

## Unofficial Translation

The State of Israel  
Ministry of Defense  
Office of the Spokesman      Coordinator of Government Activities in the Territories

27<sup>th</sup> Tevet 5770  
January 13, 2010  
Reference: All - 111723

### *Gisha – Adv. Tamar Feldman*

#### **RE: Your requests regarding policies on permitting the entry of goods to the Gaza Strip**

Our letter: COGAT – 240911, of May 18, 2009

1. Your request, of July 21, 2009, to receive information under the Freedom of Information Act on the subject under discussion, which forms the basis of the petition (Administrative Petition 2744/09), was the second round of a similar request made by you previously, which was responded to in the referenced letter from COGAT's Public Affairs Officer, dated May 18, 2009. Unfortunately, due to a misunderstanding, we did not respond to the second request in writing, due to the fact that an almost identical request had already been responded to previously.
2. We wish to clarify that it is difficult to give unequivocal answers on the subject due to the dynamics of the situation in the Gaza Strip and relations between Israel and officials in the Gaza Strip. Nevertheless, below is an updated response to the questions raised in your letters.
  - a. **What are humanitarian goods?**

First, it should be noted that the term "humanitarian goods" is not a term with a fixed definition. The matter depends on the changing needs of the population, primarily based on the products necessary to the survival of the civilian population. Humanitarian goods include: medicines; medical equipment; basic food stuffs such as meat, milk, legumes, grains; basic hygiene products; equipment for essential infrastructure such as electricity and water; agricultural needs; gas; and fuel in sufficient quantities to operate essential systems. We reiterate that this is not a fixed list, and that the needs of the Gaza Strip are evaluated periodically in accordance with the need and the humanitarian situation in the Strip.
  - b. **According to what criteria are goods classified as humanitarian?**

We are carrying out an ongoing evaluation of the population's needs. The evaluation is being conducted in an active fashion, as well as in response to requests from parties on the ground (the Palestinian Authority, operators of the infrastructure systems, international organizations, Palestinian business people and residents, Israeli suppliers). Each product is evaluated individually in cooperation with the relevant professionals within COGAT.

**c. Are there restrictions on the amount of goods/trucks allowed in a given period, how are these determined and can they be published?**

In general, there are no restrictions on the number of trucks entering the Gaza Strip at this time beyond the supply capacity of the border crossings. In actuality, the demand does not reach this upper limit, since the capacity of the crossings exceeds the current consumption of the approved goods.

Nevertheless, there are restrictions in two areas:

**Fuel Quota** – An upper limit on the amount sufficient for the operation of essential systems and emergency and rescue vehicles was determined. This quota and the way it is calculated were examined and accepted by the High Court of Justice (HCJ 9132/07).

**Agricultural Quota** – The export of Israeli agricultural produce to the Gaza Strip is limited to 26 trucks a day. This quota is not set in stone and if there are special projects/ permits (such as the transfer of 7,000 head of cattle prior to the Eid al-Adha holiday), imports beyond the regular quota are permitted.

**d. What changes have been implemented since the Israeli government decision of March 22, 2009, to guide the import of food from any source without restrictions?**

Since March 2009, we have allowed the controlled entry of beef during certain periods (before the holidays). Likewise, the entry of several products not previously allowed has been approved, such as canned goods, salami, chickpeas, tea and coffee, soup mix, and various spices.

We continue to evaluate the needs and to expand the import of products in accordance with what is needed.

**e. Are there lists of approved and prohibited goods (except for dual purpose)?**

There is no list that includes all the goods that go into the Gaza Strip. Beyond the bounds of policy, in accordance with the above stated details, we evaluate each request individually.

**f. What are the procedures implemented for evaluating applications to import goods, who is entitled to submit an application and to whom, what should be in the application, what is the procedure for processing applications, is there a timetable, who maintains contact with applicants and how?**

Applications to import goods are received from the Economic Civil Affairs Committee in Gaza, Palestinian Authority officials of various ranks, and also international organizations. All these are made to the relevant receiving officials in the Gaza District Coordination Office and the Coordination of Government Activities in the Territories office, through work meetings, conversations and documents.

Besides the regular working relationships listed, applications are received, which relate to appeals and/or complaints regarding goods for which entry was not approved via the regular working channels, from private parties and organizations, both Palestinian and Israeli. These kinds of applications are received via the Public Affairs Officer or, alternatively, via other

officials in the Coordination of Government Activities in the Territories office, with whom the applicants maintain professional contact or whom they happened to reach.

The timetable that we apply to such cases is 30 days (usually an answer is provided faster), except in exceptional cases.

The party who maintains contact with the applicants is the relevant professional party or the Public Affairs Officer.

- g. How is coordination implemented for products authorized for entry, is an additional application required after the initial authorization in order to coordinate entry, are there forms, what are the procedures for processing coordination requests?**

**Are there binding timetables for processing coordination requests, is the processing time sensitive to the nature of the goods, e.g. “best before date”, who maintains contact with the applicants?**

**Is the coordination performed in accordance with the details of the supplier, the importer, the shipper or any other party, what is level of specification required for coordinating entry, are days/hours defined or time periods determined?**

Each authorization issued by the Israeli side for the import of a particular product by the private sector is a principled authorization only. The coordination of the entry of products to the Gaza Strip is done by the Palestinian Economic Civil Affairs Committee or the Palestinian Agricultural Coordinator (in accordance with the type of goods).

In exceptional cases of a one-time or seasonal authorization for a product, the coordination of entry will be arranged in a periodic plan together with the principle authorization or soon afterwards.

Coordination with international organizations is performed by the International and International Organizations Department.

**It is the Palestinian side that receives applications from the Palestinian importers.** The applications include all details, including regarding the Israeli supplier, the shippers for the purpose of logistical coordination, and the lists the freight trucks designated for entry on each day. On days when applications exceed the supply capacity of the crossing, the Palestinian side arranges waiting lists (this situation has not occurred for a long time now).

As noted, the Palestinian officials determine the order of the list in accordance with Palestinian Authority policies. We do not interfere with this process, except if in accordance with our best professional judgment and assessment, if a shortage in supply of a basic humanitarian product occurs – then we request that the product should be given priority (again, without taking into account the identity of the importer).

The list that the DCO receives includes the details of the goods, the importer, the drivers and the vehicles on both sides (to facilitate the coordination of their entry to the crossing) and the Israeli supplier. This list is forwarded on a daily basis, in the morning, and in effect consists of the working plan for the following day.

Approval of the list, following an assessment of the compatibility of the products with the general policies, is completed within a few hours (it can take a bit longer on weekends).

As noted, the whole list is designated for the following day, within the planned opening hours of the Kerem Shalom crossing. Except in exceptional cases, the coordination is not set for a specific time.

- h. **A request to receive the red lines document “which sets the nutritional minimum required for the subsistence of Gaza Strip residents and includes detailed tables with the number of grams and calories of each type of food that each Gaza resident should be allowed to consume, according to age and sex”.**

There is no official document such as the one you request. It is possible that your request in this regard refers to one of several drafts of internal headquarters papers which were written on the topic and which need not be provided under the Act. The Coordination of Government Activities in the Territories office evaluates the needs of the Gaza population periodically.

In addition we emphasize that there are no quantitative restrictions on the entry of basic food stuffs to the Gaza Strip.

[Signed]

**Maj. Guy Inbar**

**Spokesman for the Coordinator of Government Activities in the Territories**