

Court puts Gaza expulsions on hold

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Supreme Court Justice Dalia Dorner yesterday issued an interim injunction preventing the expulsion of three relatives of terrorists from the West Bank to Gaza until the court has heard their petitions against the planned expulsion.

Dorner gave the IDF 15 days to submit a response.

Nevertheless, the IDF believes the court will ultimately approve the deportations, which it deems "vital" to Israel's fight against suicide terrorism.

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The three putative deportees are Kafah Ajouri, 28, his sister, Intisar and Abed Atzida, 34. Kafah and Intisar are siblings of Ali Ajouri, who is be-

lieved responsible for the fatal bombing in Tel Aviv on Tisha b'Av. Atzida is the brother of Nasser Atzida, considered responsible for two bus bombings near Immanuel, that killed 20 people, plus the murder of two settlers from Yitzhar. All three are slated for expulsion on the grounds that they actively abetted their siblings' terrorist activity.

In their petitions, filed by attorneys from **Hamoked** - Center for the Defense of the Individual and the Association for Civil Rights in Israel, the three argued that the IDF has not proved that they themselves are dangerous, and therefore their deportations are unjustified. The army, they said, wants to deport them primarily to deter suicide bombers by threatening families, and both previous Supreme Court rulings and international law forbid deporting someone as a

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deterrent. Furthermore, they said, it has never been proved that expulsions are an effective deterrent.

The three rejected charges that they themselves had abetted terrorist activity, saying this has not been proved. Atzida, they noted, was even twice arrested by the Palestinian Authority on suspicion of collaborating with Israel, and has never appeared on any Israeli wanted list. As for the Ajouris, the petition noted that Ali was killed by the IDF a week ago, and there is therefore no danger that they will assist him further.

The army says Kafah told police interrogators he knew his brother made bombs, but nevertheless supplied him with

food and bedding at his safe house and once even stood watch for him. Atzida also told interrogators he knew his brother was involved in terrorism, but still supplied him with food and lent him his car, the army says.

The petitions also argued that under international law, expelling residents of occupied territory is a war crime, so the move would not only harm the petitioners, but would endanger the soldiers and officers involved.

Finally, the petitions challenged the fairness of the military appeals committee that upheld the deportations, saying the committee was pressured by the government and the IDF top brass, with Prime Minister Ariel Sharon even meeting personally with the legal officials involved in the decision.

The Palestinian Authority yesterday reiterated that it will not cooperate with the deportations, but did not specify what form its noncooperation would take. In the past, it has said it will not accept the three into its territory should the expulsions go through.

Meanwhile, some 60 foreign activists yesterday moved into 10 Palestinian houses in Bethlehem and Nablus whose owners fear Israel will demolish them because of a family member's involvement in terrorism.

The activists, members of the International Solidarity Movement from countries such as the United States, Britain, Ireland and Japan hope their presence in the houses will deter the army from destroying them. They have been joined by one Israeli activist, Neta Golan of the Gush Shalom movement.