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Israel	Defense	Forces	[Emblem]
Civil Administration	Judea and Samaria Area		
Civil Coordination Branch – Crossings and Seam Zone			
Tel.:		02-9977035	
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<u>Ref.:</u>		8508	
Shvat	23	5775	
February	12	2015	

**Re: Protocol of an Appellate Committee – in the matter of \_\_\_\_\_ Bari**

**Attending:**

- Chair of the committee: Major Amos Zuaretz, Head of Crossings and Seam Zone Department
- Representative of the legal advisor: First Lieutenant Avishai Sadeh, Population Registration Division
- The protocol was registered by: Private May Eliasi, Assistant to Head of Crossings and Seam Zone Department
- Appellant: \_\_\_\_\_ Bari, ID No. \_\_\_\_\_
- Counsel to the Appellant: Adv. Nassrat Dakwar, HaMoked: Center for the Defence of the Individual.

**The Hearing:**

- Legal advisor's representative:** We have an updated paraphrase: "We have information which indicates that you are a Hamas activist having connections to weapons. Your brother Mamdukh is a senior Hamas activist in his village and has been actively involved in Hamas activity over the course of recent years. An approval of the application will put at risk the security of the Area."
- Counsel to the appellant:** The information should pertain personally to the appellant rather than to his family members and the information should be up-to-date. I did not hear in the hearing how it pertains to him.
- Legal advisor's representative:** With respect to the information being up-to-date, we received the paraphrase this morning. Naturally, in view of the fact that privileged material is concerned we cannot respond to the claims. We will hear what he has to say, we shall consider it, and thereafter we shall give him our final decision.
- The appellant:** I am not affiliated with any organization. I earn a living and take care of myself and my family. I always had a magnetic card and seam zone permits. I had no problems. I have never been interrogated by the ISA. I studied in the University and crossed the Nablus crossing. I was neither detained nor interrogated. There were periods with problems but I have never been summoned for interrogation.

- E. **Counsel to the appellant:** With respect to his brother he claims that he is not responsible for his actions but only for his own actions. His last permit expired by the end of August. In the beginning of September he used to pass through the gate on a daily basis each morning and evening and he had no problems over there either.
- F. **Legal advisor's representative:** The fact that he has not been interrogated in the past does not mean that there is no intelligence information which substantiates dangerousness on his part. I see that you reside in Azzun Atma and request a permit for farming purposes. Is the land still located on the east side of the fence, also after the the route was relocated?
- G. **The appellant:** Although the route of the fence in the area was relocated I need a permit to reach the plot of land which I need to farm.
- H. **Legal advisor's representative:** In view of the fact that the application was originally examined on the basis of the old route which existed at that time, even if we decide that there is no security preclusion for your entry into the seam zone, we will have to reconsider the location of the land.
- I. **Chair of the committee:** The paraphrase speaks for itself, all the more so as it is up-to-date. Beyond that, I see according to the application submission date that it had been submitted before the relocation of the route, I therefore request that in any event the representation shall examine whether his land is located within the seam zone.

**DECISION:**

Discussed and sent decision within one week

\_\_\_\_\_  
(signed)  
Amos Zuaretz, Major  
Head of Crossings and Seam Zone Department

\_\_\_\_\_  
Avishai Sadeh, First Lieutenant  
Legal Advisor

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