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reserved

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15 Kislev 5758

15 December 1997

To

Ms. Dalia Kerstein

Director, HaMoked - Center for the Defence of the Individual

4 Abu Obeida St.

Jerusalem 97200

Re: Exit abroad procedures for residents of the West Bank and accompanying persons

Your letter dated 13 August 1997 numbered 31450, 31250

1. In your letter dated 13 August 1997 you requested our response to a number of questions. Your letter was forwarded to the authorized persons and we respectfully answer on their behalf as follows.
2. Regarding the first question, we would like to clarify that according to the agreements with the Palestinians; a resident of the Area is allowed to leave the Area through the Palestinian section at the Allenby Crossing. On the other hand, a child who is registered in the Israeli population registry must, according to the provisions of the Interim Agreement, pass through the Israeli section of the crossing. If a situation arises whereby an Israeli child arrives at the crossing and is unable to pass through the crossing without supervision of his parent who is a resident of the Area, we were informed that a suitable arrangement would be found then and there, so as to allow for the passage of parent and child together. As for the exit of a resident via Ben Gurion Airport – such exit requires obtaining a transit abroad permit from the relevant DCO. Procedures for the exit of residents of the Areas abroad, as well as the exit of Israelis abroad from Ben Gurion Airport are under the responsibility of the Ministry of the Interior and it is suggested that you turn to them in this matter.
3. Regarding your second question, we shall note that exit abroad is subject to the existence of proper travel documents, which may be issued only on condition that the person who wishes to exit is registered in the population registry. To our knowledge, registration of children in the Areas is a speedy procedure. As for the registration of children in Israel, this too, is under the responsibility of the Ministry of the Interior and it is suggested that you present your question to them.
4. Regarding the third question, the visitor exits through the Palestinian section of the Allenby Crossing (regardless of the family unification application) and his son leaves along with him through the Palestinian side, using documents with which residents of the Areas are permitted to exit the Area.
[stamp]
5. Regarding your final question, indeed, inasmuch as the child in question is under the age of five, he is permitted to enter the Area accompanied by a parent who is a resident of the Area,

on the basis of the original birth certificate. At the Allenby Crossing an “entry of a minor under the age of five” form will be filled out for him. Inasmuch as the child in question is over the age of five but under the age of 16, indeed he must enter pursuant to a visitor permit and a travel document. We shall note, however, that all matters relating to family unification are currently under negotiations between Israel and the Palestinians and, at this time, have yet to be finalized.

Sincerely,

Orit Kita, [signed]

Lieutenant

Consultation

Officer

On behalf of the Assistant MAG for International
Law

Copies:

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Division

Judea and Samaria – Legal Advisor

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