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**At the Supreme Court  
Sitting as the High Court of Justice**

**H CJ 4966/24  
Hearing scheduled for : October 14, 2024**

1. \_\_\_\_\_ 'Awis
2. \_\_\_\_\_ 'Awis
3. \_\_\_\_\_ Miqleda
4. \_\_\_\_\_ Miqleda
5. \_\_\_\_\_ Abu al-'Ajuz
6. \_\_\_\_\_ Abu al-'Ajuz
7. \_\_\_\_\_ Tza'abaneh
8. \_\_\_\_\_ Tza'abaneh
9. **HaMoked Center for the Defence of the Individual founded by Dr. Lotte Salzberger**

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**The Petitioners**

v.

**Military Commander of the West Bank Area**  
Represented by the State Attorney's Office  
Ministry of Justice, Jerusalem  
Telephone: 073-3925990; Fax: 02-6467011

**The Respondent**

**Respondent's Update Notice**

1. According to the decision of the honorable court (the Honorable Justice I. Amit) dated August 15, 2024 and in preparation for the hearing in the petition scheduled for October 14, 2024, the Respondent respectfully submits an update notice on its behalf as follows.
2. The petition concerns Petitioners' request that the honorable court issues an *order nisi* ordering the Respondent to show cause:

"... why it does not allow seam zone business owners and their employees access into the seam zone by virtue of their permits, according to the policy applied by the Respondent as of the beginning of the permit regime until October 7, 2023."

3. The Respondent submitted on August 5, 2024 a preliminary response to the petition in which it argued that the petition should be dismissed in the absence of legal grounds for the intervention of this honorable court; since, as was explained in its April 2024 response, "commerce in the seam zone" permits (hereinafter: **Commerce Permits**) and "commercial employment in the seam zone" (hereinafter: **Employment Permits**) were **excluded** from the closure decree and since Respondent's personnel were acting to complete the review of all pending applications and to enable the entry of those who are entitled to a permit.

It was also clarified that in view of the security situation in the Judea and Samaria Area (hereinafter: the **Area**), with emphasis on the security situation in the Northern Samaria area, where the vast majority of the seam zone businesses are located, Respondent's personnel were thoroughly examining all seam zone permit applications, including physical examination of every business to determine the number of workers required therefore. The above examination is lengthy and was continuing at that time taking into consideration the above security situation and Respondent's decision not to automatically renew the permits which were valid when the Iron Swords war broke out (notice to that effect was given through the representatives of the Palestinian Authority).

With respect to the scope of approved permits the Respondent informed that by that time approximately 654 commerce permits were approved out of approximately 900 permits in force in 2023; and that approximately 974 employment permits were approved out of approximately 6,500 permits in force in 2023. The above, due to the change which was applied in view of the security situation according to which only the number of workers required to operate the business shall be approved, based on Respondent representatives' examinations together with the applicants. It was further informed that **on the response submission date the Respondent was examining 81 applications (additional applications are transferred from time to time by representatives of the Palestinian Authority)**.

The Respondent has also referred to the general background pertaining to the seam zone and particularly to the complex security situation against the backdrop of the Iron Swords war, informing that with the outbreak of the Iron Swords war, the security vulnerability in the region intensified in view of both the October 7<sup>th</sup> events and the deteriorating security situation in the Northern Samaria area over the last year. Therefore, and in order to enable the continuation of economic activity in the seam zone while minimizing the security risk posed by the re-entry of the merchants into the seam zone, it was decided that entry shall be allowed only **following the Civil Administration's examination aimed at ensuring the authenticity of the application and the nature of the business to which entry is requested**.

4. On August 15, 2024 the Honorable Justice I. Amit decided that "the petition shall be heard by a panel as soon as possible. The Respondent may update its response to the petition up to 72 before the date scheduled for the hearing."

5. **Hence Respondent's update as follows:**

With respect to the scope of commerce permits and as informed by Respondent's personnel, until now approximately 813 permits were approved (compared to approximately 900 permits in force before the war, comprising approximately 90%). It should also be noted that approximately 172 applications were refused for different reasons (for comparison purpose, in the corresponding period last year 171 applications were refused).

Approximately 1,462 commercial employment permits were issued (compared to approximately 6,000 permits in force before the war, comprising approximately 20%). It should also be noted that approximately 219 applications were refused for different reasons (for comparison purpose, in the corresponding period last year 1,184 applications were refused).

Namely, since the submission of the preliminary response to the petition, approximately 159 additional commerce permits and approximately 488 additional employment permits were given. In addition, it is evident that the scope of the refusal is not high, and in this context it should be emphasized that Respondent's personnel are not aware of any petition against an individual decision refusing to give any of the above permits to a specific person.

To complete the picture it should be clarified that as of this date there are no pending applications awaiting the decision of the Civil Administration. It should be noted that the applications are transferred by the Palestinian Coordination and therefore it is possible that there are applications which have not yet been transferred by the Palestinian Coordination to Respondent's personnel, but there is no information of any such application.

6. Given the aforesaid, since essentially the factual description arising from the petition is no longer relevant in view of Respondent's current policy enabling the entry of merchants into the seam zone without an age or family status limitation, it seems that the petition in its current format is no longer relevant (and it is doubtful whether it was even relevant when submitted) and should be dismissed or at least erased (reserving Petitioners' arguments, if any, concerning Respondent's current policy). Moreover, and beyond need, the Respondent shall argue that in view of all of the aforesaid and the efforts to strike a balance at this complex time between security needs and the need to secure the fabric of life in the seam zone, there are no grounds for the intervention of this honorable court in Respondent's policy and the petition should be dismissed.
7. The facts specified in this petition are supported by the affidavit of Major Kanaj Abdallah, Head of Crossings and Seam Zone Division at the Civil Administration.

Today: 7 Tishrei, 5785  
October 9, 2024

**Sharon Hoash-Eiger, Adv.**  
**Senior Deputy A, HCJ Department.**  
**State Attorney's Office**

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