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At the Supreme Court in Jerusalem
Sitting as the High Court of Justice

HCJ 8696/02
HCJ 10327/02 - C

Before The Honorable Justice E. Matza
The Honorable Justice M. Heshin
The Honorable Justice M. Naor

The Petitioners in
HCJ 8696/02:

1. _____ **Shahin**
2. **HaMoked: Center for the Defence of the Individual**
founded by Dr. Lotte Salzberger (Reg. Assoc.)

The Petitioners in
HCJ 10327/02:

1. _____ **Jadala**
- 2.
3. **HaMoked: Center for the Defence of the Individual,**
founded by Dr Lotte Salzberger (Reg. Assoc.)

v.

The Respondent:

Commander of IDF Forces in the West Bank

Petitions for Order Nisi

Date of hearing:

7 September 2003

On behalf of the Petitioners in
HCJ 8696/02 and HCJ 10327/02: Attorney L. Tsemel

On behalf of the Respondent: Attorney S. Nitzan

Judgement

The individual matters of the specific Petitioners are no longer relevant.

Under the circumstances, we suggested to counsel for the Petitioners that they withdraw the petitions, reserving the right to return to court in the name of HaMoked: Center for the Defence of the Individual in a new petition intended to clarify the legality of a detention facility that the state classifies as secret. We agree that it will be proper to hear such a petition – if filed – also in the event that it does not relate to a specific person who is incarcerated in the said detention facility.

Counsel for Petitioners accepted our proposal. Therefore, we decide to nullify the orders nisi that we gave in the petitions before us, and to dismiss the petitions.

When a new petition is filed with the court, the on-duty justice will consider setting it for hearing before a panel at the earliest possible time.

Given today, 7 September 2003.

[signed]

Justice

[signed]

Justice

[signed]

Justice