Separation of Families due to the Separation between the Gaza Strip and the West Bank

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Going to a family meal on Friday, visiting grandma, sisters meeting for a cup of coffee – all of these are regular activities that under normal circumstances are taken for granted. Now they have become a distant dream for Palestinian families divided between the Gaza Strip and the West Bank. Even basic, essential activities that are part and parcel of being a family such as helping out a sick relative, attending a sister's wedding, choosing where to live as a couple, or even just living under one roof as a family – all these have become privileges which not every family can enjoy.

The reason for this is that it has been Israel’s policy since 2000 to severely restrict travel between the Gaza Strip and the West Bank, especially movement from Gaza to the West Bank. Palestinians whose addresses are listed on their identity cards as being in Gaza, and who want to leave Gaza to spend some time in the West Bank, have an extremely hard time. This policy, which does not view family ties as an adequate reason to permit travel between the areas, has become much stricter over the last few years. Restrictions on travel to and from Gaza were stepped up by Israel in 2007 as part of its policies against the Hamas-led government. This policy is taking a heavy personal toll on women, men and children in Gaza and the West Bank, since many families have close relatives living in both areas.

The address listed on an identity card determines the fate of individuals and entire families: People who have lived in the West Bank for many years or even most of their lives, including those who were born in the West Bank, are treated by Israel as residents of Gaza if the address on their identity card indicates as much. Israel may remove them from the West Bank to Gaza or prevent them from leaving Gaza to return to the West Bank after a visit, causing them to be separated from their family in the West Bank. Those registered as Gaza residents do not have the option of changing their registered addresses, even if they have lived in the West Bank for many years, because Israel, which controls the Palestinian population registry, has refused to allow this for nearly a decade.
Gaza-born **Samir Abu Yusef** had been living in Qalqilya in the West Bank since 1990. While there, he studied to become a carpenter, married Kawthar, had four children, and earned his living. In early 2008, Samir was arrested after he entered Israel without a permit for his work. Despite stating that his place of residence for the past 18 years had been Qalqilya, and asking that he be able to return there to his wife and four children, Samir was removed to the Gaza Strip based solely upon the fact that a Gaza address was listed on his identity card. Samir was separated from his wife and children for more than two years, causing the family immeasurable anguish as well as severe financial problems. The applications submitted by Samir in Gaza to be allowed to return to his home and family were rejected because they did not fulfill the strict criteria set by Israel for a permit to travel to the West Bank. Israel also refused an application from Kawthar and the children to visit Samir in Gaza, for the same reason. At the end of December 2009, Gisha petitioned the High Court of Justice asking the State to allow Samir to return to his wife, children and home in Qalqilya. Following the petition, the State finally acceded, and after several months allowed Samir to exit Gaza. On March 22, 2010, after more than two years of separation, Samir returned to his home and reunited with his wife and children.

“Two years have passed since I saw my children. I yearn to touch them, to watch them growing up, to hug them. [...] It’s very hard for me to be far away from them. Sometimes I avoid talking to my children because I can’t bring myself to hear their voices. I feel like I’m going to collapse. [...] The holiday season is the hardest time for me. [...] On the holiday, I stay alone in my room and cry and scream like a madman. [...] What have my children done to deserve such a terrible punishment – to live without a father?”

(Samir Abu Yusef, Oct. 27, 2009)

Many other Gaza-born Palestinians who have settled in the West Bank are living in constant fear of removal to Gaza. They move around the West Bank as little as possible for fear that they will be detained at a checkpoint, they don’t travel abroad, they don’t visit their parents in Gaza - all for fear that they will not be able to return to their homes and families in the West Bank. That’s what happened to Gaza-born **Ahmed Alul**, 34, who moved to Tulkarm in 1996 for his job with the Palestinian Authority. There he married Samar and together they had

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1 HCJ 10433/09 *Abu Yusif v. The IDF Commander in the West Bank* (unpublished).
a son, Raed. In April 2001, Ahmed traveled to Gaza to visit his parents and family, who he had not seen for four years. When he wanted to return to his wife and baby in the West Bank, he found that the doors were closed to him, and he has not been able to leave the Gaza Strip since. For lack of any other option, the family would meet only once a year, when Samar, Raed and Basel, who was born later, visited the Gaza Strip. During their last visit to Gaza, in February 2007, Samar and her children were not allowed to return to the West Bank due to the tightening of the closure. With the intervention of Gisha, they managed to return to their home in August 2009, but Israel still refuses to let the father of the family leave Gaza. The family has been divided since. Samar said:

“It’s hard for me to raise two boys by myself. I am both father and mother to them. It’s especially hard during the holidays, when we see all the families together and we feel the need for him to be with us here. [...] When there are PTA meetings at the boys’ school, the father of the family is usually the one to attend, and so my brother needs to take his place there, but no one can fill his place as their real father”.

Under normal circumstances, a married couple is free to make a home anywhere in their country. But a Palestinian man or woman from Gaza whose spouse is from the West Bank is not entitled to live there. On the other hand, Israel tends to allow West Bank residents to move to the Gaza Strip with their families, creating a one-way option for these couples. This policy puts pressure on Palestinians wishing to maintain their family unit to relocate to Gaza from the West Bank. In doing so, they take a risk that it will be very hard or impossible for them to return to the West Bank, which is often the location of their homes, their jobs and their family and social support network. Under normal circumstances, a family may choose to move to a different place based on considerations of employment opportunities, proximity to family, and sentimental attachment. A family living in Gaza does not have the option of moving to the West Bank as a family. West Bank-born residents of Gaza face an impossible choice: They can live with their spouse in Gaza, separated from their parents and siblings in the West Bank for years on end, or they can return to their place of birth and live near their aged parents and the rest of their family, but be separated from their spouse who, due to the address on their identity card, may not leave the Gaza Strip.

Qalqilya-born Sahar Abu Sa’ad, 28, married Gaza-born Jamal, while he was working in the West Bank. Due to Jamal’s inability to exit Gaza following his visit there, Sahar moved to Gaza, and their three children were born there: Firas (now 8), Sujud (6) and Habib al-Rahman (2). Sahar hasn’t seen her family in the West Bank for years:
“The feeling is horrible when I cannot go and visit my old 75-year old mother, who is sick with diabetes and high blood pressure. I’m very concerned I might not be able to see her before her death. I miss her very much as well my eight brothers and two sisters, all of whom live in the West Bank”.

Following comprehensive efforts – with the involvement of Gisha - Sahar and her three children managed to move to the West Bank in June 2009. Jamal was not allowed to leave, and remained in Gaza on his own. Because of this, Sahar’s success in returning to live in her hometown and near her parents forced her be separated from her spouse:

“We are both in a very hard mental state due to the separation. [...] The responsibility is very big: when I was near Jamal I didn’t have to worry, because he was the one that took upon himself all the responsibility for rearing and educating the children. Today I carry all the burden on my own [...] Jamal says he cannot continue to live away from me and the children. The children also keep begging to see their father, they miss him a lot”.

In the exceptional cases where a permit to move from Gaza to the West Bank is issued, it is still a very hard decision, due to the fear that those who move will not be permitted to return to Gaza. Nablus-born Mai Jaber, 29, married Ahmed from Gaza in 2003, and moved there to live with him. Their three children were born there. Over the past six years, Mai had only seen her mother for a period of one week, and she had not seen the rest of her family at all. With Gisha’s help, Mai obtained a permit to visit her parents, brothers and sisters in the West Bank in late August 2009. After spending the holidays with her family in the West Bank, in mid-October Mai submitted an application to Israel for permission to go back to the Gaza Strip with her children, in order to return to their home and the father of the family, who is waiting for them there. Her application went unanswered, and Gisha contacted the Israeli authorities on her behalf over and over again. For more than two months the children and their mother were separated from the father of the family and their home against their will. Only following a pre-petition letter submitted by Gisha, were Mai and her children allowed to return home on December 23, 2009. Uncertainty regarding whether Palestinians living in Gaza will be able to return to Gaza deters many of them from visiting their relatives in the West Bank or moving to live near them.
It is sometimes easier for Gaza residents to visit a parent or close relative after they have passed away to participate in mourning rituals than it is to enjoy a visit with a parent who is still living. A pair of sisters from Khan Yunis that were represented by Gisha had not seen their father or the rest of their family in Nablus for six years. When their father died, in August 2009, Israel granted their application to travel to Nablus for a few days to participate in the mourning rituals within one day.

Leaving Gaza involves hardships and difficulties even in extreme cases, such as with female victims of spousal abuse who want to seek shelter and safety with their parents in the West Bank. Kifah (not her real name), a West Bank-born woman in her thirties, was married to a Gaza resident and moved to Gaza to live with him. At the demand of his family, Kifah changed the address on her identity card to the Gaza Strip. For years, Kifah was subjected to physical and emotional abuse by her husband, who neglected her and their children. In June 2009, the couple divorced. For the next four months, Kifah and her children lived in cramped quarters with neighbors, lacking any financial support and suffering from extreme stress and deep depression. Israel refused her application to move to the West Bank, and only following a pre-petition letter filed by Gisha on her behalf in October 2009, did the State allow Kifah and her children to move to the West Bank.

The restrictions on travel between the two areas are so severe that it easier for Palestinians living in Gaza to meet their West Bank family members abroad than within the Palestinian territory even despite the fact that it is very difficult for Gaza residents to cross to Egypt via the Rafah crossing, which is closed most of the time. Rehab Abu Hashish, 28, of Gaza, began her studies at Birzeit University in the West Bank in 1999. There she met Ali, a West Bank resident, and the couple decided to marry. In 2004, upon finishing her degree, Rehab traveled to Gaza to visit her parents, who she had not seen for a long time. After that, for the next three years, Rehab could not obtain a permit to travel back to the West Bank, so that she could return to Ali and marry him. In desperation, the couple decided to travel abroad in order to meet and get married. They met in Egypt in 2007, where Rehab managed to arrive via the Rafah Crossing. They married and moved to Dubai. The couple lived abroad for two years, waiting for the opportunity to return to the West Bank and make their home there. An application submitted by Gisha on Rehab’s behalf, requesting permission to enter the West Bank from Jordan via the Allenby Bridge border crossing, was not granted by Israel. In late 2009, Rehab returned to Gaza and Ali returned to the West Bank. They are still hoping that eventually they will be able to live together in the West Bank.

Traveling via Israel, which is the most direct way to get from Gaza to the West Bank, is not the only impediment to family meetings in the West Bank. Gaza residents who manage to leave the Strip and travel abroad are also prevented from entering the West Bank via the Allenby Bridge to be reunited with their families. For example, Mohammed Abu Aishah, 22, was born in Jordan and moved to the West Bank with his family when he was eight years old. On their
identity cards, Mohammed and his adult brothers are listed as residents of Gaza, even though they never lived there. This is because their mother was originally registered in Gaza, despite not having lived there for decades. In February 2007, Mohammed entered Gaza to visit his brother Ibrahim, who was forcibly removed to Gaza by Israel after being released from administrative detention, even though he had never lived in Gaza. After that, for more than two years, Mohammed had to stay in Gaza against his will, while his applications to return to his home and his parents, brothers, and sisters living in Bethlehem went unanswered. Having despaired of his attempts to travel from Gaza to the West Bank through Israel, Mohammed went to Egypt via the Rafah Crossing and from there to Jordan, in the hope that he would be able to get back into the West Bank from via Allenby Bridge. Since April 2009, Mohammed has been living in Jordan under impoverished conditions because Israeli authorities refuse to grant his application, submitted by Gisha, to allow him to enter the West Bank via the Allenby Bridge border crossing between Jordan and the West Bank.

"[...] I only intended to stay [in Gaza] for a short visit and then return to my home and family in the West Bank. I couldn’t go on living in Gaza. The two-and-a-half years I spent there were like hell for me. So I traveled to Jordan to try and get into the West Bank via the Allenby Bridge, hoping to go back home to my parents, but unfortunately I have not been successful here either. I am now 21-years old – a guy with no future, no profession, no livelihood, no roof over my head. For three years I’ve been busy trying to survive another day [...]".

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Residents of the West Bank and the Gaza Strip hold the same identity cards and live in areas that are supposed to constitute a single territorial entity, according to international accords signed by Israel. However, Israel’s policy of separation between the Gaza Strip and the West Bank is creating an almost impenetrable barrier between the two areas. The normal relationships of extended families have been disrupted, and even nuclear families have been pulled apart, with spouses separated and parents distanced from their children. The separation means that residents do not have the freedom to choose where they will live, and means that they must face impossible choices which involve either forgoing proximity to beloved family members or distancing themselves from the place they call home. Through its tendency to allow West Bank residents to move to the Gaza Strip, Israel leaves only a one-way option for these families. This puts pressure on Palestinians who want to maintain their family unit to move to Gaza from the West Bank.