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## How the separation policy is implemented in practice

### Movement of People

Gisha's experience, ongoing legal work, and research indicate that Israel's decision-making on who can travel between Gaza and the West Bank is determined according to two basic principles. Each of these principles is evident in bureaucratic practices enforced by Israel on the ground:

#### 1. Reducing the number of individuals eligible for travel between Gaza and the West Bank

According to [Israel's directives](#), the vast majority of Gaza's two million residents are not eligible to even apply for a travel permit, meaning that they are barred a priori from exiting the Strip via Erez Crossing. They are not denied travel for any concrete reasons pertaining to Israel's security (they don't even undergo screening by Israel) but rather as a matter of sweeping policy.

##### Examples in practice associated with this principle:

- ▶ The vast [majority of professionals](#) in Gaza seeking to travel for work do not meet Israel's criteria. In the absence of a criterion for work-related travel, countless permit applications filed by professionals are denied by Israel, discouraging people from applying and thus contributing to an overall chilling effect. This [includes](#), for example, [staff of civil society organizations](#) split between the areas.
- ▶ The few people who do meet Israel's criteria and are able to submit permit applications for consideration by Israeli authorities are not guaranteed a permit in practice. Gisha regularly assists individuals whose applications were denied on the grounds that the applicant "[does not meet criteria](#)" for travel.
- ▶ Palestinians can apply for [a permit to attend a funeral or a wedding](#) in the other part of the occupied Palestinian territory only if the deceased or the person getting married is a first-degree relative. Grandparents and grandchildren, cousins, aunts and uncles, and close family friends are categorically denied the possibility of travel in these circumstances.
- ▶ Even the few people who obtain permits to visit family are only granted short, two or three-day visits. If they overstay the timeframe stipulated in the permit, they can face

“consequences” and be denied travel in future applications. Israeli authorities openly admit to penalizing Gaza residents whose relatives have overstayed their permits for visits to the West Bank and are, from Israel’s perspective, “illegally present” in the West Bank or Israel – by refusing to grant them travel. For example, Palestinian Christians were openly denied access to holy sites during holidays due to having relatives who overstayed permits in the West Bank.

› The Israeli authorities processing humanitarian permit applications by Palestinians requesting to visit a first-degree relative with a serious illness in the other part of the Palestinian territory give themselves license to determine whether the ailing relative is “sick enough” to justify a visit from their immediate family member. Sometimes, they decide that the relative is *not* “sick enough.”

› Countless permit applications are not processed on time or not processed at all, further reducing the number of people who actually obtain a travel permit. Permit applicants have no way of knowing the status of their application at any given point.

› Israel routinely imposes “security blocks” on permit applicants, without giving any information about why, let alone evidence, to the applicant or his/her lawyers. Security blocks bar individuals from travel indefinitely, and can be applied even in cases where the applicant has previously received permits on a regular basis. In many cases brought by Gisha, when challenged by legal intervention, Israel will remove the security block before the case goes to court, pointing to how blocks are imposed arbitrarily. Most permit applicants of course cannot necessarily access legal representation and the blocks remain in place.

## **2. Preventing Gaza residents from moving to the West Bank, cornering West Bank residents living in Gaza into waiving their right to return to the West Bank**

Ongoing control over the Palestinian population registry affords Israel ultimate control over where Palestinians can live, work, and build a family. Israel's decision to freeze changes of address from Gaza to the West Bank in the population registry since the year 2000 means that by definition, residents of Gaza cannot relocate to the West Bank and thus countless Palestinians are unable to control their own destiny, even within the Palestinian territory. Israel will generally permit changes of address from the West Bank to Gaza, but not vice versa.

### **Examples in practice associated with this principle:**

› In a ‘mixed’ family of Gaza-West Bank residents, Israel only allows Palestinian family unification in the Gaza Strip. West Bank residents who wish to move to live with their spouses in Gaza are made to sign a waiver that effectively relinquishes their rights to return

to the West Bank in the future. If a West Bank resident already living in Gaza hasn't yet signed the waiver, and wishes to visit the West Bank, even in humanitarian circumstances, he or she can be compelled to sign the waiver as a condition for travel.

› According to the criteria for travel, a Gaza resident can submit an application for a permit to attend the wedding of a first-degree relative in the West Bank, but not for the purpose of marrying a West Bank resident.

› Gaza residents are eligible to travel abroad through Jordan (via Erez Crossing and Allenby Bridge Crossing) for the purpose of academic studies, but are categorically denied the possibility of enrolling in West Bank universities. Israel allows Gaza residents to travel for "long-term stay" abroad for any purpose provided they sign a waiver forfeiting their right to request to return home to the Strip for at least six months. Long-term stays in Israel and the West Bank are never an option.

› Israel's restrictions on Gaza residents' access to the West Bank apply even if residents of the Strip seek to enter the West Bank, by traveling through Rafah and then via Jordan and Allenby Bridge Crossing without traveling through Israel.

## **Movement of Goods**

When the closure on Gaza was tightened in 2007, Israel banned virtually all exit of goods from the Strip, cutting it off from its most significant markets - Israel and the West Bank. Since late 2014, Israel has lifted some of its sweeping bans on the marketing of goods from Gaza, but it still imposes limitations on which goods and in what quantities can be sold in the West Bank and Israel. Importantly, Israel still wields exclusive control over trade between Gaza and the West Bank, Israel and abroad. Through this control, it continues to enforce the economic isolation of the Strip. Restrictions on sale of goods from Gaza in Israel have also been framed by Israeli officials as a means of differentiating between Gaza traders and West Bank traders, who are allowed to market goods in Israel. 📍