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# Trading in the Dark

A Guide to Israel's Unknowable Policy on Movement of Goods to and from the Gaza Strip

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# Introduction

Israel's direct and indirect control over the Gaza Strip's crossings give it full control over the types and quantities of goods that can exit Gaza and nearly exclusive power to decide what goods can enter the Strip. Until 2007, four commercial crossings [operated](#) between Israel and the Gaza Strip, but for upwards of a decade, Kerem Shalom Crossing has been the only commercial crossing between Gaza, Israel and the West Bank.

The [Salah a-Din Gate](#) on the Gaza-Egypt border began operating in February 2018, allowing small-scale entry of goods into Gaza. The gate is run by private companies under the supervision of the Egyptian military and Hamas authorities. Salah a-Din gate is incapable of meeting even the most basic needs of Gaza's economy as it does not enable export abroad, and in any event, the lion's share of Gaza's commerce is with Israel and the West Bank, which the gate with Egypt cannot facilitate. Export abroad from Gaza takes place through Kerem Shalom Crossing, and is therefore dependent on Israeli approval as well (see further information about the crossing [here](#)). In August 2021, five trucks of scrap metal were allowed to exit the Strip via Salah a-Din, the first time since 2007 that Egypt allowed truckloads of goods from Gaza to cross into its territory.

Since June 2010, when Israel's Security Cabinet issued a [six-point-plan](#) designed to "ease" access for civilian goods entering Gaza, Israel has ostensibly allowed a large variety of goods to enter the Strip. However, Israel continues to deny and delay access to essential goods by listing many items as "[dual-use](#)," i.e., equipment and materials used for civilian purposes that may also have a military use.

In addition to ongoing [collective punishment](#) imposed by Israel in the form of the closure, Israel also frequently uses its control over commercial access as a means of punishment and coercion by blocking the entry of essential goods such as electricity, cooking gas, and fuel. This unlawful practice has been used by Israel [throughout the years](#), unilaterally and [without warning](#), including during the [coronavirus pandemic](#).

Despite restrictions enforced on movement of goods, goods exit and enter the Strip, movement which is vital for a functioning economy, but is currently far from sufficient. The following document compiles Gisha's knowledge about the types of goods that can be moved into and out of Gaza under Israel's current policy, and points to the Israeli procedures and forms that must be followed and submitted in order to do so. It supplements a previous publication by Gisha, [Access Kit – A guide to procedures and protocols that regulate access to and from the Gaza Strip](#), which provided information about Israel's policies regarding movement of people to and from the Strip. Both publications aim to shed light on the complicated and non-transparent bureaucracy through which Israel controls and restricts travel and transit of goods. Gisha's many years of experience and legal work have revealed that it is impossible to obtain full, transparent information about Israel's policy because even where there are procedures in place, they do not necessarily reflect practice on the ground. The procedures and directives regarding movement of goods reflect an intentional lack of clarity about whether Israel considers various types of goods to be "dual-use" or not. The inconsistency and ambiguity surrounding Israel's policy and its implementation in fact attest to its use of its ongoing control as an instrument of pressure, oppression, and punishment.

# Entry of goods

The entry of goods into Gaza via Kerem Shalom Crossing is subject to Israeli permission. Israel ostensibly allows a wide range of goods to enter the Gaza Strip, but in practice, the entry of goods is restricted because a vast number of items fall under Israel's broad and inconsistent classification of "[dual-use goods](#)." This section addresses goods that are not categorized as "dual-use" by Israel (for more on entry of dual-use items, see next section).

The provisions relevant for the entry of non-dual-use goods are set in the [Procedure for Coordination of Entry of Goods into the Gaza Strip](#) (Hebrew), which establishes the bureaucratic process for coordinating their entry. According to the procedure, although any goods that Israel has not restricted can be brought into the Strip, the quantities are subject to the [Kerem Shalom Crossing](#)'s capacity, and applications for coordination must be filed in advance. Coordination requests are submitted through the Office for the Coordination of Goods at the Palestinian Civil Affairs Committee (PCAC) in Gaza. The PCAC is subordinate to the Palestinian Authority's Ministry of Civil Affairs. Israel requires a list of all items entering, detailing the type of goods, their origin, the Israeli trucking company delivering them to Kerem Shalom and the recipient of the goods on the Palestinian side. The PCAC transfers applications for commercial coordination to Israel's Gaza Coordination and Liaison Administration (Gaza CLA), an operational unit of the Coordinator of Government Activities in the Territories (COGAT), which is itself subordinate to Israel's Ministry of Defense. The Head of the Gaza CLA Economic Division

is the receiving officer for all applications, which are then forwarded to other officials as necessary. The CLA is meant to approve applications provided the goods are not determined to be dual-use. Examples of patently non dual-use goods, the entry of which is therefore subject to this protocol, include fuel, food (including agricultural produce and processed foods for human and animal consumption), textiles, and hygiene products.

For further information about the entry of goods into the Gaza Strip via Kerem Shalom Crossing over the years, see [here](#).

## Fuel

Israel sells fuel to the Palestinian Authority and the private sector, which enters Gaza via Kerem Shalom Crossing. Given that Kerem Shalom currently lacks the facilities needed to store fuel, its transfer must be conducted from an Israeli fuel tanker directly to a Palestinian tanker at the crossing (through underground pipelines), which is time consuming. Direct tanker-to-tanker fuel transfers also preclude accurate measuring of quantities. Palestinian traders report discrepancies of thousands of liters, which can amount to hundreds of thousands of shekels in losses each month.

Israel has exploited its control of the crossing to block the entry of fuel [time](#) and [again](#), a measure that constitutes prohibited collective punishment and has [immediate, grave](#) repercussions for the health and food security of Gaza's population and for the local economy. Despite all this, Israel employed this illegal practice even [during the coronavirus pandemic](#), throughout the [May 2021 military operation](#), and immediately [after it](#).

## Medical equipment

Medical equipment is brought into Gaza under the [Procedure for Transport of Medicine and Medical Equipment into the Gaza Strip](#) (Hebrew). The procedure states that



coordination for the entry of these items will be prioritized. However, Israel often considers medical equipment to be dual-use, and therefore subject to receipt of a special permit. Applications to bring in non-dual-use medical equipment are submitted via the PCAC's Office for the Coordination of Goods, along with a packing slip or original invoice listing the goods to be included in the shipment. Additional information is also required, including the quantity and source of the goods, their recipient in Gaza, and the trucking company's details.

## Motor vehicles and spare parts

Israel permits the entry of private motor vehicles, provided they do not have four-wheel-drive, via Erez Crossing. Other vehicles, such as two-wheeled motor vehicles, are considered dual-use and therefore require special approval. In 2014, Israel [announced](#) it would allow the entry of used cars into the Gaza Strip as well.

Car parts and engines are subject to two protocols regulating transit via Kerem Shalom. According to the [Protocol on the Transfer of Car Parts into the Gaza Strip](#) (Hebrew), new and used parts may be brought into the Strip "occasionally." An application to bring in parts must be submitted on behalf of an authorized importer in Gaza via the Palestinian Authority's Ministry of Transportation. Applications must include all the importer's information (including import license), details about the imported items (including invoices), and the trucking company's details (including truck details). The protocol clarifies that goods are transferred subject to further approvals from security authorities and according to the dual-use list. The protocol lacks concrete information about this approval, and does not refer to other protocols.

Car engines are brought in to Gaza under a separate protocol, the [Protocol on the Entry of Private Vehicle Engines into the Gaza Strip](#) (Hebrew), according to which new and used engines (other than for vehicles with four-wheel drive) may be brought in. The application submission and approval process is similar to the one applicable to other car



parts, as described above, and it is unclear why there is a separate protocol for engines. The protocol notes that the Israel Police must be notified on the transit of engines so that it can take part in their inspection.

## Mail (packages)

The [Procedure for Sending Post between Israel and the Gaza Strip](#) (Hebrew), dated July 2013, stipulates that mail items from Israel, the West Bank, and received via private courier companies are transferred into Gaza via Erez Crossing five days per week. According to Gisha's sources, in previous years, mail transfer was conducted three times per week and in the past year, just once per week. All mail items go through security scanners, and Palestinian mail is also checked by sniffer dogs. If security checks reveal an item that Israel considers dual-use was sent without the required approvals, it is forwarded to the Ministry of Justice Assets Forfeiture Unit and notification is provided to the PCAC. Forfeitures can be appealed in writing to the Head of the National Bureau for Counter Terror Financing at Israel's Ministry of Defense.

Although every single mail item is screened individually, Israel [blocked mail service](#) into Gaza in 2016, claiming it had uncovered cases in which dual-use items were smuggled for "terrorist purposes." The protocol does not include information on what can and cannot be sent to Gaza by mail, citing only a weight restriction (up to 20 kg) and a prohibition on sending food and medicine. However, Gisha is aware that Israel does not permit sending electrical appliances to Gaza by mail without approval, to name one example.

According to [information received](#) (Hebrew) by Gisha, packages may not contain more than one product and cannot exceed 5 kg. As a rule, postal services may not be used for commercial purposes and are difficult to use for private needs, in part because Israel does not allow online tracking of postal items. Israel also precludes the return of postal items mistakenly delivered to Gaza.

# Dual-use goods

The [Procedure for Approval and Coordination of Transport of Goods into the Gaza Strip](#), dated August 2018, regulates the entry of dual-use items into the Strip. The protocol states that the restrictions it lists rely on the [Defense Export Control Law - 2007](#) and the [Control Order](#) issued pursuant to it. Additional restrictions are imposed pursuant to the power vested in the Coordinator of Government Activities in the Territories (COGAT) to require a permit for items that are not listed in the Control Order, ostensibly granted in a Security Cabinet decision referred to as no. B/44 from 2010. The resolution was never made public, and its content is unknown.

The Control Order lists scores of items defined as “controlled,” meaning they require a special permit to be transferred. The list is complicated and vague, oscillating between extremely broad definitions and extremely specific ones. For example, the list includes “parachutes, windsurfers and model airplanes” (Section 47 of the first addendum), as well as “vinyl ester accelerant....” (Section 13 of the second addendum). An ordinary supplier who imports goods into the Strip cannot always know whether the goods he or she purchased contain materials included in the controlled items list. The protocol states that where there is doubt about whether a certain item is included in the Control Order or in the directives issued by COGAT, an application must be submitted for special permission.

The sanctions for transferring dual-use equipment without approval are extremely heavy, and they impact not only the supplier who ordered the goods but also all parties involved in their transport, such as the truck driver, and even other suppliers whose goods arrived in the same shipment. The [Counter-Terrorism Law](#) (Hebrew) stipulates that any “property seized at the border crossing between Israel and the Gaza Strip, that was not reported despite being subject to a reporting requirement, without the necessary authorization or where there was an attempt to conceal it and smuggle it...” is connected to terrorism and may therefore be subjected to a seizure and forfeiture order. The Defense Export Control Law defines the transfer of dual-use items without a permit as criminal.

Given the complexity and ambiguity of the dual-use list, its inclusion of broad, general definitions, and the fact that it is only officially made available in Hebrew, the presumption that any Gaza residents that have not received a dual-use permit intend to harm Israel’s national security is extremely unreasonable. It results in a disproportionate violation of Gaza suppliers’ rights to property and freedom of occupation.

According to the procedure, the decision to approve applications for dual-use permits are based on considerations related to the type of item requested, the identity of the applicant and the end-user, and the item’s intended use, all of which must be listed in the application. Different submission rules apply depending on the items requested, and, similarly, different officials provide the approval. For instance, applications for chemical agents are submitted by suppliers, whereas applications for vehicle parts are submitted by the authorized vehicle importer in Gaza through the Palestinian Authority’s Ministry of Transportation.

According to the procedure, applications must ostensibly be answered within 45 days, but the officials reviewing the applications have the discretion to require further information, and, in such cases, the 45 days begin upon their receipt of further information. From Gisha’s experience, it is difficult to obtain information about the application status or the reasons for any delays – which can reach months and even years.

It is important to note that the procedure does not answer all needs for dual-use items, including the following needs, which are listed in the document as follows: (1)

Approval for projects in Gaza that include a “permit for transport of goods;” (2) work with international organizations that require such permits; (3) coordination under the Gaza Reconstruction Mechanism, and; (4) obtaining a license or coordinating transit of items that fall under the purview of the Defense Export Department in Israel’s Ministry of Defense.

## Electronics and communication devices

Israel’s list of dual-use items includes a sweeping category of “communications equipment” or “communications support equipment.” Gisha obtained a list, compiled for customs agents, that details some items that are included under this category such as fax machines, recording devices, telephone devices, and more (see more information [here](#), p. 19). Additional items needed for communication networks also fall under this category, including cables, optical fibers, routers, microwave devices (which connect between cables in different hubs), and receivers.

To bring communications equipment into the Strip, an application must be submitted through an Israeli government website ([Hebrew/Arabic/English](#)), using an online form (available in [Hebrew and English](#) only).

In February 2020, [Israel blocked](#) the entry of all communications equipment into Gaza as punishment for a [break-in at a Palestinian communications company’s warehouse](#). Following [intervention by Gisha](#), Israel restored permission for the entry of communications equipment, but volumes have since been smaller, and approvals are only issued [sporadically](#).

## Fishing boats and equipment

Israel enforces a sweeping ban on the entry of new boats into the Gaza Strip. As a rule, only boat parts are permitted entry, but even bringing in these and other fishing

equipment encounters difficulties, and in most cases, Israel [denies](#) the entry of the various materials required for the proper maintenance and operation of boats that it considers dual-use. In addition to these difficulties, Gaza's fishing industry must also grapple with damage caused to fishing vessels and equipment [seized](#) by Israeli naval forces. In 2019, scores of fishing boats of varying size were being held by Israel after being seized and "forgotten" by the authorities. It took a [petition](#) filed by Gisha to have most of the boats returned to their owners in Gaza, most of them in bad shape and without their [engines](#).

## The Gaza Reconstruction Mechanism, GRM

The Gaza Reconstruction Mechanism, or GRM, is an agreement brokered by the United Nations between Israel and the Palestinian Authority, reached in the wake of the 2014 war. The GRM was meant to facilitate the entry of construction materials defined as dual-use into the Gaza Strip. It is currently the main way of bringing in so-called dual-use items, not just for reconstruction but also for construction and development in general. The GRM was designed such that UN officials are able to supervise every stage of the construction project, ostensibly to make sure the materials reach their intended users. Aggregate, some types of cement, and steel bars, the main items needed to build structures, were 'removed' from the dual-use list in the process described above by way of Security Cabinet decision no, B/44 in 2015, 2020, and 2021 respectively. The GRM continues to be used to monitor entry of other items needed for projects with a specific start and end date.

The GRM was intended as a temporary mechanism to facilitate access to construction materials at a time of severe need in Gaza. The fact that Israel has given itself license to approve or deny each and every item on its dual-use list for Gaza, and be given information about every supplier and end-user in Gaza, gives it disproportionate control and access to information. The dual-use policy in general, and the mechanism as a specific arm of that policy, has turned into a bureaucratic labyrinth that burdens those engaged in construction, industry, maintenance of infrastructure, and humanitarian and development efforts.

# Exit of goods

Israel and the West Bank are the natural markets for Gaza-made and grown goods given their geographic proximity and the social-cultural affinity between the areas. About 85 percent of all goods shipped for sale outside Gaza in the first half of 2007 (before the closure was tightened by Israel) were sold in Israel and the West Bank. In June 2007, after Hamas took control of the Strip, Israel forbade the sale of goods originating in Gaza in the West Bank and Israel, allowing only very limited export of produce from Gaza to Europe as part of a Dutch government aid project. Blocking access to markets outside the Strip has been a major factor in Gaza's economic decline, contributing to the collapse of numerous businesses and to the soaring unemployment rate.

From June 2007 to October 2014, only 14 truckloads of goods destined for sale abroad left Gaza on average each month, most of them carrying agricultural produce. This is just a fraction of the monthly average of trucks that exited Gaza before the closure was imposed. In late 2014, faced with the devastation created by the military offensive over the summer, Israel began allowing limited sales of Gaza-grown produce in the West Bank. In 2015, it added a quota of tomato and eggplant to be sold in Israel, later permitting a few other types of goods to be sold in Israel and the West Bank. Israel currently allows limited amounts of [tomato and eggplant](#) from Gaza to be sold in its territory, as well as textiles, furniture, and scrap metal. Israel also allows exit of pepper and zucchini but these types of produce are not currently marketed due to bureaucratic difficulties at Kerem Shalom.

In 2019, an average of [262 trucks](#) exited Gaza via Kerem Shalom each month. In 2020, the monthly average was 265. To this day, the [restrictions](#) on exit of goods from Gaza, particularly to Israel and the West Bank continue to act as a major impediment to economic activity and make significant [development](#) difficult.

The sale of Gaza goods in the West Bank is subject to numerous restrictions imposed by Israel. The reasoning behind which items are prohibited and which are permitted for sale is [entirely unclear](#). Even when certain items are not prohibited, they cannot always be shipped out in practice. In some sectors, such as processed foods, Israel delayed on the creation of a [system that would allow exit of goods](#), and it has it claimed that applications to coordinate the exit of goods for sale outside Gaza [were never received](#), and therefore never processed. Even if all the arrangements are made in advance, there is always a chance that Israel will [unexpectedly decide to close the crossing](#) (Hebrew).

While Israel places few, if any, restrictions on exports from Gaza abroad, without access to shipping via air or sea, goods can only be transported from Gaza abroad by land via Allenby Bridge Crossing, or through a port or airport outside Gaza, making shipping costs prohibitive.

The [Procedure for Export of Goods from the Gaza Strip](#) (Hebrew), made public in 2019, is short on details and fails to address the complexity involved in export or the immense importance of developing it. According to the procedure, shipping goods out of Gaza for export abroad requires coordination between the Palestinian Authority's Commercial Coordinator and the Israeli Gaza CLA. The volume of goods permitted for export depends on capacity at Kerem Shalom Crossing and is subject to the protocols issued by Israel's Customs and Tax Authority, Ministry of Agriculture, Ministry of Health, and Ministry of Economics, as well as "security restrictions."

For further information about the exit of goods from Gaza via Kerem Shalom Crossing over the years, see [here](#).

## Agricultural produce

Israel maintains a short, limited list of agricultural products from Gaza permitted for sale in the West Bank, and a much shorter one of produce permitted for sale in Israel. However, a combination of extensive restrictions and a rigid, complex bureaucracy prevent Gaza's agricultural sector from [developing and thriving](#). In 2019, following a petition filed by Gisha, Israel's Ministry of Health posted the [Procedure for the Transfer of Fresh Produce from the Gaza Strip to the West Bank](#) (Hebrew), which had previously been unavailable to the public. The procedure notes that the types of produce permitted for sale are determined based on phytosanitary considerations reviewed by the Quarantine Division of the Plant Protection and Control Department at the Ministry of Agriculture.

The procedure contains a list of Gaza-grown produce permitted by Israel for sale in the West Bank, including tomato, pepper, eggplant, strawberry, cabbage, cauliflower, dates, cucumber, zucchini, onion, and sweet potato. The procedure notes that the list is not exhaustive and that applications can be made for other types of produce. Though the procedure states that the list will be reconsidered and updated periodically, as far as Gisha is aware, the list has never been changed. While the procedure ignores the issue of prohibited produce, the [state's response in a High Court case](#) suggests that there is also a list of prohibited types of produce, drawn in 2014 and never publicized. Some of the items included in this list are guavas, citrus fruit, peach, figs, apricots, plums, herbs and potatoes. When Gisha asked the Ministry of Agriculture how flowers from Gaza can be sold in the West Bank, we learned that flowers are banned for sale.

The [Procedure for the Transfer of Fresh Produce from the Gaza Strip to Israel](#) (Hebrew) was also made public in 2019 following Gisha's petition. While Israel imports large quantities of produce from abroad, it only allows Gaza farmers to sell tomatoes (subject to a quota of 400 tons per month) and eggplants (subject to a quota of 50 tons per month).

Both procedures on the sale of produce from Gaza specify how the produce must be prepared and packed and what phytosanitary tests must be conducted in Gaza and

in Israel to ensure the produce is pest-free. The procedures also note that the Plant Protection Supervisor in Israel may disqualify a shipment or require further tests, paid for by the supplier.

## Processed foods

From 2007 to late 2020, processed food manufacturers from Gaza [were blocked from selling their products in the West Bank and Israel](#). In response to a petition filed by Gisha on behalf of an industry leader in Gaza in 2018, the state said: “According to the policy currently in place, there is no general ban on the transfer of goods from the Gaza Strip via Israel for the purpose of transport abroad or to the West Bank.” However, the state also noted that every application to transfer processed foods out of Gaza would be considered with attention to public health considerations, among others, an issue under the purview of the Ministry of Health. Repeated inquiries with the Israeli Ministry of Health on this matter indicate that in contradiction to the state’s claims, the exit of processed foods was effectively banned given the numerous bureaucratic hurdles involved in doing so.

The [Procedure on the Sale of Goods outside the Gaza Strip](#) (Hebrew) states that the sale of food products requires the approval of the Food Administration within Israel’s Ministry of Health. Responding to our repeated inquiries, the Ministry of Health [eventually provided information](#) on the sale of Gaza-made processed foods in late 2019. The process for obtaining approval for exit of food products involves meeting many requirements, including proof that the manufacturing factory uses a quality control system meeting the international ISO 22000 standard, and subject to supervision by the Dutch government. According to a list the Ministry of Health provided to Gisha, only eight factories in the Gaza Strip meet these requirements. When processed food manufacturers from Gaza contacted the Gaza CLA, they were informed that approval from the Palestinian Authority’s Ministry of Health in the West Bank was a prerequisite for submitting their applications.

In late November 2020, for the first time in 13 years, a large factory in Gaza (one of the eight approved) managed to finally market its goods in the West Bank. There are currently only two known factories in Gaza that have successfully coordinated the exit of processed food products (mostly snacks) for sale in the West Bank and abroad. No factory in the Strip has a permit to market its products in Israel.

## Export of processed food abroad

The [Procedure for Exporting Goods from Gaza Abroad](#) was finalized by the Ministry of Health in February 2020, in coordination with COGAT and other entities. According to the existing arrangement, processed food shipments must be closed with seals, which are tested both at Kerem Shalom Crossing and at the point of access abroad. The Israeli Ministry of Health explains that this requirement is meant to ensure that goods from Gaza do not trickle into Israel. Few Gaza factories have managed to export their products abroad so far.

## Textile and furniture

In November 2014, the first truckload of Gaza-made clothing left for the West Bank. In 2015, clearance was given for the sale of textiles and furniture in Israel as well, albeit on a very limited scale. Like agricultural produce, the sale of these products has run up against [many indirect obstacles](#). The main difficulty lies with the [severe restrictions Israel places on the entry of raw materials](#) essential for manufacturing textile products and furniture. These include wood planks beyond a certain thickness, paints and dyes, as well as glues. Israel considers these items dual-use, and although they are needed for patently civilian purposes, they are difficult to bring in, which hinders steady manufacturing and makes it difficult to meet supply commitments.

## Relevant bodies

**The Crossing Points Authority (CPA)** is responsible for operations at Kerem Shalom Crossing. The telephone number at the crossing is (+972)-89900200. According to the [CPA website](#) (Hebrew), the crossing is open for commercial transit of goods Sunday to Thursday from 6:00 AM to 5:30 PM. Trucks may enter the Israeli side of the crossing until 3:00 PM at latest.

The [Guide to Export and Import via Land Border Crossings and Commercial Crossings between Israel and the Palestinian Authority](#) (Hebrew) can be found on the **Israel Tax Authority** website. The guide lists the names of the relevant officials at the crossings and the commerce procedures at the crossing points. According to agreements periodically extended since the 1990s, Israel and the Palestinian Authority constitute a single customs envelope. The telephone number at the crossing is (+972)-89922687.

**The Ministry of Agriculture** is involved in the sale of agricultural produce from Gaza outside the Strip. The telephone number for the Central Enforcement and Investigation Unit is (+972)-89960919.

**The Gaza Coordination and Liaison Administration (CLA)**

operates Sunday through Thursday from 8:00 AM to 5:00 PM. The CLA may be reached via E-mail: [mnz@mgar.co.il](mailto:mnz@mgar.co.il), telephone: (+972)-747642929, and fax: (+972)-26599133.

## Kerem Shalom Crossing shipping fees

The Crossing Point Authority collects the following [fees](#) (Hebrew):

- 400 ILS** (approx. 125 USD) for a semi-trailer
- 700 ILS** (approx. 217 USD) for a double semi-trailer
- 250 ILS** (approx. 78 USD) for a double aggregate semi-trailer
- 350 ILS** (approx. 109 USD) for a gas tanker
- 500 ILS** (approx. 155 USD) for a fuel tanker

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