

Coordination of Government Activities
in Judea Samaria and the Gaza Strip

Operations Directorate
STANDING ORDERS

September 2013

This Order contains 4 pages

Regulation: Entry of foreigners into the Gaza Strip via the Erez Crossing

1. General:

The Disengagement Plan Implementation Law, 5765-2005 prohibits Israeli citizens or persons such as foreign visitors who are licensed to reside in Israel under the Entry into Israel Law, 5712-1952, from entering the Gaza Strip without a permit from the military commander.

Since for various purposes, the international community continues to send to the region foreign workers who are employed in organizations, diplomatic delegations and their emissaries, a directive is required to regulate the entry of foreigners into the Gaza Strip. Foreign visitors enter Gaza via the Erez Crossing.

2. Basic definitions:

- a. **"Accredited" diplomat** - A foreign citizen who holds a passport and diplomatic visa. Has full diplomatic immunity.
- b. **"Non-accredited" diplomat** - A diplomat who holds a diplomatic passport but does not hold a diplomatic visa - Does not have diplomatic immunity (however, discretion must be exercised regarding security checks, subject to a determination by the Head of the International Organizations Branch/Section.
- c. **Foreign passport or foreign service visa holder** - A foreign national who holds a service passport - Has no immunity at all.

- d. **Foreign UN worker** - A foreign worker who holds a UN passport - Red - has the same status as an "accredited" diplomat, blue - ordinary (without immunity).
- e. **Recognized international organization:** An international organization which is included in the list of recognized organizations maintained by the Foreign Relations and International Organizations Section, the Ministry of Education, the Ministry of Welfare or COGAT.
- f. **Unrecognized international organization:** An organization the activities of which are not recognized by the State of Israel and which must therefore request recognition by the aforementioned agencies, or, alternatively, a small, local organization which does not require services from the State of Israel and is therefore not included in the Ministry of Welfare's NGO list.
- g. **Foreign tourist:** A foreign national, who is not an active Palestinian resident, does not hold a diplomatic or service passport, does not work for a recognized or non-recognized international organization and is not visiting at the invitation of the Palestinian Authority.
- h. **Palestinian Authority invitee** - A foreign tourist invited by the Palestinian Authority's various offices for professional reasons/to meet with Palestinian Authority officials.
- i. A request by a private individual who is not an NGO employee, who wishes to enter the Gaza Strip for personal, non-professional reasons (such as visiting a family-relative, conducting business, etc.), shall be submitted at the Crossing and forwarded to the section commander after being processed by the soldiers stationed there. Private requests shall be dealt with according to the degree of urgency in each case.

3. Details of the Practice Direction:

a. **A foreign national employed by a recognized international organization**

employee: The organization must submit a formal request (printed on its official notepaper) to the Foreign Relations and International Organizations Section, signed by the director of the organization and setting out the applicant's details: name (quadrilateral name for applicants of Arab origin), date of birth, nationality, passport number, position in the organization and the reason for entering the Strip.

The request must be submitted five days in advance.

If requested, a photocopy of the applicant's passport and visa must also be attached.

b. **A foreign national employed by an unrecognized international organization:**

- 1) The unrecognized international organization must act to obtain recognition from the Foreign Relations and International Organizations Section based on established criteria. Should the organization be recognized, then the request shall be processed as stated in paragraph 3a.
- 2) As a rule, foreign nationals employed by unrecognized international organizations may submit an exceptional request which shall be considered in the light of prevailing policy based on the political-security situation.

c. **Foreign tourists:**

- 1) The foreign national must present himself at the Erez Crossing and there fill out a standard application form for entry to the Gaza Strip.
- 2) The coordination and liaison administration will pass on the request for evaluation to the security authorities, through the Foreign Relations and International Organizations Section, which shall then keep track of the request by computer ("status of requests"). Unless stated and authorized otherwise, **requests shall be processed within 5 working days.**

- 3) In humanitarian cases or where it is in Israel's national interest to do so, with the Coordination and Liaison Administration Director's approval and upon the recommendation of the Foreign Relations and International Organizations Section, the request shall be processed as soon as possible by the operations room.
- d. Palestinian Authority invitees:** These requests shall be processed in conjunction with the Civil Committee, which shall forward them to the Coordination Section. The Coordination Section shall then pass on all the relevant details, as required by this regulation, to the Foreign Relations and International Organizations Section.
- e. In general (and wherever possible), an answer to the request shall be given proactively to the applicant.**
- f. Transfer of equipment belonging to foreign nationals:**
Responsibility for security checks shall be in accordance with the Head of the Maritime Operation Division's guidelines.
- g. Guidelines and evaluation -**
- 1) **Diplomats** (according to their passports and/or a visa issued by the Ministry of Education) **shall be exempt from security checks and evaluation, although their vehicles shall be checked if they are not diplomatic. Any vehicle which UN diplomats arrive in shall be exempt from security checks.**
 - 2) **Holders of service passports** (regardless of the type of seal stamped in them at Israeli border crossings), **shall be exempt from the provisions of this regulation.**
 - 3) **Holders of service visas** (whether stamped in a service passport or an ordinary "national" passport), **shall be exempt from the provisions of this regulation.**

- 4) **Holders of a Ministry of Foreign Affairs certificate** (diplomatic/consular or international organization) **shall be exempt from evaluation and undergo a brief security check only.** Permits to enter the Gaza Strip shall be given to those who do not hold a diplomatic/service passport/visa according to expiry date of the certificate.
- 5) **Holders of Government Press Office certificates shall be exempt from security checks.**
- 6) **All other foreign nationals shall be required to undergo security checks.**

It should be emphasized that foreigners who hold diplomatic, service or UN passports (provided that in the case of a UN passport, the holder is not of Arab or Palestinian origin), shall be exempt from security evaluation and may cross into Gaza without delays and that **first degree relatives of accredited diplomats (husband, wife and children under 18 years of age) shall also enjoy immunity and security clearance exemption, even if they hold non- diplomatic passports/visas.**

h. Diplomatic immunity - In accordance with the Head of the Maritime Operation Division's guidelines.

i. A foreigner national who has no valid passport or visa

It should be pointed out that a foreigner national who arrives at the Crossing without a valid passport or visa shall not be allowed to enter Gaza, although Border Inspection shall have exclusive authority to approve entry in exceptional cases and **a foreign national arriving at the Crossing from the Gaza side in possession of a visa which expired during the last fortnight and a plane ticket for the same day, shall be permitted to leave for Ben Gurion Airport**, subject to coordination with the Population and Immigration Authority.

j. Palestinians/Israeli foreign passport holders

Where the person wishing to cross has holds Israeli/ Palestinian citizenship in addition to his declared nationality, then the application shall be processed in accordance with his local identity, in coordination with the Population and Immigration Authority and in accordance with its guidelines.