

**Machsomwatch** is an organization of Israeli women who are active against the Occupation and work for human rights in the Occupied Territories. The organization focuses on one of the worst aspects of the Occupation – the restriction of freedom of movement in all its aspects. Members are present for several hours daily at over forty checkpoints throughout the West Bank, monitoring and recording all that happens there and subsequently writing reports in Hebrew on their observations. These reports are translated into English and can be read on the **Machsomwatch** website:

[www.machsomwatch.org](http://www.machsomwatch.org)

Checkpoints are the most powerful weapon in restricting the Palestinians' freedom of movement. But over the past six years we have learned that the Occupation's restrictions on freedom of movement are not limited to the checkpoints. They manifest themselves when and wherever Palestinians come in contact with the Israeli authorities. The Occupation uses law-enforcement agencies in an attempt to paralyze every facet of everyday life.

This report presents the findings of a group of **Machsomwatch** women who have spent the past two years trying to help Palestinians who have been blacklisted by the General Security Services - allegedly on security grounds, but in fact often for quite arbitrary reasons. Our aim has been to assist them in appealing against a blacklisting which makes it infinitely more difficult for them than for the general run of the population to travel from place to place within their own country, to gain entry to Israel in order to work or do business there, and, sometimes, even to leave the country for abroad. Throughout this period, as we have been gathering facts and figures and helping to draft official letters to the Occupation authorities, we have become more and more conscious of the unbelievably harsh system of permits that the Occupation has imposed in so wholesale a manner on the local population. The GSS-blacklisted Palestinians bear the brunt of this fearful regime: they are all too often the victims of collective punishment in a system of repression that is the common denominator of tyrannical regimes the world over.

DESIGN: RUTTI KANTOR STUDIO COVER PHOTO: ENIT ZAEIL



God and men's hands - checking an I.D.

# MACHSOMWATCH INVISIBLE PRISONERS

PALESTINIANS BLACKLISTED BY THE  
GENERAL SECURITY SERVICES

APRIL 2007

## מחסוםWATCH

MACHSOMWATCH IS AN ISRAELI WOMEN'S ORGANIZATION THAT MONITORS ONE OF THE GRAVEST ASPECTS OF THE OCCUPATION – THE RESTRICTION OF FREE MOVEMENT BY PALESTINIANS IN THE OCCUPIED TERRITORIES.



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**INVISIBLE PRISONERS**

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This report is the result of the activities and observations of a MachsomWatch team that prepares appeals against the blacklisting of Palestinian residents of the Occupied Territories by Israel's General Security Services.

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**WATCHDODUK**

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## Introduction

As many as an estimated 180,000 residents of the Occupied Territories are "security blacklisted" or Shabak [General Security Services – GSS] blacklisted. Freedom of movement – the basic right of all, wherever they may be, and especially in occupied territory – is even more restricted for those who are blacklisted than it is for all other residents. GSS blacklisted Palestinians are delayed longer at the internal West Bank checkpoints; until recently they were not entitled to a magnetic card (possession of which was tantamount to a certificate of good character – see below); they cannot obtain entry permits allowing them to work in Israel or the settlements and hence, too, some are denied access to hospital treatment in East Jerusalem or Israel, or entry for other personal needs; some are not entitled to travel permits for their vehicles within the Territories, or to go abroad on holiday. They are the invisible, spectral prisoners of the system.

MachsomWatch women encounter GSS blacklisted persons wherever the group carries out its observations: in detention pens at checkpoints in the heart of the West Bank, in villages, and in the offices of the Civil Administration (District Coordination Offices – the DCOs). They come to the DCOs, like any other Palestinian residents, to obtain permits to move from place to place. A man may come, for instance, in pursuit of the coveted magnetic card<sup>(1)</sup>, or perhaps to renew an old one, or to get some permit, and then, after waiting hours and hours in disgusting

<sup>(1)</sup> The policy whereby magnetic cards are issued was changed a few weeks ago (see below). Currently, blacklisted Palestinians are entitled to a magnetic card. But, when such an applicant finally reaches the issuing officer's window and receives his card, he is told that he is blacklisted. This means that he will be denied a permit enabling him to work or engage in business in Israel or in one of the West Bank settlements, which is all, in fact, that he wanted. The magnetic card, by itself, is worthless, especially after this change of policy.

conditions, when he finally reaches the counter, he may be told that he is "blacklisted" – with no further explanation offered.

For men tagged as blacklisted, the world falls apart. Henceforth they are condemned to a battle for survival: they must fight for their own livelihood and for the livelihood and welfare of the families that depend on them; for their own and their families' health; for their dignity and integrity in the face of a monstrous, convoluted, suspicious and hostile system – whose motive, both overt and covert, is to oppress and wear down all non-Jewish residents of the Occupied Territories. Not all are endowed with the determination needed to confront the system. Some are indeed worn down by the harsh reality. They give up and fall prey to the GSS, which recruits its collaborators from among their ranks.

At the DCOs, where blacklisted Palestinians come time after time in the hope of somehow lifting the evil spell which has them in its thrall, no one bothers to explain that they can appeal their situation to the Legal Advisor for the West Bank, or submit a plea for pardon or mercy to the Civil Administration (CA). The CA refers such requests to the GSS, after which, of course, there is no legal or administrative control of any sort over the process or its outcome. We have met men who have submitted countless requests for pardon, without result. Moreover, defining this process as a request for pardon is a cynical use of a legal concept that usually relates to people found guilty and sentenced. This is but one example of the widespread launderings of language in the service of the Occupation.

To appeal a security blacklisting to the Office of the Legal Advisor, the blacklisted resident has to hire the services of an attorney – something he can rarely afford. In 2004, the Association for Civil Rights in Israel (ACRI) began to submit individual appeals against the blacklisting in the name of such residents that managed to reach them. The Centre for the Defense of the Individual, Doctors for Human Rights and other human rights organizations also submit individual appeals, but the

### WATCHDODOT

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overwhelming majority of appeals to the Office of the Legal Advisor are submitted by private attorneys.

In June 2005, MachsomWatch followed in the footsteps of the other human rights organizations and, with the guidance of ACRI, began assisting residents appealing against security blacklisting. In the beginning, we dealt only with people whom we happened to meet during our visits to checkpoints and DCOs. But as time went by, we began to receive a steady flow of telephone applications. By 31 January 2007, we had received answers to almost all the 2571 appeal letters that we had written relating to 1883 residents (in many cases, more than one appeal was sent). But only 513 people (27.3 per cent) had their security blacklisting lifted as a result of these appeals. All the others remained blacklisted. By 15 April 2007, 22 months after we began this latest aspect of our work, we had appealed on behalf of 2186 people against the denial of various permits.

Almost half of the 2571 appeals that we submitted by 31 January went unexamined, being rejected by the authorities for the following reasons: "The appellants do not meet the criteria for entry into Israel" (6%); insufficient time has elapsed since submission of the last appeal by an attorney (prior to our approach) – a year in the case of security blacklisting, and half a year in the case of those failing to meet the criteria for entry (14%). Also unexamined were a number of requests for permits to be granted on grounds of freedom of worship, or for the lifting of blacklisting without any specific reason being adduced (24%). Thus, in practice, the percentage of those whose blacklisting was removed following our appeals was even greater: only 1399 appeals were examined, and in 513 of these cases (37%) the blacklisting was removed, while in 886 cases (63%) it was not.

As we have already said, not every Palestinian who is GSS blacklisted may appeal to the West Bank Legal Advisor. As a general principle, the Legal Advisor only deals with requests to remove the security

blacklisting of people seeking to work in Israel, or those requesting an entry permit for commercial reasons, since as a rule the absence of a security blacklisting is an a priori condition for the granting of work or commercial permits. All other Palestinian residents may appeal against the denial of specific permits, but not against security blacklisting. Information gleaned from soldiers in the Legal Advisor's Office indicates that appeals against the denial of entry to Israel for work or commerce account for 90% of the 15,000 cases dealt with each year.

It is also possible to appeal to the Office of the Legal Advisor against the denial of a permit or against a specific action, as, for example, when a resident is turned back at the border on trying to leave the country for abroad. A man who knows that he is GSS blacklisted must first get to the border, and only after he has been turned back can he appeal to the Legal Advisor. In other words, he must bear the cost of the journey without knowing for certain whether he can travel. MachsomWatch has appealed in the name of residents refused permission to cross the Allenby Bridge (the Jordanian frontier), though recently these cases have been referred to the Center for the Defense of the Individual, which specializes in this subject.

We have also appealed the Office of the Legal Advisor on behalf of Palestinian patients denied entry permits to Israel to receive medical treatment there or in East Jerusalem; on behalf of those refused vehicle permits to drive across the West Bank when the Israel army closes off movement in and out of certain areas (a situation which has persisted for years); in the name of farmers seeking to cultivate their lands which today lie on the "wrong side" of the separation fence in the so-called "Seam Zone"; on behalf of Palestinian Christians denied permits to visit their holy sites (we pleaded the right to freedom of worship); and for others simply seeking removal from the "blacklist." Most of the appeals we submitted were dealt with and answered, either positively or negatively. But in the case of the two last-mentioned categories we were told that there was no right to appeal: in other words, a person

put on the blacklist by mistake, will remain there forever without right of appeal.

On 5 October 2006, ACRI, the Centre for Defense of the Individual and Doctors for Human Rights petitioned the High Court of Justice (HCJ 8155/06), against the Commander of IDF Forces in the West Bank, the Head of the Civil Administration, the Head of GSS and the Legal Advisor for The West Bank. The petitioners sought an order from the High Court that would cancel the classification of thousands of residents of the Territories as "GSS blacklisted"; they claimed that the lists had been compiled in a fundamentally flawed administrative process, that had caused severe and arbitrary damage to the rights of those affected. The petition contained numerous examples, some drawn from MachsomWatch experience. MachsomWatch also submitted an affidavit in support of the petition based on the situation described in this report. The first Court hearing has been set for July 23, 2007.

Below we discuss, briefly, the extensive web of permits that Israel has developed as part of the system used in blacklisting. Thereafter we shall present typical instances of the GSS security blacklisting phenomenon, starting with the most prevalent – its application to building workers -- and continuing with other groups that we have encountered in our work: people who refuse to collaborate with the GSS; merchants; people who "do not meet the criteria" for entry into Israel; people whose sole desire is to advance themselves in their work; farmers prevented from working "Seam Zone" lands (i.e. land lying between the separation fence and the Green Line); residents of the West Bank married to Israeli citizens or East Jerusalemites; bereaved families; Christians and the sick. Finally we will briefly touch on a project to submit individual petitions to the High Court, and end with a summary and conclusions.

## The Permit System

The system of permits was introduced in the 1990s and has grown in recent years to an extent that boggles the imagination. Palestinian life today largely revolves around attempts to acquire permits, receipt of which is in many cases dependent on the applicant's name being removed from the security blacklist.

### The Magnetic Card

The magnetic card is a kind of second identity card for adult Palestinians (at age 16, a Palestinian may apply for both an identity card and a magnetic card). In the last few years there has been a change in the card itself and in the issuing policy.

Previously, applicants would submit a stamped request at the DCO (at a cost of NIS35), together with their ID number, name, date of birth, occupation, address, phone number, signature and a recent photograph. A soldier would check the details on a computer, and if the applicant was blacklisted, he would not receive a magnetic card. Sometimes, the soldier would note the date of, and the reason for, the denial, but just as often he would write nothing and only tell the applicant that he was blacklisted – without necessarily detailing whether the blacklisting was a police or security (GSS) matter. He might sometimes tell the applicant to return in a month, or alternatively he might send him away without any explanation.

The information included on the magnetic strip was apparently the same as that on the ID card with the addition of an up-to-date photograph. Until 2004, a request for a magnetic card from someone entitled to receive it was not dealt with on the spot: rather, the applicant would be asked to return in two weeks or a month to receive the card. Since 2004, when the applicant is not defined as blacklisted, the card is issued immediately.

Since 2005, there has been a further change with the gradual introduction in each district of the Biometric Identification card (the Hebrew acronym for which is Bazel). An applicant must present the appropriate form bearing NIS85 stamps; he is then photographed and fingerprinted on the spot. The new cards are valid for four years, but biometric data must be updated every two years. Until the beginning of 2007, only those who were not blacklisted received magnetic cards. Blacklisted Palestinians traversed the same *via dolorosa* as before. The issuing of the new biometric cards is a far slower process, and involves longer waits than previously.

Until the first months of 2007, the magnetic card served as a "certificate of good character," proof that the resident was not on GSS or police blacklists. Although pedestrians and those using public transport to move around the Palestinian areas of the West Bank did not need magnetic cards, and although the card was not an absolute guarantee of free passage at the checkpoints, nevertheless the current wisdom was that cardholders did enjoy more freedom of movement. The card of itself was not an entry permit into Israel, but without it there was no possibility of receiving an entry permit to work or do business in Israel or the settlements. Nevertheless, it is important to remember that those in possession of this priceless card, or indeed any permit, enjoyed no certainty that their situation, might not change overnight. The GSS could cancel the validity of the magnetic card, or any permit, without any explanation or reason.

Early in 2007 the policy changed: from being what amounted to a "certificate of good character," the magnetic card became a card for all<sup>(2)</sup>. We began to see signs of the change within a very short time: previously, magnetic cards were confiscated from those who had been placed on the blacklists – now, we began to encounter more and more blacklisted people with magnetic cards that no one was taking any steps to confiscate. Recently, we have learned that Civil Administration

<sup>(2)</sup> Or almost all: people blacklisted by the police are not entitled to magnetic cards.

personnel have been going through the villages announcing that GSS blacklisted residents may go to the DCO and receive magnetic cards.

Since the new magnetic cards contain biometric data, the Civil Administration is thus now gathering and storing data on the entire population in a process that can only strengthen its already tight control over the area. We must assume that security blacklisted Palestinians will continue to have difficulty in obtaining permits, despite their holding magnetic cards which in fact are meaningless for them. All the advantages have accrued to the occupier...

## The Permits

The types of permits, who is entitled to apply for them, the demands imposed for their issuance, etc., change almost daily. All the information appearing here is based on our knowledge at the time of writing.

- **Entry Permit for Work in Israel:** Any Palestinian from the West Bank working in Israel needs a work permit. An Israeli employer interested in hiring a Palestinian must go to the Israeli Labor Exchange and initially demand an Israeli worker. Only if no Israeli is available will he receive a permit to employ a Palestinian. Then he must open a file in the Income Tax office and obtain a work permit for the Palestinian. The Israeli employer must pay into the Income Tax office a few thousand shekels for the period of the permit – this is partially to cover social benefits which are normally not utilized, and partially serves as an "equalization tax" to reduce the relative advantage in employing Palestinians for whom there is no set minimum wage. The Palestinian who is lucky enough to find a (usually temporary) source of livelihood can obtain a permit only if he is not blacklisted. Work permits generally allow entry into Israel between the hours of 05:00 and 19:00, and are mostly valid for three months. Hospital workers get special permits that allow them to be in Israel all week, 24 hours a day, as do tourist guides.
- **Entry Permits for Commercial Activities in Israel:** Merchants, too, need entry permits to Israel, which again are conditional on

possession of a magnetic card. Commercial permits allow entry from 05:00 to 22:00 and are issued for three months. A merchant used to be able to go to the DCO and request a permit. Today he can only receive such a permit through his local chamber of commerce. This body submits lists of merchants and receives permits accordingly. Recently, an additional requirement has been made: each merchant must provide both a letter from an Israeli merchant with whom he maintains contact, and delivery notes for the goods being traded.

- **Vehicular Permits for Movement Within the West Bank:** These are permits granted to a driver and a specific vehicle, which enable passage through the various internal checkpoints on the West Bank. Passage through these checkpoints has been restricted in recent years, and anyone wishing to travel has had to equip him- or herself with a permit issued in respect of a specific vehicle. Owners of trucks without permits have been able to drive up to a checkpoint and transfer goods to another truck on the other side of the checkpoint by what is known as the back-to-back procedure. "Encirclement" restrictions have recently been cancelled in most West Bank districts, and those permits are now only needed in the Nablus area and the Jordan Valley. To obtain such a permit the vehicle owner must present himself at a DCO with an appropriate request form, an ID card, driver's license, vehicle license, vehicle insurance and, if the vehicle belongs to a company, a letter from that body. According to written responses we have received from the Office of the Legal Advisor, security blacklisting is not relevant to this permit. Nevertheless we have seen many cases refused for security reasons.
- **Permits to enter or remain in the Seam Zone:** The separation fence is not on the Green Line but rather a few kilometers to the east, cutting the contiguity of the Palestinian community, and trapping a number of Palestinian villages and lands inside an enclave known as the Seam Zone. To enter, leave or remain in the Seam Zone, Palestinian residents require various permits: agricultural,

employment, residence, etc. These can only be obtained by proving a link with the place, which entails considerable expense. A magnetic card is not required for these purposes. In previous years, the Civil Administration would grant agricultural permits to land owners and their family members. This year, the rules were changed: an agricultural permit is now only given to a person who presents documentation attesting to his ownership of the land; family members are given employment permits which are only granted if the application is backed by a request from the owner of the land. The change has caused considerable confusion and has been used to deny permits to many residents. This year, agricultural permits were given for periods of up to two years, and employment permits for a shorter time, varying from applicant to applicant.

- **Permits granted for personal reasons:** Such reasons include hospital tests and treatment, family visits, participation in seminars or studies, visits to Christian holy places, etc. In such cases, the permits are issued for a few days only, with people who are blacklisted finding it infinitely more difficult to obtain them. During the years when stringent vehicle movement restrictions applied, (as aforesaid these have only recently been removed from most of the West Bank), special permits were needed for both drivers and private vehicles traveling across the West Bank.
- **Permit for a partner to remain in Israel:** Such permits are granted to Palestinian residents who are in the process of "family reunification". The initial application is submitted through the Israel Ministry of the Interior, and the permit cannot be obtained if the Palestinian partner is on a security blacklist.

## The Blacklisted<sup>(3)</sup>

The blacklisted come from all sections of the population: rich and poor alike; Christians and Muslims; young and old; men and women. The common denominator is that none of them knows why, when and how they became blacklisted. Below, we describe some of the cases whose appeals to the Office of the Legal Advisor we have handled.

### A Typical GSS Blacklisted Palestinian

The vast majority of "dangerous" GSS blacklisted people are poor, with large families and many young children. All that they want is to work in construction or agriculture in Israel, because there is no work in the Occupied Territories. They are not running away from the law nor are they in hiding. They come openly to Civil Administration offices to request magnetic cards: if they were indeed dangerous, they could be arrested there, facing the window grilles, caught inside the turnstiles. Nothing could be easier...

Most did have magnetic cards and permits in the 1990s, up to the outbreak of the second intifada in late 2000. Since then, the authorities have refused their applications to renew the cards. Most have never been in prison and have no idea why they are blacklisted. "What have I done," they ask us. "Let them tell me what I did... If I am dangerous, then why don't they put me in prison?" "I want to meet the GSS and show them that I haven't done anything. I have gone many times and asked to meet with them, and each time they say 'Go away! We're not interested in you.' They are not even prepared to question me."

In a few cases, those who asked us for help did have their permits and magnetic cards renewed even after 2000, but, in many cases, the issuance of the permits suddenly ceased and after a while renewal of

<sup>(3)</sup> This section relates in its entirety to a period in which magnetic cards were available only to those who were not blacklisted for security or other reasons.

their magnetic cards was also halted on the grounds that they were GSS blacklisted. No explanations have been given to anybody. Everything has come as a sudden shock.

Among them are men who served prison sentences during the first intifada for throwing stones. But they were youths at the time and meanwhile they have become adults who have raised families, and who received cards and permits in the 1990s; but today they are GSS blacklisted. "It's because I was in prison," they tell us, adding: "but I was a child then! So many years have passed and today I have a family. I'm the father of children. I don't go in for nonsense."

The GSS blacklisting, which prevents these people from obtaining work permits, at the same time sentences them and their families to extreme economic hardship. In their desperation, they are willing to smuggle themselves into Israel without permits – not in order to blow themselves up as suicide bombers – but to work so that they can feed their children. And then they are hurt twice over: on the one hand, Israeli contractors exploit their helplessness, and on the other, they are caught time after time and arrested as "illegals". Below are just a few examples of the hundreds whom we have helped to appeal against their situation.

**A., 47, from Hebron, married with seven children, a building worker employed in Israel for more than ten years. He had a magnetic card until August 2003. "I went to Hebron DCO a number of times, but they do not want to accept my application for a magnetic card; they say that I am GSS blacklisted. I don't know why. I have done nothing to justify this. I have never been connected with any security problem," he wrote. He asked to have his name removed from the security blacklist so that he can earn a livelihood for his large family.**

The response from the Legal Advisor's Office: "This man's request to allow him entry into Israel has been examined by the security authorities and, after considering all the relevant information, including classified

intelligence, it is not possible, for security reasons, to permit him to enter Israel."

**M., 56, from Ubeidiya in Bethlehem District, married and the father of ten children, a building worker employed in Israel for more than ten years. He had a magnetic card and permits until 2000. "I never did anything to justify security blacklisting, and the only problem was linked to my trip to Saudi Arabia (Mecca) to pray. When I returned via the Allenby Bridge, there was some mess up in the lists and they thought that I had not gone out by that route. I was eight days in the Maale Ephraim lock-up, but then it became clear that a mistake had been made, and I was released," he wrote. He asked for removal of the security blacklisting to enable him to earn a living for his large family.**

The response: "This man's request to allow him entry into Israel has been examined by the security authorities and, after considering all the relevant information, including classified intelligence, it is not possible, for security reasons, to permit him to enter Israel."

**Y., 40, from Ubeidiya in Bethlehem District, married and the father of nine, a tile layer and general construction worker, employed for many years in Israel. "Up to (16 January) 2000 I had a magnetic card and entry and work permits for Maale Adumim and Jerusalem. From that date on, my card and permits have not been renewed, and I am unemployed. I simply do not know how I'm to manage to feed my children," he wrote. In 1987, aged 17, he was imprisoned for a week and afterwards released unconditionally. He has never had a security problem of any kind. He asked for removal of the security blacklisting to enable him to earn a living for his large family.**

The response: "This man's request to allow him entry into Israel has been examined by the security authorities and, after considering all the

relevant information, including classified intelligence, it is not possible, for security reasons, to permit him to enter Israel."

**I., 44, from Yatta in Hebron District, father of seven children aged from two to 18, a construction worker, employed in Israel since 1980. He had work permits until the beginning of 2004, which the authorities have refused to renew since then. "Early in 2004 I made my way into Israel during a "closure", and they opened a file on me at Beit Shemesh Police Station. I went to an attorney who got the file closed. Following that they refused to give me permits on the grounds that I was GSS blacklisted, and a lawyer sent a letter for me to have the security blacklisting removed. They told him that they had a secret file on me. I do not know what I have done that they should open such a file. I am prepared to be interrogated by the GSS to prove my innocence," he wrote.**

I. also received the standard response. In practice, that answer was given in all the 866 cases that were examined and in which the blacklisting was not removed (see above). In two or three cases a little more information was given: the blacklisting was because of "hostile sabotage activity" or "membership in a terrorist organization."

Security blacklisting can be appealed once a year. All these people re-appealed, through us, a year after the date on the rejection of their first appeal. All, without exception, received the same answer. Generally this is the fate of repeated submissions. Our impression is that many people have been condemned to be blacklisted for life.

Time and again, as we wrote the appeal letters for them, and even more so when we delivered the letters of rejection, they would ask us: "Why am I security blacklisted? I have done nothing wrong..."

For the most part, there is no real reason for the security blacklisting – not the throwing of stones in the past, nor anything in the present.

It comes straight out of nowhere and solely to serve the policy of oppression and collective punishment meted out to the population of the Occupied Territories. The large number of people affected, and the fact that the blacklisting is removed from about a third of those on whose behalf we have appealed, all seem to point in that direction – and all the more so when we note that on appeal to the High Court there is a far greater chance of having the blacklisting lifted.

The GSS blacklisting also serves the quota policy for entry into Israel, which is dictated from above. Instead of the Civil Administration announcing that the quota is filled, tens of thousands of men are security blacklisted or, in the words of the Head of Population Registry in the West Bank Legal Advisor's Office: "In any case they're not going to get permits. So if there's even the slightest hint of doubt, they're blacklisted." And this from a senior lawyer in a legal unit that in effect serves the "system".

### Recruitment of Collaborators

Many Palestinians have told us that the GSS has tried to "persuade" them to collaborate. To put it in their words: the "captain" (as the Palestinians term GSS operatives) summons them to an interview, to which they are not obliged to come – but who will risk not appearing? Usually the interviewees wait many hours before the "captain" deigns to receive them. Often, their ID cards, taken from them on arrival, are given back and they are told either to return the next day, or not to return at all. When the interviewee is finally admitted to the "captain's" presence, he is questioned briefly and then, very often, the "captain" asks him to work with him. If the Palestinian does not initially fully understand what is wanted of him, it eventually does become clear and frightening. "I have children, and all I want is to make a living..." he pleads, only to be told: "If you help me, I will help you." Or in other words, and all too clearly: "if you do not help me, you will never get a magnetic card or permit".

A few examples:

**A., 36, married and the father of four; he is a building worker, with no security or criminal record, yet he has never been granted a magnetic card. Fifteen years ago, he was approached by a GSS "captain" to collaborate. He was then only 20, and he signed a piece of paper without even knowing what it said. Immediately after that interview, he had second thoughts and went back on his agreement to work with the GSS. Since then, he has not been able to get a magnetic card. And even today he is still refused it.**

On appeal, he received the standard response: there is a secret file on him. A year later, he applied again: the secret file was still there. Another case of blacklisting for life...

**O., 41, lives in Jerusalem with his Jerusalem-born wife and four children He is in the middle of the family reunification process. For many years, O. worked as a mechanic in a textile mill in Beit Jalah. Up to 1996 he received entry permits for Israel. Now he cannot work because the authorities will not give him an entry permit. If he leaves his house, he will not be able to return. O. told us that he met with a GSS "captain" at the Etzion DCO. There were three people present. At the end of the meeting, after a number of different questions, the "captain" said to him: "I am prepared to help you, if you help me." At first O. did not understand what he was to do, but after some clarification he grasped that to get a magnetic card he must collaborate with the GSS. He refused the offer. At the end of the meeting he was told to sign a document in Hebrew, and then informed that the paper confirmed that he was forbidden forever to enter Israel.**

He did not dare to refuse to sign since he was alone with the three men He did not know that he was fully entitled to refuse to collaborate and that he had a right to refuse to sign a document that he could not

understand. His appeal to the Office of the Legal Advisor met with the standard response as given above. A new appeal was recently submitted on his behalf.

Those whom the GSS has approached to be collaborators often do not want to note this fact in their appeal against security blacklisting, because they fear additional GSS retaliation. I., for example, told us what had happened to him, but would not agree to our mentioning it in appealing on his behalf.

**I., 35, married and the father of 12, worked until recently in the Etzion Bloc settlements. He had a magnetic card and a permit for his place of work. Suddenly he was refused renewal of the permit. He told us: "A few months ago, somebody from the GSS approached me to work with him. I refused, and he said he would make trouble for me. When I couldn't get my permit renewed, I looked for him to explain why I couldn't work with him. But he wouldn't meet me. I went several times, and waited for ages, but he refused to meet me. Maybe he's making trouble just as he promised."**

I., too, received the standard negative response to his appeal, and there was no change in the wording when his second appeal was refused a year later.

These GSS recruitment attempts, which seek to take advantage of the Palestinians' harsh situation, are very widespread, and thus the blacklisting policy serves the plan to turn large sections of the population into collaborators. The lot of the collaborator is truly unenviable: informing on neighbors, friends and even family imposes an unbearable burden and there is a strong chance of being discovered. To save their skins, collaborators have to flee for their lives, and hide for the rest of their days. On the other hand, a man who refuses to collaborate is likely to forfeit any chance of making a living and easing the economic distress of his entire family. The GSS has these unhappy people trapped.

They are faced with a terrible mental and economic dilemma and forced to choose between two options, each worse than the other -- when in fact all they want is to live quietly and earn an honest living. Of course, it is absolutely illegal to punish people under occupation who refuse to collaborate with the occupying power. But then, who ever checks the legality of GSS actions?

## Merchants

We have sent many appeals for merchants and other businessmen requesting removal of security blacklisting. Merchants need freedom of movement to be able to buy and sell goods. They usually need passes allowing them to travel freely within the West Bank in their own vehicles. Some businessmen also need permits to come into Israel to buy, and in some cases to sell, goods here.

Many of the merchants held magnetic cards and permits until 2002 or 2003. Since then, without rhyme or reason, their requests for permits have been refused. Denying them permits causes them heavy financial losses and may sometimes even lead to their businesses failing completely, since without exporting to, or importing from, Israel their businesses cannot survive. And even if a merchant or other businessman has no connections with Israel, there is little chance of his business surviving without him having an internal movement permit enabling him and his vehicle to drive through the checkpoints within the West Bank itself, even when movement restrictions are in force, and thus move freely between the various districts and cities.

What lies behind the policy of denying permits to the business community? Is the objective the destruction of the Palestinian economy? Or is it to compel the businessmen to collaborate?

**N., 53, from Beit Sahour, married and the father of three, owns a business that works only in West Bank cities. He writes: "When I ask**

for a magnetic card, they tell me I don't need one. But, without the card, it's difficult for me to get through the checkpoints within the Territories. For example, one morning at around 08:00 I traveled by taxi in the direction of Ramallah in order to submit a pro forma quote. At Wadi Nar checkpoint, the taxi was stopped, the passengers were told to get out and I was sent back to Bethlehem after a delay of an hour and a half. As a result, I lost a year-long contract. People with magnetic cards were allowed through. I also need a permit to move around the West Bank in my own car." He did not know why he had been refused a card and a permit, he wrote. He had done nothing to justify it, and had no criminal or security record. In the light of that, he requested that he be removed from the security blacklist and issued with a card and permits.

His appeal was successful, and he did receive a card and permits. So why was he ever denied a magnetic card? Why did he have to lose that year-long contract in Ramallah?

**M., 38, married, with five children, works with wood, specializing in pergolas and roofs. He has always worked with Israelis. When we met him, a year ago, he had a valid magnetic card, and a trader's permit. He told us that one morning, as he was going through the Bethlehem checkpoint, he was handed a summons to a meeting with the GSS in the Etzion DCO in the afternoon. He went to the meeting and the "captain", after asking him some questions, assured him that he had no problems, and added that if he ever did have trouble at a checkpoint, he could always phone him. Giving M. his phone number, the GSS man also added that he would want to meet M. again in Jerusalem. M. did not respond to this suggestion. The following day, he was not allowed through the Bethlehem checkpoint. He phoned the agent, and after half an hour he was let through. A few weeks later, M. again found himself barred at the checkpoint. This time, he did not phone, but simply gave up. A few days later he got a phone call from the "captain", who asked how**

**he was and said he wanted to meet him in Jerusalem. A driver would be sent, the "captain" told him, and he would be brought to a secret apartment in the city, and no one would know anything about it. M. said he was not willing to meet him in Jerusalem but would be prepared to come for whatever interrogation was necessary at the Etzion DCO. The "captain" tried hard to persuade him, but M. would not give in. Since then, he has been blacklisted.**

Since refusing to collaborate with the GSS, he can no longer get a permit to work in Israel, and his business is going bankrupt. But who cares? The case was passed to the Association for Civil Rights in Israel (ACRI), which did not succeed in having the blacklisting lifted. M. is still blacklisted and his business is certainly suffering as a result. A new appeal was recently submitted on his behalf.

These examples clearly demonstrate just how people who refuse to collaborate find themselves blacklisted for "security" reasons. Had they agreed to the GSS "captain's" proposals, the alleged security danger that they pose would have promptly vanished.

### **The "Potentials" – Men Who Do Not Meet Entry to Israel Criteria**

The GSS defines certain groups in the population as potentially dangerous to Israel, and denies them permits on a completely indiscriminate basis. Men under 30 form one such group, and another group is composed of those aged 30 or more who have no children. These men, on principle, do not get permits to work in Israel. They can however work in the settlements, which means that the latter enjoy a supply of cheap manpower drawn from among those who have no other choice.

Appeals against GSS blacklisting of these young men who want to work in Israel are met with a long, complicated, standard response from the Legal Advisor's Office, the bottom line of which is: "the appellant does not meet the criteria for entry into Israel." Their applications are

not checked at all. The only way open to them to get their situation evaluated is to find a settler willing to employ them. A man who does not want to, or cannot, find a settlement employer, is not entitled to appeal his security blacklisting.

**M., 36, married and expecting his first child, is one such person who does not meet the criteria. He supports elderly, sick parents and brothers, some of them of school age. One brother is completely paralyzed as a result of a traffic accident. Since childhood M. has worked in a yeshiva, which is very satisfied with his work and wants him to continue. The head of the yeshiva has even given him a reference. He has no criminal or security record, and presents no security risk. He has, after all, been working in Israel for years.**

Because he has no children and therefore "does not meet the entry criteria" M. has no choice but to smuggle himself into Israel, and risk getting caught, otherwise his family goes hungry. Since people in this category may appeal every six months, we have filed a number of appeals for M. Meanwhile a son has been born and M. has hired a lawyer, but without success. He received the standard answer: "This man's request to allow him entry into Israel has been examined by the security authorities and, after considering all the relevant information, including classified intelligence, it is not possible, for security reasons, to permit him to enter Israel."

The case of F. is an example of the attempt to recruit collaborators from among the young men who "do not meet the criteria".

**F., 29, married and with two children, has an employer willing to give him work in Jerusalem, and the GSS is prepared to approve a magnetic card and the necessary permits, but only if he collaborates. He told us that sometimes, when he is detained at an internal checkpoint (Wadi Nar, for example), the "captain" has phoned to put pressure on him.**

His appeal, too, was met with the stock response that he "does not meet the criteria for entry into Israel".

Our conclusion from these testimonies is that the GSS deliberately denies permits to a relatively large population of young people in order to make it easier to recruit collaborators from among them. Moreover, if the prize to young collaborators is a magnetic card and an entry permit, despite their age, then such "benefits" must also be given to others, otherwise all the "privileged" will be identified as collaborators. To this end, the Civil Administration has an "Exceptions Committee" operated by an employment officer, which deals with special cases submitted to it by employers willing to give work in Israel to "people who do not meet the criteria."

### Permit Applications for Career Purposes

**I., 39, from Qalandiya Refugee Camp, is married and the father of five. Though he works full time and supports his children, he also studied Business Management at el-Quds University, and recently completed his Master's degree (when he approached us, he was writing his thesis). His academic degree, and the manner in which he has worked to his employer's complete satisfaction have gained him promotion, but to benefit from it he has to be able to go to Jerusalem. He had a magnetic card up to 2000, but when he requested an Israel entry permit enabling him to take up his new position, he was refused. I. has no criminal or security record. He does not know what he is accused of. He is a working man, supporting a family with many children. He has never in the past, or the present, done anything to threaten the security of the State of Israel. Clearly, without the permit he will lose the promotion for which he worked so hard. He appealed against the security blacklisting, but received the standard negative response.**

I. is simply a family man with ambition and ability, willing to invest effort to get on in life. The refusal to allow him to take up his recent

promotion seems to us utterly incomprehensible. After all, he has worked for many years in one place of regular employment. It is not conceivable that he is "dangerous", and he will be even less of a danger if he's allowed to make progress. We therefore turned to (then) Knesset Member Yossi Sarid, who in turn contacted Ruth Bar, advisor to the Minister of Defense. Her answer was not positive, but she did tell us that I. might try again to appeal his situation at his local DCO, adding that the security authorities were prepared to reinvestigate. The appeal didn't succeed, but in a few days I. was called for an interview with the GSS. We were all so happy because, so we thought, this would give him the opportunity to prove his innocence. Instead, at the end of the meeting, the GSS "captain" said: "There is nothing against you, and if I do have anything against you I can arrest you easily enough, but my supervisors have instructed me not to clear your name in the near future."

A letter from a MachsomWatch member to the Legal Advisor, asked: "As the Legal Advisor for the West Bank, with the authority of the attorney-general regarding the civilian population living under occupation, can you put no limit on the arbitrary decisions of the GSS in relation to innocent people? How can an entire population be criminalized when they have done nothing wrong? How can it be that people are prevented from leading their own lives and that there is nobody to defend them? I ask you, please, to investigate I.'s case, and thus put an end to the harm being done by depriving this man of his basic right to earn a living and get on in life."

The response that we received was: "As an exception, the request for removal of blacklisting was examined for a second time, and it was found that the intelligence material does not permit compliance with this request." And thus the door was slammed shut on I.'s chances of professional advancement.

## Seam Zone Blacklists and other Refusals

The separation fence was erected, ostensibly, to ensure the security of the population of Israel. But, rather than place it on the Green Line, thereby allowing Palestinian farmers to exercise their rights of land ownership, it was decided to build the fence between the lands and the houses of the affected villages, a severe infringement of the basic rights of the residents. But at the same time, the government and the army authorities promised to facilitate access to their lands for those caught in the enclaves created by the fence: to this end, they undertook to ensure that the checkpoints ("gates") leading from the enclaves into the residents' lands would be open to permit the free movement of those affected.

But contrary to these announced intentions, the operation of the gates and the regime of permits do grievous harm to the residents. The army opens checkpoints twice a day for short periods and for somewhat longer periods during the olive harvest. These arrangements are far from adequate to the farmers' needs. The Civil Administration grants and refuses permits in an arbitrary manner as and when it wants, victimizes applicants by sending them backwards and forwards time and again, and generally wreaks havoc on their fundamental rights of property ownership. In 2004 ACRI petitioned the High Court against the permit system and the operating practices of the transit points to the Seam Zone (HCJ 639/04) – that petition is still pending.

Numerous categories of people are refused permits for the Seam Zone:

1. Landowners whose rights to ownership the army does not recognize – these people find that their title to the land has been negated or declared invalid after they have worked their plots for many years. When they come to ask for permits and even to renew their permits, they are informed that their property is not theirs, and their ownership of the land is null and void;
2. Tenant farmers, or those who have worked as hired hands for many years, suddenly find themselves without permits; if the owners live far

away, and are unable to take care of their lands, after years of non-cultivation they may be confiscated by the State;

3. Security blacklisted persons, including some who have refused to collaborate. Most of these blacklisted people are invited to "hearings" before special committees whose members are from the DCO, the GSS and the Legal Advisor's Office. The majority invited to those hearings do eventually get their permits.

MachsomWatch has sent countless individual appeals against the denial of entry to work lands in the Seam Zone. In addition, six letters were sent to the Head of the Civil Administration and to the West Bank Legal Advisor's Office, seeking entry permits for the Seam Zone on behalf of 335 residents, some of them GSS blacklisted. In one of the villages, we were told that some 40% more permits were received during the olive harvest this year than was the case last year. However, many did not receive permits, and some others could not get their permits renewed once the olive harvest was over, although the harvest is followed by a time when much other agricultural work must be done: pruning, plowing, fertilizing, etc., and when other crops, too, must be tended. Moreover, the two-year permit granted to a few residents (direct owners of the land) is for a gate that is closed almost all year long! And so the battle to allow all the residents who wish to reach their lands continues, so that they can cultivate fields and groves even after the olive picking season, and so that the gates remain open throughout the day and every day of the year.

### **Palestinian Partners of Israeli Citizens or Residents**

Among the blacklisted are many Palestinian husbands or wives of East Jerusalem residents or Israeli citizens. After receiving a letter from the Interior Ministry barring them from living in Israel, they move back to live in the West Bank, far from their families, in an endeavor to be free from exposure to persecution and arrest. The rest of the family remains in Israel, waiting for better times. The Palestinian partners almost automatically become GSS blacklisted, and are unable to receive entry permits for Israel, even for a day or two to visit their families. Some of

them have petitioned, through MachsomWatch, to have their security blacklisting removed so that they can eventually get a work or trading permit for Israel, and at least be able to provide a livelihood for their families.

### **Other "Potentials" – Bereaved Families**

Automatically blacklisted are Palestinians whose family members have been killed by the security forces – whether deliberately or by accident. Considered "potential avengers," they are virtually all GSS blacklisted. And thus they are punished twice over: they live with the sorrow of their bereavement, and are also barred from earning a decent living; they also experience difficulties in obtaining permits even for humanitarian reasons.

Some of these families belong to the Palestinian-Israeli Forum of Bereaved Families, which fosters peacemaking and coexistence. But that is of no importance to the GSS: the blacklisting of these people is all encompassing.

### **The Christians**

The Christians, a minority within a minority, fall between the stools. Though they are not considered potential risks, we have found to our surprise that many are GSS blacklisted. Some need magnetic cards and permits to enter Israel for work or commerce. Others want to go to Christian holy sites on festivals. For obscure reasons, always allegedly to do with "classified material", many have their applications refused without ever being told the nature of the suspicions against them. Very many of them, those who do not need work or commerce permits, have no chance of getting their blacklisting revoked since as a matter of course the Legal Advisor only checks appeals for people whom Israeli employers wish to hire, or who need commercial access to Israel.

Families set out during every festival to pray at the Holy Sepulchre and other sites in Jerusalem, while a blacklisted family member stays home, unable to exercise his right to freedom of worship and celebration with his family.

On 2 April 2006, MachsomWatch approached the Legal Advisor's Office with a request that permits be issued to 62 GSS blacklisted Christians, to enable them to participate in Easter rites at the Holy Sepulchre in Jerusalem. In a reply dated 17 April 2006, we were told that the 62 Palestinians must submit individual requests to the DCO. The Public Relations Officer of the Coordinator of Activities in the Territories gave a similar response. However, the DCO refused to entertain the individual applications. We therefore made another approach to the Coordinator of Activities on 18 April 2006. But neither this initiative, nor approaches we made to other officials, led to the examination of the cases of these applicants, or to the issue of the requested permits. An additional response from the Legal Advisor, dated 31 May 2006, stated: "Our office does not deal with prevention of entry into Israel where the application is made for religious reasons. To get these applications dealt with you must refer your clients to the DCOs nearest to their places of residence. This ends our involvement in this matter."

This is a typical "Catch 22" situation: requests routed through religious institutions are rejected on the grounds that the applicants are "security blacklisted"; the DCO refuses to accept individual applications; the Legal Advisor, responsible for examining the legality of the GSS activities in the West Bank, refuses to examine their case, while repeatedly referring them to a body that in turn refuses to entertain their applications. The result is – the continuing, and apparently perpetual, arbitrary negation of the right to freedom of worship and access to the Holy Places. And this despite the fact that freedom of worship is one of the occupied population's fundamental rights.

On 7 November 2006, MachsomWatch wrote to the Head of the Civil Administration and the West Bank Legal Advisor, with copies to various bodies, requesting permits for 134 GSS blacklisted Christians<sup>(4)</sup>, to allow them to participate in Christmas celebrations at the Holy Places in

<sup>(4)</sup> The original letter was sent on behalf of 110 residents, but in the weeks before the festival more names were added, resulting in a list of 134 residents.



**Pleading**  
Huwwara DCO (Nablus), December 2003  
Photo: Esti Tsal



**The face of the occupation: garbage and dirt**  
The former Etzion DCO (Bethlehem), 2004  
Photo: Neta Efroni



**Waiting for cards and permits**  
The former Etzion DCO (Bethlehem), 2004  
Photo: Neta Efroni

**In "the cage"**  
Hebron DCO, May 2006  
Photo: Neta Efroni



**Morning, farmers en route to their land, now cut off by the separation fence**  
 Checkpoint ("agricultural gate") in the separation fence Anin, Jenin district, March 2007  
 Photo: Neta Efroni

**The gates are closed, the farmers can wait**  
 Checkpoint ("agricultural gate") in the separation fence Anin, Jenin district, March 2007  
 Photo: Anna Vider



**Olive harvest high season; Gate 22 opens:**  
**from 06:00 to 07:00, from 12:00 to 13:00, and from 16:00 to 17:00**  
 Checkpoint ("agricultural gate") in the separation fence  
 Photo: Neta Efroni



**Detainees: handcuffs and blindfolds compound the humiliation**  
Beit Iba (Nablus) Checkpoint, April 2006  
Photo: Hanna Kasher



**Detainees. It is "legal" to hold people for three hours for no reason at all**  
Shiukh Junction (Hebron), June 2005  
Photo: Hagit Back



**A handcuffed and blindfolded detainee**  
Huwwara South Checkpoint, 25.4.2004  
Photo: Esti Tsal



**A detainee locked up**  
 Huwwara North Checkpoint, 2005  
 Photo: Esti Tsal

Jerusalem. Letters were sent to the various churches on the assumption that they knew the residents and could recommend them. Eventually, the security blacklisting was removed for 51 people (38% of the total), and they received permits to stay in Israel from 31 December to 20 January. Permits valid for five days, from 05:00 to 19:00, were also given to 54 residents (40% of the total), even though their blacklisting was not lifted. This was an easement and brought great joy to many families who for years had not celebrated together in the Jerusalem holy places. And it proved that things could be different...

On 7 March 2007 we sent similar letters to a similar list of officials, as well as to the churches, on behalf of 181 blacklisted Christian residents<sup>(5)</sup> requesting permits for Easter. This letter remained unanswered and, to the best of our knowledge, no permits were forthcoming even to those who did receive them at Christmas despite their being blacklisted.

### The Sick

A GSS blacklisted Palestinian had better be healthy! High level Palestinian health centers dealing with such specialist areas as oncology and organ transplants, are located in East Jerusalem at the El-Mukassed, Augusta Victoria and Saint Joseph's hospitals and, for ophthalmology, at the Saint John Eye Hospital. These hospitals deal with severe medical cases from the entire West Bank. But to reach them, patients must have entry permits for Israel. Permits are indeed issued for humanitarian reasons, but if the patient is GSS blacklisted, he will go through much torment before he receives the sought after permit, if, indeed, he ever receives it.

In the years that we have been carrying out observations at the DCOs, we have met many sick people seeking permits allowing them to go for treatment at East Jerusalem hospitals. Requests for such permits, and a hospital appointment must be accompanied by medical documents giving all details of the patient's sickness. GSS blacklisted people are often denied the desired permit, despite having undergone the

<sup>(5)</sup> The original letter was sent on behalf of 167 residents, but in the weeks before the festival more names were added, resulting in a list of 181 residents.

humiliation involved in showing their medical files to a soldier at the grille in the DCO.

Some approach us, and we turn to Dalia Bassa, the IDF Health Coordinator in the West Bank, to the West Bank Legal Advisor, the IDF Humanitarian Centre and to Knesset members. In the best of cases, the patient will receive a one-time entry permit, but even this involves humiliation and considerable suffering. Even if such a blacklisted patient does get a permit, the blacklisting itself is not reviewed. Thus, if a further hospital visit is needed, the patient will have to go through the same humiliation and torment again, and perhaps many more times. If the patient is not blacklisted, in many cases the person who might naturally accompany him or her to hospital is on the blacklist. Often, a sick woman referred for an operation or complex treatment (dialysis, radiation) has to ask one of her sons to accompany her, since her husband is GSS blacklisted and no one is about to lift the blacklisting to allow him to help his spouse.

**H., 44, a Christian from Bethlehem, and the oldest son in his family, applied for a permit to accompany his paralyzed father for a risky spinal cord operation in an East Jerusalem hospital. He wanted a permit that would give him the possibility of remaining with his father during the critical period of his hospital stay. But H. was GSS blacklisted and the security authorities could not be persuaded that he was not dangerous, and that it was essential that he accompany his father, in order to take any emergency decisions that might arise. All his pleas were to no avail. A much younger brother accompanied the father. Two weeks later, H.'s security blacklisting was lifted for commercial purposes.**

In our discussions of this case with the Legal Advisor's Office, we were told that the aged and paralyzed father should be thankful that he had been allowed to have the operation in a hospital "in Israel." In other words, granting the sick of the West Bank the right to receive treatment

in Palestinian hospitals, operated by Palestinian doctors and staff, built by Palestinian entities, and funded by Palestinian patients, is nothing other than a gracious act of charity bestowed by the State of Israel! And this we heard from a senior lawyer in the Legal Advisor's Office...

**S., 60, the Christian principal of a school, requested a permit to enter Israel for medical treatment in an East Jerusalem hospital. He received the permit solely thanks to the MachsomWatch women who happened to be in the DCO at the time. Since he needs to go to the hospital every three months, he has therefore asked for his name to be removed from the GSS blacklist. After all, next time there may not be any MachsomWatch women around.**

The response that S. received was that the Legal Advisor's Office deals only with specific cases: in other words, only if a permit is denied for a specific visit can he appeal to the Legal Advisor with regard to that particular hospital visit. Since the problem always arises at the last moment before the next scheduled visit, for reasons beyond the patient's control -- long lines at the DCO, closures, the hospital's setting too close a date, and so on -- the application would reach the Legal Advisor's Office after the date had passed.

Finally, as an exception, after an additional appeal and more debate with soldiers serving in the Legal Advisor's Office, S.'s security blacklisting was lifted and he can now receive permits for his three-monthly hospital visits without the intervention of MachsomWatch women.

Here we must emphasize that if a person has been GSS blacklisted by mistake, and he is asking for the permit solely to visit an East Jerusalem hospital, he is still likely to remain GSS blacklisted for life, since there is no possibility of appeal.

Without permits for medical treatment, some of those who need it will eventually reach the hospital "illegally" to get their treatment. Others, mostly the disabled, have to forego the medical help they need.

## Individual Supreme Court Petitions

A GSS blacklisted Palestinian who is told by the Legal Advisor that "it is not possible, for security reasons, to permit him to enter Israel" can petition the High Court. But this is very costly and, for the most part, the average Palestinian cannot finance such an appeal. Recently, MachsomWatch has arrived at an agreement with a lawyer on lowered fees, but this project has only just started, and it is too early to report results. But it should be noted that the lawyer's ability to defend a blacklisted client is extremely limited, for she has no access to the "classified material" referred to in the authorities' rejection of the appeal to lift the blacklisting. How can a client be defended if the offences of which he is accused are not known? If the source of the blacklisting is not evident, there is no possibility of bringing witnesses. Nevertheless, in the experience of various human rights organizations, petitions to the High Court for the removal of GSS blacklisting succeed in from 60 to 70% of cases.

## In Conclusion

From contact with people whose difficulties we deal with, we have the distinct impression that the State of Israel makes far too cynical a use of GSS blacklisting as a powerful weapon against the entire Palestinian people, and not only against those who truly endanger its security. We are forced to conclude that security blacklisting plays an integral and deliberate role in the Occupation's policy of keeping the Palestinian population at a standard of living that is not death, yet not life - without hope, without higher education, without proper schools, without any economic infrastructure - browbeaten, starved, alienated and ultimately rotting away.

The fact that the blacklisting was removed in a third of our applications, without the need for any other process, leads us to conclude that the people for whom we acted should never have been on the blacklist in the first place, even by the mysterious criteria of the GSS. Their blacklisting was purely arbitrary. If we can extrapolate from the sample with which we have dealt, at least 60,000 of the 180,000 on the GSS blacklist were put there without any real reason. In other words, GSS blacklisted Palestinians are, in large part, innocent people who present no danger. They are the victims of collective punishment meted out in a complex scheme of oppression which is typical of tyrannical regimes elsewhere in the world. How did it happen that the Jewish nation, itself the eternal victim of persecution for generation upon generation, dreamt up and created such a dismal reality in the back yard of its own state?

The Israeli public has sunk into indifference over what happens in the territories, and, to salve its conscience, it accepts the dictates of the GSS unquestioningly. Whatever the GSS determines is deemed sacrosanct and beyond all appeal. However, this terrible silence in the face of oppression and distress imposed by the GSS on tens of thousands of

people, makes all of us partners in the crime. Further, the absence of any public control, particularly by the Israel legislature, over this giant octopus-like GSS whose activities are shrouded in darkness, threatens to strike deep at the State of Israel's democratic basis.

Where is the judiciary which is supposed to put a brake on the arbitrary rulings of the GSS? It acts in practice to plaster over and complete the trampling down of the human rights of helpless Palestinians. It is not difficult to arrive at the conclusion that there is no chance of invoking the aid of the Legal Advisor's Office, or even of the Supreme Court (for those who have the means to aim that high) in an endeavor to preserve the basic rights that the GSS confiscates from so many people.

Undoubtedly, the desirable and appropriate solution to the situation presented in this report is to bring about an end to the Occupation, with the signing of treaties of peace and reconciliation between the two nations. The government's policy towards the Palestinians must change if we indeed hunger for peace. But before that peace can be achieved, the State of Israel must behave in accordance with international law, and permit the Palestinians to live in dignity, to work and earn a living. Limits must be placed on the GSS's unsupervised and unassailable control of the Occupied Territories, and its assumption of sovereignty there in place of the appropriate Israeli authorities. We, as citizens of Israel, must have a special interest in this.

We hope that this exposure of the system of subjugation imposed by the GSS will contribute to convince the Israeli public that the time has come to put an immediate stop to the oppression of the Palestinian population of the Occupied Territories.

