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The Israeli Permit Regime: Realities and Challenges

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Abstract

The movement of the Palestinians in the West Bank or Gaza Strip is restricted. They cannot enter Israel or illegal settlements in the West Bank without obtaining the required permits. Moreover, movement isn't possible between Gaza and the West Bank - residents can't move to either area without permits. These travel permits are issued by the Israeli Civil Administration. This military permit regime, founded in 1991, effectively controls the civil affairs of Palestinians including travel, work, and healthcare capacities. Continuing until now, the permit regime with new bureaucratic regulations was set up when the "Separation Wall" was built in 2002. As a result, the geographic continuity between the Palestinian Territories and Israel was physically blocked, necessitating permanent military checkpoints and access permits. It also created isolated localities behind called the "seam zone," whose residents are constantly in need of permits. This study highlights the Israeli mechanisms of issuing different types of permits and the regime's justifications. It also analyzes the socioeconomic implications of this regime and how it serves an oppressive political agenda.

Key words: permit, the seam zone, the separation wall, geopolitics, settlements.

Introduction

The Israeli permit regime is a bureaucratic military system governing the movement of Palestinians into Israel and the settlements. It's applied only to Palestinian citizens in both the West Bank and Gaza Strip, including the isolated localities behind the Separation Wall. It includes closures, entry and travel permits, land appropriation, house demolitions, evictions, population transfer plans, and the regulation of urban activities in area "C," that the Israeli Civil Administration controls. (Sultan, 2015)

Based on these regulations, no Palestinian resident can get into the "Green Line"¹ or illegal settlements in the occupied territories without the required permits. (Cahana and Yonatan Kanonich, 2013)

¹-"The Green Line is a term used to delineate the demarcation line between Israel, Jordan, Egypt and Syria from the period following Israel's 1948 Independence War until the 1967 Six Day War when Israel captured the West Bank, and East Jerusalem from Jordan, the Gaza Strip from Egypt, and the Golan Heights from Syria. It is reportedly named for the green pen used by officers negotiating the armistice in 1949 to delineate the borders between the countries.

However, in March 2015, Israeli authorities stepped up to facilitate the movement of some Palestinian travelers. They allowed women over 50 years old and men over 55 years old to enter without permits. No permits control East Jerusalem's residents' movement; they have a free accessibility across Israel as they hold permanent residency.²

Permits are issued temporarily for many purposes: livelihood, medical treatment, tourism, education, special and exceptional needs, family unification, etc. However, there are requirements that Palestinians must fulfill in order to get any of these permits. (Gisha, 2017) They can also be revoked whenever there is a problem justifying the revocation, according to the Israeli Intelligence Service. Therefore, these permits don't provide Palestinians with permanent rights of free movement, rights to live in the State of Israel, or the same civil rights as Israeli citizens.³ However, the right to fair wages and compensation at the workplaces or hospitals is ensured with legal employment. (OCHA, 2016)

The Israeli Civil Administration Authority hands the permits over to the Palestinian liaison office after issuing them. (WHO, 2013) Sometimes, the applicants are unsure about how long they will be permitted to stay in Israel. The duration is contingent on the security situation in general, and the individual's personal security record, in particular.⁴ Consequently, Palestinians sometimes find their permits withdrawn without a prior notification.⁵

The permit regime has numerous regulations to categorize the permits into many types. (Arij, 2013) They became even stricter after putting up the Separation Wall, which forced Palestinians to submit to a security system in which no one could pass without a scanning process at the checkpoints. (HAMOKED, 2011)

Today, the Green Line refers to the "pre June 1967" line in which Israeli territory does not include the West Bank, East Jerusalem, Gaza and the Golan, as compared to the "post 1967" line which includes all of those areas. It is the boundary that is most often the basis of land-for-peace proposals in Israeli-Palestinian negotiations." https://www.adl.org/education/resources/glossary-terms/the-green-line

²- The Washington Post, "A Palestinian's daily commute through an Israeli checkpoint,"

https://www.washingtonpost.com/graphics/world/occupied/checkpoint/?utm_term=.31c63777682d ³- OCHA- Occupied Palestinian Territory, https://www.ochaopt.org/theme/west-bank-barrier

⁴- Al-Jazeera, "Arbitrary permit laws for West Bank workers in Israel,"

http://www.aljazeera.com/news/2015/07/permit-laws-west-bank-workers-israel-150729094809544.html ⁵- The Jerusalem Post, "Shin Bet mulls renewed entry permits for Palestinians," <u>http://www.jpost.com/Israel-</u> News/Shin-Bet-mulls-renewed-entry-permits-for-Palestinians-452276

There is a harsh reality of obstacles and consequences endured by the Palestinians. This study is going to address them in-depth from different angles. The relevant issues to be explored in different sections are: the beginning of the permit regime and Israeli military blockades, types of permits given for various needs, applied mechanisms to get permits on both the Israeli and Palestinian sides, statistical analysis of the number of permits granted, prices charged for the work permits, the "brokering permits" phenomenon, and the sociopolitical impact of this regime.

1.1. The background of the Israeli permit regime

By the end of 1967, Israeli military forces seized the West Bank and Gaza Strip entirely, declaring them closed military zones. They were then administered by the military commander. (Handel, 2009) In 1972, the Israeli military leader Moshe Dayan declared the "Open Borders" policy. (Gazit, 2003) by which Palestinians were granted general exit permission in order to integrate them into the Israeli labor force. They enjoyed relatively free movement until the end of the second half of 1980s. (Parizot, 2017)

With the eruption of the first Intifada "uprising" in 1987, and the deteriorating security situation, the Israeli army completely restrained Palestinian movement applying security mechanisms like curfews and closures. (Hass, 2002) The freedom of movement between the West Bank and Gaza Strip, including inside the "Green Line," was denied to the Palestinians. Travelling abroad was also restricted under the pretext of security. (Abu Zahra and Adah Kay, 2012) This step aimed to thwart the expansion of the uprising. (CDS, 2015)

In 1988, the Israeli Civil Administration Office set up the first security measures vetting Palestinians from the Occupied Territories (OPT) by marking their ID cards. Green ID cards were issued to people forbidden entry to Israel, and red ID cards were issued to the rest of the Palestinian population. (Parizot, 2017)

In 1989, workers from the Gaza Strip were forced to get magnetic cards to access Israel, though this wasn't enough to guarantee receiving a permit (Smierat, 2013). In 1991, the general exit permit of 1972 was cancelled and replaced with a new policy. Based on this policy, Palestinians were required to get individual permits. This event marked the beginning of implementation of the "Permit Regime" in order to filter out Palestinian movement under security pretext in Israel. (BADIL, 2015) The permit regime contributed to demarcating Israeli-Palestinian spaces and the emerging segregation project supported by the former Israeli PM Yitzhak Rabin. (Zureik, et al, edited, 2011)

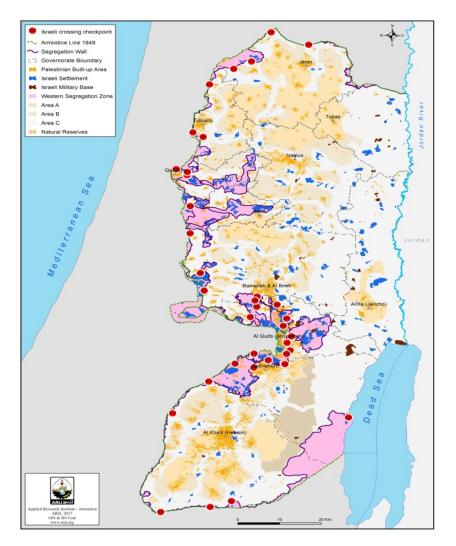
In 1996, the Israeli Civil Administration implemented another plan to limit the Palestinians' access to the illegal settlements in the West Bank and Gaza. This step guaranteed that "no Palestinian could get into any settlement with an unclean security record." Therefore, this added a new type of permit that Palestinians have to deal with until the present. (Kav LoOved, 2012)

After the failure of negotiations at Camp David in 2000, the Second Intifada "uprising" broke out. To control its expansion, the Israeli government decided to increase security measures by imposing complete closures on the Occupied Territories. Consequently, the Israeli military division used the permit system more strictly in order to protect security interests, including civilians from armed confrontation with Palestinian militants. (ACT, 2013)

Following the invasion of the Israeli army into Palestinian villages and cities, the uprising increased. The Israeli government tried to halt the intifada through violent repression, to no avail. It ended up building the Separation Wall in 2002. (Wannous, 2012) This created a new geopolitical reality in the Occupied Territories which significantly affected Palestinian freedom of movement. (NRC, 2015) Furthermore, the Israeli Permit Regime created new regulations that increased the types of access permits,⁶ which will be clarified in the next section.

The following map clarifies the route of the Separation Wall:

⁶- Standford Univerity Press Blog, "Israel's expanding permit regime," <u>http://stanfordpress.typepad.com/blog/2017/11/israels-expanding-permit-regime.html</u>

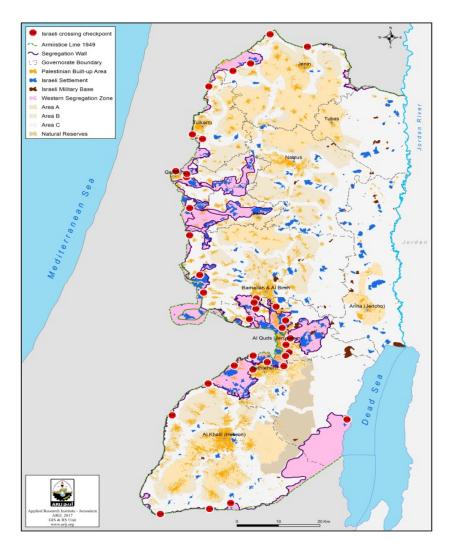


*Source: ARIJ Institute, 2017.

The Israeli reasoning regarding this wall is to prevent Palestinian armed groups from carrying out attacks. However, its consequences have caused the Palestinian population to endure much suffering in all walks of life. (Ibhais and Khaled Ayed, 2013) For instance, the wall de-facto annexed as much Palestinian-owned lands as possible, and didn't follow the "green line" of territory occupied in 1967. (Smith & Penny Green, 2014) It also created enclaves called the "seam zone" where residents are living without permanent rights of free movement. They are forced to attain permits to travel back and forth to their homes and localities. They're not even allowed to develop their dwellings or lands without prior permission from the Israeli Civil Administration Office.⁷

⁷- "A journey into the dark heart of the Israel's permit regime," <u>https://972mag.com/a-journey-into-the-dark-heart-of-israels-permit-regime/80096/</u>

In reality, the permit doesn't authorize its bearers to roam Israel freely. Their movement is still restricted based on the area which is specified on the permit. In other words, it's a purpose-based freedom which the permit determines. For instance, if the permit is issued for the "seam zone," the pinkish-colored areas clarified on the map below, its bearer cannot go to other areas inside the "Green Line." Otherwise, there will be legal implications.⁸ Moreover, the bearer of any kind of permit is still required to pass through checkpoints for security inspection.⁹ The following map clarifies the locations of the main checkpoints - see the spots - across the West Bank:



*Source: ARIJ, 2017

⁸- HRW, "Israel's Control of Palestinian Residency in the West Bank and Gaza," <u>https://www.hrw.org/report/2012/02/05/forget-about-him-hes-not-here/israels-control-palestinian-residency-west-bank-and</u> ⁹- MIFTAH, "Israeli Checkpoints in the Occupied Territories,"

⁻ MIFTAH, "Israeli Checkpoints in the Occupied Territories," <u>http://www.miftah.org/Display.cfm?DocId=14429&CategoryId=4</u>

In addition, there are wall gates for Palestinian farmers who pass through to their fields after getting the time-limited permits. The farmers don't pass without a military presence watching them. (Oxfam, 2010)

It's worth mentioning that the demand for permits, especially work permits, increased only after building the Separation Wall. The Palestinian workers hadn't resorted to the Israeli Civil Administration asking for entry permits. The borders were open, and the workers could get to their workplaces without barriers. Therefore, there are no exact statistics around these permits. Today, the process is strictly regulated and Palestinians from all categories are forced to get permits.

- The various needs for permits

The latest statistics show that the Israeli Civil Administration has 101 available types of permits issued to control Palestinian movement to several destinations: the areas inside Israel, Israeli settlements in the West Bank, passage between Gaza and the West Bank, Jerusalem, the "seam zone," and travel abroad via international borders. (BADIL, 2015)

The following table refers to 42 available needs of permits according to the Palestinian General Authority for Civil Affairs:

1- Special needs (Managers of institutions,	10- Passage via Ben Gurion Airport, available
the families of B.M.C. or V.I.B. Bearers, The	only for certain humanitarian cases and
Governorate of Civil Correlation Officers, and	B.M.C. cards bearers.
exceptional humanitarian cases).	
2- Medical Treatment includes three types,	11- Permanent civilians' permit (issued for
one for the patient, the escort, the	civil society organizations and engineers to,
physician, and the visitors).	first, oversee development projects. Second,
Note: Patients who are rejected because of	coordination to official delegations,
security reason, they must have to apply for	ministries and famers to take care of their
a medical permit two weeks before the	needs behind the wall).
medical appointment to decide on the case	,
whether allowing him/her to access the	
hospital or not.	
	12. The Coord Zone on the well's serve its
3-Visiting family, spouses and relatives	12- The Seam Zone or the wall's permits,
during the holidays.	(harvesting olives, green houses, and
	residencies). It includes 13 types.
4- Attending courts sessions.	13- Recreational permits.
5- Sorting out different matters at foreign	14- Family reunification permits (residency in
consulates and embassies	Israel)
6- Travelling via Ben Gurion Airport (Only for	15- Visits from Jordan

B.M.C. card bearers and their families.		
7- Business meetings.	16- Building permits especially in area C to	
	build houses, facilitiesetc.	
8- Social and humanitarian affairs, Attending	17- Trade permits, includes (renewing trade	
weddings, funerals (only for relatives from	permits, new trade permits, and special	
the first and second degree) for residents of	trade permits).	
the West Bank and Gaza.		
9-Worshipping at the holy sites in Jerusalem.	18- Searching for employment.	
*Source: The Coneral Authority for Civil Affairs Dalectine	2017	

*Source: The General Authority for Civil Affairs- Palestine, 2017

However, according to an Israeli source, the permit has 48 types. The following table clarifies types that aren't included in the list given by the Palestinian office:

1-Exceptional needs- school worker: - Teachers work in schools East Jerusalem.
-Workers employed in schools in East Jerusalem.
-Pupils attending school in East Jerusalem.
-Academic studies in Israel.
2- Medical training in Israel.
3- Professional training – Hi tech/ Hi Tech permits.
4- Permanent: -Construction
-Residential construction.
- Industry and services.
5- Permanent in special areas: - Hotels in East Jerusalem.
-Industrial Park Atarot.
6- Church worker: Palestinians for work in churches in Israel.
7-Religious worker: religious workers (clergy) for Jerusalem.
8- East Jerusalem electric company worker.
9- Waqf worker in Al-Aqasa compound
10- Assembly procedure: "workers in settlements accompanying their employer outside th
West Bank to install product at customer's home."
11- Palestinian official 1, "PA senior officials and other close associates of the PA chairman.
- "Palestinian Authority senior official 2 (various PA officials).
12- Exceptional needs – welfare (welfare needs in Israel).
13- Visiting a detainee: prison visits in Israel by detainees' families.
14- Personal needs, economic sector worker: "representatives of the principal corporation
with several subsidiaries, as well as the largest companies "such as Rawabi, Padico etc.
subject to request from the companies or corporations' management. Notably, this refer
to company representatives, not suppliers.
15- Exceptional needs: lodging in Israel, "permits issued for liaison officers and the
families, mechanism commanders and their families, Palestinian employees of the civ
administration and entry of journalists into Israel."
16- The humanitarian Arrangement in Jerusalem: "residents of the West Bank living with
the Jerusalem municipal boundaries and recognized by the Ministry of Interior as bein
entitled to receive permits under the humanitarian arrangement in this area."
17- Exceptional needs-Israeli organizations: NGOs recognized by the Ministry of Justic

promoting peace and amity, are entitled to issue permits for trips and conventions in Israel. For instance, Arava Institute.

*Source: Gisha, Israeli human rights NGO, 2017.

The biggest percentage of these permits are issued for working purposes either inside Israel, or in illegal settlements due to the dire need for livelihoods by the Palestinians.

The following table clarifies the statistics of work permits for the years of 2016-2017.

Permits in 2017-2016						
No.	The Governorate	The presented	The issued	The denied		
1 Ramallah		66985	51714	11897		
2	Al-Ram	43132	37730	5402		
3	Abu Dis	37567	31647	5920		
4	Jericho	24467	21402	3064		
5	Bethlehem	108006	49045	13746		
6	Halhul	19773	14097	5676		
7	Hebron	67940	48400	19540		
8	Dura	25662	18423	7239		
9	Yatta	18204	14752	3452		
Huy	Salfit	29295	27850	1445		
1	Nablus	69993	56456	13359		
1	Qalqilyia	56022	45845	10177		
1	Tulkarem	53814	38973	14841		
1	Jenin	65143	43621	14935		
1	Tubas	17034	14190	2844		
Total		703037	559145	133537		

*Source: The General Authority for Civil Affairs- Palestine, 2017.

However, the statistics of the entry permits to work in the settlements aren't included in the above table, due to refusal from the Palestinian side to handle such permits.

The head of the Palestinian Labor office Mr. Rabah Samarah stated, "The Israeli settlement permits are green-colored and issued through laborious relationships between the Palestinian business owners and their Israeli employers. The Palestinian contractor then hands in these permits to the Palestinian workers." He added, "We refuse to deal with the Israeli Civil Administration office in delivering them, given a political decision from the PA which considers them illegal, because these settlements are illegal according to international law."

Concerning the latest statistic around the number of permits that have been issued to work in the settlements, Mr. Samarah said, "We don't have exact information on this matter. I, however, could estimate by saying that there have been 30.000 permits issued to work in the Israeli settlements across the West Bank in both construction and agricultural fields."

Medical treatment permits are issued to the Palestinians who are in need of medical treatment at either Israeli hospitals or Palestinian hospitals that are located in East Jerusalem, like Al-Maqased hospital.

The following table clarifies the number of these permits that were issued in 2016.

	Medical treatment permits 2016						
No.	The Governorate	The presented	The issued	The denied			
1.	Ramallah	24891	18139	4080			
2.	Al-Ram	15638	13076	2562			
3.	Abu Dis	23090	19958	3114			
4.	Jericho	24467	17777	6699			
5.	Bethlehem	28061	24053	3980			
6.	Halhul	7017	5486	1531			
7.	Hebron	13458	10963	2493			
8.	Dura	2020	1690	330			
9.	Yatta	4008	3397	611			
10.	Salfit	3909	3100	807			
11.	Nablus	18244	14867	3198			
12.	Qalqilya	5632	4721	915			
13.	Tulkarem	8319	6688	1622			
14.	Jenin	10060	7854	2095			
15.	Tubas	1919	1472	431			
Total		190733	153241	34468			

* Source: The General Authority for Civil Affairs- Palestine, 2017.

In addition, the Israeli Civil Administration Office provides work seekers a "search for work" permit which lasts for 5 days.

Searching for work permits 2016				
Number	The Governorate	The granted		
1-	Ramallah	8004		
2-	Al-Ram	2270		
3-	Abu Dis	820		
4-	Jericho	1535		
5-	Bethlehem	11284		
6-	Halhul	4422		
7-	Hebron	5812		
8-	Dura	4529		
9-	Yatta	2970		
10-	Salfit	4164		
11-	Nablus	19427		
12-	Qalqilia	8825		
13-	Tulkarem	12242		
14-	Jenin	15994		
15-	Tubas	2714		
Total: 105912				

The following table clarifies their statistics in 2016:

*Source: The General Authority for Civil Affairs-Palestine, 2017.

- The "Seam Zone" and regulations of permit regime applied to its residents and farmers.

The "seam zone" makes up 9.4 % of Palestinian Territories. The Palestinians who are living in this area are isolated from the rest of the West Bank. (EAPPI, 2016) It consists of separated areas which are currently home to approximately 50.000 Palestinians living in 38 localities. (BADIL, 2012) This area is a result of the illegal Separation Wall that classified most of the "seam zone" as area C, and thus subordinated to the Israeli planning and zoning rules. (WCLC, 2010)

Therefore, Palestinians from the surrounding areas aren't allowed to get in and out without permits. The types of permits that are required are permanent resident entry, and for agriculture. Permits are also required to build, make home renovations, import equipment, export products, etc.¹⁰

In this context, the Israeli Civil Administration has an extremely complicated process of permit issuance. There is running coordination among the civil liaison

¹⁰- Occupied Palestine, "Israel's ID/Permit System | An element of Israeli apartheid," <u>https://occupiedpalestine.wordpress.com/2011/01/11/israels-idpermit-system-an-element-of-israeli-apartheid/</u>

offices on both sides, to solve all the problems facing people who live behind the wall, including the farmers who live on the other side of the wall who are not necessarily residents in the "seam zone."¹¹

In this regard, Mr. Ra'ed Moqadi, a field worker, stated, "The Israeli permit regime applies strict procedures controlling people's lives. For instance, as the "seam zone" is a fertile area, Palestinian citizens are in constant need to reach their lands. Israel provides seasonal agricultural permits to pick olive trees. These permits are issued daily to the residents of Farown and Jayous villages three hours between 7:30 -8:30pm and between 16:30 to 19:00pm because there are irrigated greenhouses requiring care."

The farmers face many challenges. Mr. Moqadi continued, "Often the farmers are restricted to pass through wall gates staffed by an Israeli officer. Therefore, many farmers have complained that the geographical site of the gate is far away from their land which requires much time walking to get to their destination. They waste valuable time from their crops, because transportation isn't provided. Another obstacle is that farmers are exposed to military inspection at the gate with the presence of a military vehicle. They're ordered to carry limited amounts of food with them, while other agricultural materials like pesticides are totally prohibited." Moreover, the permits are issued to them based on the number of dunams owned. Two people per dunam are allowed to work in their field, and the owners must submit documents prove their ownership. In addition, there is coordination for the residents who reside within the 'seam zone' - each resident has a 3-6 months renewable permit." said Mr. Moqadi

The following table shows the 13 different types of permits each with its own special requirements allocated for the residents of the "seam zone":

¹¹- The permit regime in the "Seam Zone." <u>http://www.hamoked.org/Document.aspx?dID=Documents1945</u>

The types of entry permits required to access the "seam			
zone."			
1-A permanent resident certificate.			
2- A permanent farmer permit.			
3- A temporary farmer permit.			
4- A business permit.			
5- An employment permit.			
6- Personal needs permit.			
7- An education worker permit.			
8- An international organization employee permit.			
9- Palestinian Authority employee permit.			
10- An infrastructure worker permit.			
11- A medical personnel permit.			
12- A student permit.			
13- A minor child permit.			

*Source: HAMOKED (Center for the defense of the individual).



Entry of the farmers at the wall gate with the presence of Israeli military personnel. Courtesy: ARIJ

- Permits for the residents of Gaza Strip

Since the outbreak of the second intifada, the number of workers from Gaza in Israel declined from 16.5% of the total workforce in 1999 to 12.7% in 2000. This percentage decreased until Israel completely banned workers from entering its

territories following Hamas' victory in the 2006 elections.¹² The Israeli government started a siege policy which disabled the movement of the residents there from travelling abroad or to work via Israeli checkpoints. This policy peaked at the military coup of 2007 that led to the seizure of Gaza by Hamas's forces. (Brown, 2008)

Until then, the types of permits allocated for Gaza residents are shown in the following table:

The statistics of 2016						
No.	The type of permit	Agreed	In vetting	Rejected	Total	
1-	Worship at Al-Aqsa Mosque	8810	10605	2889	22304	
2-	Exit from Gaza to the Allenby	4955	2790	1525	9270	
3-	bridge Back to Gaza from the Allenby bridge	2536	566	216	3318	
4-	Holidays	1577	641	83	2301	
5-	Patients' visits	1375	3476	780	5631	
6-	Back from the West Bank to Gaza	1280	246	160	1686	
7-	Special needs	1180	2228	1203	4611	
8-	Embassies	1168	1998	516	3682	
9-	PA's employee	269	456	165	900	
10-	Occasions, "weddings"	253	532	153	938	
11-	Training courses	194	1094	231	1591	
12-	Back from Gaza to the West Bank	123	450	99	672	
13-	Death case	105	118	68	291	
14-	Relatives' visit	93	193	27	313	
15-	Attending conference	84	586	133	803	
16-	Courts	77	116	23	216	
17-	Workshops	56	689	100	845	
18-	Exist from the West Bank to the Allenby bridge	40	69	10	119	
19-	Students exit from Gaza to the bridge	36	406	21	463	
20-	Back from the bridge to the West Bank	35	85	31	133	
21-	Accommodation in the West Bank	8	8	0	61	
22-	Ben Gurion Airport	5	11	6	22	

¹²-"Gazans pursue jobs in Israel despite danger," <u>https://www.al-monitor.com/pulse/originals/2015/04/gaza-workers-inside-israel-trade-permit.html</u>

23-	Meetings				2	5	1	8
24-	Work me	eting			1	23	1	25
25-	Visiting	holy	sites	for	0	148	0	148
	Christians	5						
Tota	I				24272	27539	8423	60234

* Source: The General Authority for Civil Affairs- Palestine, 2017.

The permits were issued for merchants in Gaza:

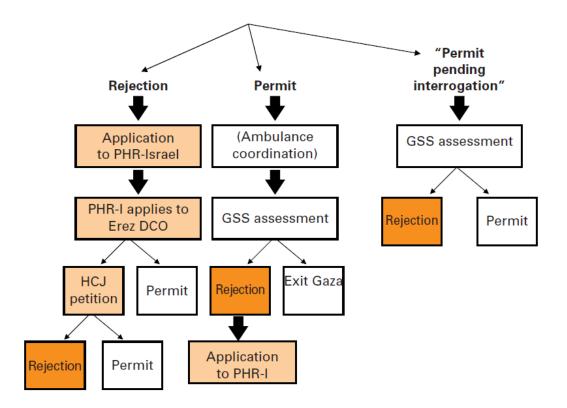
	Statistics for merchants' permits in 2016						
No.	The type of permit	Agreed	Under vetting	Rejected	Total		
1-	Merchant permit	9262	6638	5953	21853		
2-	Merchant's relatives permit	2534	2302	45	4881		
3-	Training course/commerce	529	1410	457	2396		
4-	Exist from Gaza to the Allinby bridge	218	250	49	517		
5-	BMC- Permit	208	100	50	358		
6-	Normal merchant	192	270	303	765		
7-	Back from bridge to Gaza	108	365	25	498		
8-	Attending an exhibition/ commerce	71	100	1	172		
9-	An invitation from Israeli company	72	34	30	91		
10-	Business meeting	19	34	10	63		
11-	VIP permit	16	6	6	28		
12-	Ben-Gurion Airport	12	51	26	89		
13-	Back from the West Bank to Gaza	9	87	10	106		
14-	Exist from the West Bank to the bridge	2	2	0	4		
15-	Back from the bridge to the West Bank	0	1	0	1		
16-	Merchant's relatives return to Gaza	0	20	0	20		
Total		13207	11670	6965	31842		

*Source: The General Authority for Civil Affairs – Palestine, 2017.

Another type is the "stay permit" in the West Bank for Gaza residents. It's a new permit that Israel issued to allow Palestinian residents of Gaza to stay in the West Bank temporarily. It's not an easy process and not all people qualify to apply for

such a residency permit. It's worth noting, such permits were unavailable prior to 2007. But, there was an entrance permit allowing residents from the Gaza Strip to access Israel or pass through it to the West Bank for the purposes of transit and commercial shipping. (Hamoked and Gisha, 2009)

The following chart shows the circulation process to obtain a medical permit for patients from the Gaza Strip:



*Source: Physicians for Human Rights (PHR) - Israel

1.2. The applied mechanism of the issuance of permits.

The Israeli Permit Regime is characterized by categorization, segregation and control. It vigorously classifies the Palestinian population due to various needs, regulated by a circulation process into many categories. It applies this process to the permit applicants so that every aspect of life is denied free movement without certain types of permits that are determined by the Israeli authorities. Another characteristic is "unpredictability," that the Palestinians aren't informed by the Israeli authorities regarding the reasons behind the approval and the disapproval of their permits. This pushes them to incur unaffordable prices to hire

lawyers in order to verify what's going on through the Israeli courts. The process lacks a significant amount of transparency. (BADIL, 2015)

Technically, the Israeli Permit Regime has a bureaucracy that was agreed on in the Oslo Accords in article 1 of the Interim Agreement of 1995¹³ between the PLO and Israel. Palestinians from both Gaza and the West Bank have to submit their permit applications to the local Palestinian Liaison Office. It then submits the application to the regional Israeli Civil Administration. Since September 2000, Palestinians have had to submit their applications directly to the regional offices of Israel's Civil Administration.¹⁴ The Palestinian Authority tries to spread awareness to keep Palestinian applicants from direct contact with the Israeli Civil Administration.

Mr. Omran, the head of Palestinian Civil Affairs Bureau stated, "We reject all forms of direct communication between the Israeli civil administration office and Palestinian permit seekers regardless to which institution they belong or individually," he added, "We should warn those people about Israeli exploitation that aims to weaken the Palestinian Authority's role."

He mentioned an example of on the social media, "There is a well-known Arabic Facebook page called -The Coordinator- managed by the Israeli high-ranking military commander who's responsible for civil coordination with the Palestinian Authority. He receives daily individual requests and inquiries from the Palestinian permit seekers via his channel. He is very responsive to the Palestinian questions concerning how to sort out different problems related to their entry permits. This is considered a violation of the official agreement with Israel officially."

In his answer to question "In the case of any direct connection between the Israeli side and a Palestinian individual is uncovered, irrespective to which sector he/she belongs governmental or private." He addressed, "We at GACA are the only specialized office dedicated to dealing with Israelis in the civil affairs. We, therefore, take legal measures in the case of any Palestinian's attempt of getting permits directly from the Israeli office without prior coordination. To simplify it,

¹³- "The Israeli-Palestinian Interim Agreement 1995," <u>http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/the%20israeli-palestinian%20interim%20agreement%20-%20main%20p.aspx</u>

¹⁴- "THE PERMIT MAZE: Palestinians need permits to move, to live, for everything," <u>https://www.badil.org/phocadownload/Badil_docs/Working_Papers/Bulletin-12.htm</u>

the permits are issued through a request from institutions like banks and companies, not individuals."

However, direct connection with the Israeli side is allowed in the case of issuing a magnetic biometric coded card, under the supervision of the Israeli Intelligence Service "Shen Beit."¹⁵ It's a prerequisite to issue any kind of permit. It's proof that the applicant has security clearance according to the Israeli category which qualifies him to get the permit; however, this card doesn't always qualify the applicant to have the permit. (Smeirat, 2013)

In general, there are other requirements that the permit applicants must submit with their application, i.e. copies of IDs, invitations from Israeli employers, certificate proving marital status including a minimum of one child, since the work permits are available only to married workers that are issued in coordination with the Palestinian Labor Office.¹⁶ Moreover, there are permits for commercial purposes that are issued in coordination with the Palestinian Chamber of Commerce. This kind of permit requires a certificate of business ownership and tax payment document called "Tax Registry" "i.e. it's a vat-clearing document that every merchant must have. Its deliberated concept is Maqasa. (ILO, 2017)

Regarding the applied mechanism of facilitating agricultural affairs, there are permits lasting for 3 months for workers in this field. This includes working both inside the illegal settlements in the West Bank and within the "Green Line" or Israel. (Cahana, 2013) But, there is a big complicated issue of permitting Palestinian farmers to get into their isolated lands behind the Separation Wall.¹⁷

Palestinian farmers, whose lands are behind the wall, aren't allowed to access without security coordination between the Palestinian CCO and Israeli CAO. This process happens after the local municipality council collects the names of the farmers and then sends them to the Palestinian liaison office. The Israeli office then receives the list to process it afterward.

¹⁵- "Magnetic card system restricts Palestinian visits to Jerusalem," <u>https://www.al-</u> monitor.com/pulse/en/originals/2016/05/palestinian-movement-israel-checkpoints-entry-cards.html

¹⁶- "Israel's permit system," <u>http://www.palestinechronicle.com/israels-permit-system/</u>

¹⁷- "How Israel prevents Palestinian Farmers from working their lands," <u>https://www.haaretz.com/middle-east-news/palestinians/.premium-1.792096</u>

According to the CCO office, "300 names were delivered to the Israeli side during the last harvesting olive trees season in Bethlehem district, and 285 were approved while 15 names were denied permission due to security reasons." Mr. Ra'ed said.

Mr. Ra'ed, an officer at the Palestinian CCO, explained, "The coordination with the Israeli side to open up the wall gates are managed seasonally. For instance, in October and November consecutively, the Israeli army allows to the farmers to access their lands in specified days and times. The entry begins between 7:10-8:10 am from certain wall gates that the army notifies about early, and they must be back at 17:00 pm. Those who don't abide by the rules won't be allowed to come back next time."

Recently, the Israeli CAO asked for documents proving land ownership behind the wall, "The farmers were concerned to access their lands before because of potential settlers' violence. Furthermore, we encourage the farmers to come up to us in order to keep asking for their rights to access their lands from the Israeli side," he continued, "given the sensitivity of the matter, we rejected the idea of issuing permits to the farmers based on ownership documents. It's actually a matter of distrust that Israelis might withdraw the original documents from the owners. Consequently, the Palestinian owners won't be able to claim their lands, afterward. In other word, it's an automatic withdrawal without notifying the owners, this is what concerns them."

For instance, there are areas surrounding Bethlehem district. The farmers were allowed to access their olive trees fields this year according to prior coordination to reach specified places during limited periods of time. This is clarified in the following table:

No.	The area	The date of picking	Notes
1-	Tqua's (Neqodim)	25-27 October	3 days
2-	Tqua's (Kfar Eldad)	25-27 October	3 days
3-	Tqua\ D	1+2+30 November	3 days
4-	Tqua Mitsad	18-22 October	5 days
5-	Tqua Beni Kdem	18-22 October	5 days
6-	Al-Jaba'a/ Beit Ein	6-10 November	5 days
7-	Al-Khadir/ Nabi Daniel	13-16 October	4 days
8-	Al-Khadir/Bitar	15-31 October	16 days
9-	Nahal Tzoft	6-11 October	5 days
10-	Al-Jaba'a checkpoint	18-25 October	7 days
11-	Wadi Ahmad	25-30 October	5 days
12-	3319 gate Biet Sahour	25-30 October	5 days
13-	Gilo	25-29 October	5 days
14-	Wadi Al-Shami	25-29 October	5 days

Source: The General Authority for Civil Affairs- Palestine, 2017.

The Israeli CAO also issues wall permits for certain villages like Beit Own whose residents have a one year renewable access permit to reach their living places in the village. "The residents mostly come to us to get their permits, while there are other residents who get them through other aspects like human rights groups due to the ongoing legal process that's managed on behalf of the residents. And, the accessibility is organized through a checkpoint erected at the entrance of the village," stated Ra'ed.



A wall gate where the farmers can pass through to head up to their agricultural field. Courtesy: ARIJ

And so as with Mazmoria village, the residents enter it by coordinating with the Israeli side. The names of all residents are already listed at the checkpoint, so that they can pass through based on their IDs that they show up to the soldier. "The local council coordinates with us whenever there are needs to conduct development and renovation projects. This requires us to ask for a permission from the Israeli side to allow us to work there including having equipment that the Israeli CAO orders us to write down in detail about the project and other attachments or supplementary stuff are to be used," said Mr. Ra'ed.

The Israeli Permit Regime issues work permits depending on the "Quotas" which are set according to economic, security, and foreign policy considerations, including Israel's image.¹⁸ This system is subject to justifications other than security; it's determined by the economic needs and the size of population in each district to control the Palestinian access to the Israeli labor markets. (Gisha, 2017)

Therefore, the "quotas" are determined by the government's decision based on recommendations of government's agencies and the Ministry of Defense;

¹⁸- The Israeli government tends all the time to show to the world that it pays a close attention to the Palestinian welfare through facilitating the movement of Palestinian workers into the labor market.

however, there are no "quotas" for the employment of Palestinians in the illegal settlements in the West Bank. (MACRO, 2017)

1.3. General statistics of the costs of the working permits and the impact of "brokerage" phenomenon.

All aforementioned permits are issued free of charge, except work permits that are issued for agricultural, commercial, and normal work purposes (GACA, 2016). These permits cost an amount of money charged by the Israeli labor office which the Israeli employer –a company or laborer- pays (a deductible amount) on behalf of the Palestinian workers. These permits are legally issued as long as the taxes are paid regularly, and the worker gets a pension or compensation after finishing work, including medical insurance. (Kav LaOved, 2012)

Based on the latest statistics, there have been 128.700 Palestinian workers in Israel and the settlements in the West Bank up till the third quarter of 2017. According to (PCBS), "The number of Palestinian workers increased lightly in comparison to the second quarter of the current year." It also pointed out, "69600 workers had access permits, while, 43500 hadn't, and approximately 15500 bear Israeli documents or foreign passports." (PCBS, 2017)

Selling or bargaining work permits of all kinds are prohibited according to the Israeli labor law. So, the Israeli employer isn't allowed to trade the work permits of his Palestinian workers. The permits are issued under the supervision of the Israeli Labor Office and then delivered to the Palestinian Labor Office which hands them to the workers after deducting tax fees. (MACRO, 2017)

However, the costly permits are handled by a third Israeli party who receives them after paying the required fees to the Labor Office, and then, he sells them to a Palestinian partner who shares the profits after selling them to the Palestinian workers at higher prices. This so-called "brokerage" phenomenon creates negative financial effects on the Palestinian workers. For instance, the cost varies from contractor to contractor. It depends on the nature of permit, available hours, and the accessibility to workplaces. These criteria are set by Israeli-Palestinian network of permit brokers in the West Bank. (Parizot, 2017) Andreas Hacki addressed, "The Israeli government itself said in July that the permit system leads to the exploitation of workers and lost money for laborers. The ILO estimates those losses at between 232 and 1,360 million Israeli shekels, or between \$66 million and \$389 million, each year."¹⁹

Therefore, the Palestinian workers resort to the brokers to get such permits due to their dire need for employment when it's impossible to find a licensed Israeli employer. Furthermore, such kinds of permits are not limited by daily wages as regulated in the Labor Office: "300 NIS (100\$) for the not proficient workers, and it's about 500 NIS for proficient," as Mr. Samarah stated.

Another risky matter, as Abdul Karim Mardawi stated, "Some of the brokers use permits as an extortion method to blackmail workers to work with the occupation, and some of them use permits to make profits. When a contractor sells 20 permits for 2000 NIS each, this makes a very good profit."²⁰

(Anonymous), a Palestinian worker 33 years old addressed this dilemma saying; "I actually work in the construction sector; I first got a searching for work permit which lasts for 5 days with a limited time between 5:00am to 17:00pm. It's not enough time to find the suitable employment in Israel, because it's not easy. You have to find the employer whom you can trust. Otherwise, you won't get the wages that are already agreed on. Therefore, whenever you find employment, the difficulty is whether the Israeli employer can pay you for the permit, or the possibility of issuing an organized work permit. Most of the Israeli employers prefer to avoid any legal commitments with the Labor Office, they ask you to bring your permit with you in order to disavow any required compensation after finishing the work.

At this point, you're compelled to find Palestinian brokers who have connection with their Israeli partners. The dangerous matter is distrust. You must be careful with whom you are dealing with because the money you pay isn't reimbursable in case of any problem. The problem we face is after you buy a 6 month permit, a broker is able to revoke it without informing you at his personal discretion just to avoid paying taxes for the Labor Office. You won't be able to sue him as this

¹⁹- "Occupied labour: The treadmill of Palestinian work in Israel,"

https://www.irinnews.org/investigations/2017/08/02/occupied-labour-treadmill-palestinian-work-israel²⁰- Permits Brokerage, http://www.palestineeconomy.ps/print.php?id=5928y22824Y5928

process is already illegal. Furthermore, if you ever try, you may lose your opportunity to get another permit forever, because the broker could unjustly destroy your security file which is considered a nightmare and sensitive matter. That's why they prefer to keep silent.

I usually pay between 1800 NIS and 2800 NIS per month. This varying payment depends on first, the broker and how strong his relationships are at the Israeli Labor Office. Secondly, the type of permit: there are limitless 00:00 permits that authorize you to work wherever you want in Israel and you can sleep over there. The Israeli Civil Administration doesn't provide such kind of permits all the time, only in special cases.

Eventually, it's up to the broker's assessment and the payment offered by the worker. These permits are legal as they're issued by the Labor Office and authorize you passing through the Israeli checkpoints; however, selling them or auctioning them off is illegal and has implications. The permits that authorize working at the Israeli settlements are also auctioned, they cost between 1500 NIS to 1250 NIS per month. Finally, I can tell that brokering permits is managed by an Israeli-Palestinian organized network that earns huge amounts of money. It's a real mafia negatively impacting many Palestinian workers."



A form of time-limited work permit, issued by the Israeli Civil Administration (DCO)

The Israeli employers play tricky games also. They apply for a number of permits asking for workers to work in a certain field that doesn't require this number, so they can sell the remaining permits. For example, if construction work requires 10

workers, they apply for 20 permits which the Labor Office doesn't oversee on the ground. Currently, there are 22.000 unorganized permits; they weren't issued by the Palestinian Labor Office directly, but by the Israeli Civil Administration.²¹

The costs of issuing work permits make enormous revenues, whether the organized or not. The latest statistics show that permit brokers receive 150 million NIS monthly, since they pay only small amount of money for the taxes and they share the rest.²²

The magnetic card costs 150 NIS and recently there have been approx. 128.700 bearers. The total cost of this card is 19,305,000 NIS.

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A sample of the Israeli magnetic card, issued by the Israeli Civil Administration (DCO)

1.4. An analysis of the sociopolitical consequences of the Permit Regime.

The Israeli Permit Regime was set up in order to control the Palestinians' freedom of movement, and classified various ways of restricted movement based on the purpose of the permit. This and the construction of the Separation Wall forced approx. 2.9 million Palestinians living in the West Bank and 1.9 in Gaza to be at the mercy of the permit regime. It's a policy that Israel created to make Palestinians dependent on Israel in almost all walks of life.²³

²¹- "Israeli-Palestinian mafia manages permits marker behind the wall." <u>https://www.nablustv.net/internal.asp?page=details&newsID=180340&cat=14</u>

²²⁻ Ma'an, (معا تفتح الملف- السماسرة والألية الجديدة لمنح التصاريح), <u>http://www.maannews.net/Content.aspx?ID=880755</u>

²³ - Equal Rights for Palestinians, <u>http://www.seamac.org/equalrights.htm</u>

The status quo is that a massive number of Palestinian laborers cannot find livelihood outside of Israel or the settlements. It is very difficult to find adequate job opportunities in the West Bank. Most jobs won't fulfill daily needs due to the lower wages in comparison to the higher wages found in Israel²⁴ or in the settlements.²⁵ Not to mention, the Wall divided up many Palestinian communities i.e. the "seam zone," and created a dire need for their residents to obtain permits to move in and out, visit family, get medical treatment,²⁶ take care of their agricultural livelihood, etc.²⁷ (UN, 2016)

As a result, Palestinians endure all aspects of hardships in their daily life. Patients have to wait for a longer time to get the permission to reach medical centers, or other kind of treatments that aren't provided in their area. This has caused the death of some patients while waiting for their entry permits.²⁸ For example, the case of Jamil from Gaza: he succumbed to cancer because he had a difficult experience applying for an exit permit to have a chemotherapy session at the hospital.²⁹

People with special needs and disabilities are also impacted by this hardship. They must pass through the checkpoints erected at the entrance of the enclaves and isolated communities, or the central ones to enter Israel. There is no policy exempting them from waiting at COGAT offices to receive their magnetic card and permit. The checkpoints aren't well-prepared to facilitate their movement, either.³⁰

In other sectors too, teachers and doctors need permits to get into "seam zone," or other areas like Jerusalem. So the delays that they incur trying to pass the

²⁴ - Palestinian workers getting paid triple in Israel, <u>http://www.themedialine.org/top-stories/palestinian-workers-getting-paid-triple-israel/</u>

²⁵ - In the West Bank Settlements, Israeli jobs are double-edged sword, <u>https://www.nytimes.com/2014/02/11/world/middleeast/palestinians-work-in-west-bank-for-israeli-industry-they-oppose.html</u>

²⁷- "Leave no one behind: A perspective on vulnerability and structural disadvantages in Palestine, <u>https://unsco.unmissions.org/sites/default/files/cca_report_en.pdf</u>

 ²⁸- Dying to leave: Playing politics with patient's live in Gaza, <u>http://www.abc.net.au/news/2017-07-13/people-in-gaza-are-dying-as-they-wait-for-medical-transfers/8704022</u>
 ²⁹- B'Tselem, "Untreated – Israel denies critically-ill patients from exiting Gaza for medical treatment,"

²⁹- B'Tselem, "Untreated – Israel denies critically-ill patients from exiting Gaza for medical treatment," <u>http://www.btselem.org/gaza_strip/20171203_denied_treatment</u>

³⁰-"Caring for and working for people with disabilities," <u>http://thisweekinpalestine.com/wp-content/uploads/2016/08/September-221-2016.pdf</u>

overcrowded checkpoints are unimaginable. (MAP, 2017) As previously mentioned, the farmers are also severely restricted. They can't go to their land without coordination among both Israeli-Palestinian liaison offices. They are only allowed to get into their lands behind the Wall on limited times and dates. (Environment Quality Authority, 2010)

The Permit Regime has proven to be more of a political project than a security need. In reality, the Wall enhances the power of Israeli authority by creating permanent impediments to every aspect of Palestinian life. This poses endless barriers to authentic self-determination. For instance, the "seam zone," is becoming incrementally more strangled with unpredictable new procedures for residents of this area. It's considered that the Israeli policy aims to forcibly deport those residents. (Women's Center for Legal Aid, 2010)

Fragmentation policy, the classification of people according to residential areas provided with special permits, has created a reality where Palestinians can't pursue any development and urbanization away from military surveillance. It's an enforcement policy imposed on the categorized Palestinian residents using legal arbitrary justifications claimed by the Israeli government. The result of geographic, social and political discontinuity strengthens the Israeli systematic plan of creating a status quo where it will be impossible to have a Palestinian state or entity to compete with the Jewish state. (Gisha, 2015)

MACRO released a report pointing out that the "Israeli permits policy significantly affects the Palestinian economy that has declined in the West Bank. In 2014, the unemployment rate reached 17.3 %, while in Gaza Strip reached 41% in 2015."

In general, the Israeli government has avoided coming up with an on-the-ground strategy alleviating the restrictions, without a border policy that substantially limits Palestinian welfare or advancement in all fields. (Ted Nabil, 2004)

Conclusion

Undoubtedly, the reality of the Israeli Permit Regime is a severe issue, entailing destructive socioeconomic consequences endured by Palestinian residents of the West Bank and Gaza Strip.

The Israeli government practices one of the rarest and toughest mechanisms of issuing internal visas in the world. It unjustifiably impedes the movement of Palestinians in the Occupied Territories, for alleged security measures that don't distinguish between true threats and the general civilian population. Therefore, under this regime, all people are conceived as a potential threat to the Israeli security unless they are firmly vetted. (Berda, 2017)

It puts the Palestinians into an endless cycle of anxiety. They don't know what will occur in the foreseeable future concerning their rights of freedom of movement, urban plans, residency, and other kinds of rights that are supposed to be guaranteed by international law. They lack awareness of this comprehensive policy and its regulations. For instance, they aren't aware of the purposes of many permits allocated to Palestinians. According to Israeli sources, "101 types of permits govern the Palestinian local affairs."³¹ However, the Palestinian Liaison office denies the fact that it handles all these permits with the Israeli side, other than the aforementioned 42 types listed by the Palestinian office. Palestinians, therefore, are unaware which types of permits are allocated for which purposes. The Israeli Civil Administration must elaborate this in flyers, so that the Palestinians are educated to better navigate the system.

It has become an inevitable part of the Palestinians' lives to keep applying for permits, without knowing if freedom of movement will be granted. This reality reflects a collective punishment sparking the concerns of the international community. Furthermore, Israel exempts itself from many obligations under international law in the Palestinian Occupied Territories, as they are governed by the PA. This forces Palestinians to abide by unjust Israeli economic policies because of the paralyzed economic and political situation.

Israel disavows responsibilities according to what was agreed in the Oslo Accords, that "all kinds of permits shall be handled via the formal channels on both sides." Conversely, the phenomenon of "brokerage," shows the collusion of the Israeli side with the illegal network that sells work permits. The Israeli military commander Yo'av Mordachai, addressed that, "It's a dirty business and will be eliminated," promising that "In 2017 there will be a new plan that Palestinian

³¹- Haaretz, "Israel has 101 different types of permits governing Palestinian movement," https://www.haaretz.com/israel-has-101-different-types-of-permits-governing-palestinian-movement-1.403039

workers will pay for their permits directly to the Israeli labor office via banking channels and the permit will cost 800 NIS."³² But, nothing has been implemented yet.

In conclusion, it is impossible for Palestinian society to make free and independent decisions, actions, and lives away from Israeli political and economic control which is enforced on the ground by the unjust permit regime.

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