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In the Supreme Court sitting as the High Court of Justice

HCJ 11198/02

**Before:**

**Honorable Justice E. Mazza  
Honorable Justice M. Naor  
Honorable Justice E. Hayut**

**The Petitioners:**

- 1. Diriya**
- 2. Gheith**
- 3. Hamed**
- 4. Diriya**
- 5. HaMoked: Center for the Defence of the Individual**

v.

- 1. Commander of the Ofer Military Detention Facility**
- 2. Commander of IDF Forces in the Judea and Samaria Area**

**Petition for Order Nisi**

Session date:

10 Tammuz 5763 (17 July 2003)

For the Petitioners:

Adv. T. Peleg-Sryck, Adv. Y. Wolfson

For the Respondents

Adv. Shai Nitzan

**DECISION**

The supplementary response and additional clarifications made before us by Respondents' counsel indicate that, taking into account the security and logistical constraints facing them, the Respondents have taken substantial steps toward rectifying the wrong that was caused to prisoners and detainees by preventing family visits for a prolonged period of time. It appears that, as regards most of the Area (except for the Nablus, Jenin, and Hebron districts), all the necessary arrangements have been made to hold family visits on a regular basis. It also appears that the matter of family visits of relatives coming from the mentioned districts – even if gradually rather than simultaneously – are close to being resolved. It goes without saying that relatives who do not meet the regular criteria for a visitor's permit have the opportunity to submit a request to the legal advisor in the Area's command offices to obtain an exemption for special reasons as set forth in the request.

Based on the statements recorded herein, it may be concluded that the issues raised by the petition have been resolved, and that the petition has been exhausted and must be dismissed. However, and to further monitor the developments, we hereby decide, beyond the requirement of the law, to grant the request of Petitioners' counsel and order a further hearing be scheduled (as far as possible, before this panel), during the month of September.

Given today, 17 July 2003.

Justice

Justice

Justice