to the changing security situation and the government's overall policy towards the Gaza Strip, as stated in the cabinet decision from September 19, 2007, following Hamas's violent takeover of the Gaza Strip and the incessant firing of rockets and mortars into Israel's sovereign territory.
 - b. **Even under that policy, in general, the admission of vital humanitarian goods into the Gaza Strip is allowed according to need and the security situation.** Today the items allowed into the Gaza Strip include basic food products (beyond what is required by the basic health basket), basic hygiene products, and equipment for vital infrastructure systems, including equipment for electricity and water systems.
 - c. The cabinet decision from March 22, 2009 referenced in your letter as supposedly not being implemented, was clarified by the Cabinet Secretary in the State's response to a petition submitted to the High Court of Justice (HCJ 2650/09 Mitrael et al v State of Israel) on the subject of the refusal to allow the import of calves to the Gaza Strip, in a way that clarifies beyond a doubt that **there is no contradiction between the government's messages and COGAT'S messages, as would appear from your letter.**
 - d. Following is a quote from the State response in the aforementioned HCJ petition, signed by the Cabinet Secretary:
"... on March 20, 2009 the government passed resolution 4559, according

to which the unlimited passage of food products should be allowed into the Gaza Strip. However, it should be clarified, that the resolution did not intend to lift the restrictions imposed in the past on allowing equipment and food into the Gaza Strip and by doing so, ignore Israel's overall policy toward the Gaza Strip, as stated in the cabinet decision from September 19, 2007, following Hamas's violent takeover of the Gaza Strip, but rather to expand the list of food products whose admission into the Gaza Strip would be permitted in order to adequately meet the needs of the Palestinian population that is not involved in terror".

This was also reflected in the Court's ruling on the same matter.

- e. Requests to allow the admission of merchandise are received from the Palestinian Civil Affairs - Economic Committee in Gaza (whose representative is an official of the Palestinian Authority based in Ramallah) as well as from international organizations.
- f. In determining which goods should be admitted into the Gaza Strip each day, priority is given to requests to admit medical equipment and medicine, equipment for vital infrastructure systems and basic products and donations from the international community. The type and variety of the remaining merchandise for that day are determined by the Palestinian Civil Affairs - Economic Committee in Gaza (with the amount and variety of humanitarian goods subject to the existing restrictions).
- g. **Furthermore, a forum headed by the head of the Civil Affairs Department of COGAT and representatives of the leading international organizations meets every week** and solves the bottleneck situations and deals with special requests by the international community, including regarding the admission of humanitarian merchandise.
- h. To the best of our knowledge (based on monitoring, meetings and reports from the ground), the implementation of the present policy does not cause a shortage of food products or medical equipment and medicine (except for medicines that are in shortage for reasons other than restrictions by the Israeli side, because it is not preventing their admission), and this is well reflected in official reports by UN bodies.
- i. However, there are restrictions on the admission of certain raw materials that are incompatible with government policy, except for cases in which there is a proven concrete need and a direct connection to a humanitarian need.
- j. Regarding your claim that there is a delay in the admission of certain products, we note that when it comes to the admission of dual-use goods, there is a careful inspection in order to prevent a security risk and to prevent the exploitation of the admission of the product by the terror apparatuses for their use. This is in accordance with the security export supervision law, 5767-2007, and the orders issued accordingly, according to which the transfer of dual-use goods and means into Gaza and Judea and Samaria requires a permit.

k. The list of dual-use goods is on the website of the Ministry of Trade and Commerce.

2. At your request.

Sincerely,

Hussam Dagesh, Capt.

[signature]

Officer of Public Inquiries