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

**HCJ 8155/06**

Petitioners:

- 1. The Association for Civil Rights in Israel**
- 2. HaMoked: Center for the Defence of the Individual**
- 3. Physicians for Human Rights**  
by counsel, Att. Limor Yehuda and/or Dan Yakir, and/or Dana Alexander and/or Avner Pinchuk and/or Michal Pinchuk and/or 'Auni Bana and/or Laila Margalit and/or Sharon Avraham-Weiss and/or Oded Feller and/or Tali Nir and/or Nasrat Daqwar and/or Gil Gan-Mor and/or Nisreen 'Alyan of the **Association for Civil Rights in Israel**  
P.O. Box 34510, Jerusalem 91000  
Tel: 02-6521218; Fax: 02-6521219

v.

Respondents:

- 1. Commander of IDF Forces in Judea and Samaria**
- 2. Head of the Civil Administration**
- 3. Head of the Israel Security Agency**
- 4. Legal Advisor for the Judea and Samaria Area**  
by the State Attorney's Office  
29 Salah al-Din St. Jerusalem

## **Updating Notice Response on behalf of the Petitioners**

In accordance with the decision of Honorable President Beinisch of 18 May 2008 and ahead of a hearing scheduled in the petition for 28 September 2008, an updating notice regarding the implementation of the provisions of the new procedure is hereby filed.

### **The subject matter of the petition**

1. The subject matter of this petition (as delineated by the Court's decision of 1 August 2007) is the administrative procedure for imposing prohibitions on travel abroad on Palestinian residents of the West Bank.
2. The Petitioners' demand in the petition is simple and basic – when the competent authority considers infringing upon a person's fundamental right and prohibiting him from traveling abroad, it is obliged to provide that person with prior notice thereof and the right to plead his case before it prior to making the decision, and, after hearing said person, arrive at an informed decision and provide the grounds thereto.

3. Yet, the Respondents, the authority in our case, do the exact opposite: they record a person as “precluded for security reasons” whose travel abroad has been prohibited. No notice will be given to this person that the same has been decided in his case. He will be given no advance opportunity to stake his claim. After the fact, if he petitions this Court, there is a high probability that the decision will be reversed.

#### **‘The new procedure’**

4. In their response of 20 February 2008, the Petitioners detailed their objection to the ‘new procedure’ adopted by the Respondents.
5. The reservations and the reasons specified therein regarding the procedure’s unlawfulness and its contravening of basic principles of good governance are firm and valid and the Petitioners refer to the statements made in their said response. In the response we cautioned that rather than resolving the defects, the procedure entrenches unjustified and unreasonable infringements on human rights and under the guise of “reform” further burdens residents of the Territories wishing to travel abroad.
6. Indeed, the adoption of the ‘new procedure’ paved the way to a new course of bureaucratic abuse. As indicated by the examples detailed below and as has transpired in other cases handled by HaMoked: Center for the Defence of the Individual since the new procedure has been adopted, individuals who have arrived at the DCOs in order to file applications have encountered many different reactions. From the Palestinian DCO, they were sent to the Israeli DCO and from there back to the Palestinian DCO while being told that they had never heard of such a procedure. Applicants who wished to file an objection to their registration as “precluded from exiting” were rejected by the DCOs after being told that it was not possible to do so. Others were told that they must apply for a ‘magnetic card’ (a card needed for the purpose of obtaining a permit to enter Israel), and after having filed this application, the legal advisor’s office claimed they had not filed the appropriate application, refused their application and sent them to the DCO for a second or third time, to file the ‘right application’.
7. Despite what is specified in the procedure itself, that it does not apply to individuals who arrive at the Bridge, and despite what was specified in the this Court’s decision in the request for a temporary injunction of 18 May 2008, according to which the existence of the new procedure did not cancel the option of appealing to the office of the legal advisor as was the practice prior to the entry into force of the new procedure, the legal advisor’s office refused to process applications as it once did and consented to do so only in a handful of cases which it defined as “special humanitarian cases”.
8. One of the principles on which the new procedure relies is the requirement made of every person wishing to inquire whether he is prohibited from travel or not to arrive in person at the offices of the regional DCO and file a detailed written application. In the procedure this matter amounts to one typed line. In reality, however, it is a different story. These innocent words – filing an application at the DCO – have ramifications a thousand words could not explain. The Petitioners suggest that this Court consider making a personal visit to one of the DCOs to which the procedure refers and observe what these residents must endure simply in order to traverse the phase of ‘filing an application as per the procedure’.
9. To complete matters and provide an update only, below we present some of the cases of residents whose travel abroad has been prohibited in the time that has elapsed since the adoption of the procedure and which were processed by Petitioner 2, HaMoked: Center for the Defence of the Individual.

#### **Examples**

10. **Sami Muhammad Nimer Kalalwa** – Mr. Kalalwa, an industrial engineer and resident of Jenin had to travel to Dubai in order to report for a new position to which he had been accepted. On 23 February 2008, Mr. Kalalwa arrived at the Allenby Bridge in order to travel abroad. He was informed at the Bridge that a “security preclusion” had been recorded in his matter and therefore he could not leave.

On 4 March 2008, HaMoked contacted Respondent 4, the legal advisor for Respondent 1, on Mr. Kalalwa’s behalf, as per the procedure which had been in practice until that time and in an attempt to prevent an unnecessary petition to this Court. As no response was forthcoming, another letter was sent on 12 March 2008.

On 13 March 2008, Respondent 4 notified that he refused to process the application. The letter clarified that according to the ‘new procedure’, the applicant must turn to the DCO as per the “prior inquiry” procedure.

In these circumstances, and in light of the urgency of the applicant’s travel abroad, a petition against the decision to prevent Mr. Kalalwa from traveling abroad was filed on 23 March 2008 (HCJ 2660/08).

The petition was scheduled for an urgent hearing on 7 April 2008.

Following submission of the petition and ahead of the hearing, on 2 April 2008, the Respondents notified that the preclusion had been lifted.

Copies of the petition, notices by the parties and the Court’s decision are attached and marked **Exhibit P/60**.

11. **Muhammad Khalil Muhammad Dufash** – Mr. Dufas, a pharmacist and resident of Hebron wished to travel to Jordan in order to participate in a professional conference held between 10 and 12 April 2008. In view of the fact that the Petitioner had been prevented from traveling abroad previously and in view of the urgency of the application and the absence of a track for urgent applications, HaMoked contacted Respondent 4, the legal advisor’s office, regarding the matter on 13 March 2008.

At the same time, Mr. Dufash also contacted the Palestinian DCO in Hebron and submitted an application according to the procedure, while highlighting the tight schedule, on 18 March 2008.

No response was received by the end of March on any of the tracks – neither the DCO nor the legal advisor’s office.

Therefore, on 1 April 2008, a petition was submitted to this Court (HCJ 2964/08).

The petition was scheduled for an urgent hearing on 7 April 2008.

On 6 April 2008, six days after the petition was submitted and one day before the hearing, Respondent 1 notified that “security officials have indicated that they do not object to Petitioner 1’s [hereinafter: the Petitioner] exit to Jordan at this time”.

Copies of the relevant pages from the petition, notices by the parties and the Court’s decision are attached and marked **Exhibit P/61**.

12. **Walid Rashed Muhammad Daka** – Mr. Daka, an engineer and resident of Tulkarem works for PALTEL, a communications company. He was required to travel abroad in order to participate in professional seminars as of 15 April 2008.

In view of the fact that Mr. Daka had been prohibited from traveling abroad in the past and in view of the fact that he did not have much time, HaMoked contacted the legal advisor's office, Respondent 4 on 6 March 2008. As no response was forthcoming, HaMoked contacted the legal advisor's office again on 12 March 2008. On 17 March 2008, the response that the legal advisor refused to process the matter and the applicant must contact the DCO was received (it must be noted that before the adoption of the procedure, such cases were handled by the legal advisor's office).

The next day, on 18 March 2008, Mr. Daka went to the Palestinian DCO in Tulkarem. On 23 March 2008, the Petitioner returned to the Palestinian DCO where he was informed that his application had been forwarded to the Israeli side which notified the Palestinian DCO that the Petitioner was precluded from travel abroad and that it did not have the authority to handle applications of this sort.

Therefore, on 2 April 2008, a petition against the decision to prohibit Mr. Daka from traveling abroad was submitted to this Court (HCJ 3015/08).

The petition was scheduled for an urgent hearing on 9 April 2008.

The day before the scheduled hearing, 8 April 2008, Respondent 1 notified that "security officials have indicated that they do not object to Petitioner 1's [hereinafter: the Petitioner] exit to Jordan at this time, as requested in the petition".

Copies of HaMoked's letters, the response of Petitioner 4, the relevant pages from the petition, notices by the parties and the Court's decision are attached and marked **Exhibit P/62**.

13. **Muayad Taufiq Mahmud 'Afaneh** – Mr. 'Afaneh, a resident of Qalqiliya and an employee of the "Cultural Forum" association, sought to travel to Belgium to participate in a professional training seminar, after being awarded a bursary by the Belgian education ministry. The seminar was to begin on 2 July 2008.

On 18 May 2008, Mr. 'Afaneh went to the Palestinian DCO and submitted an application regarding his travel abroad through the Allenby Bridge.

When a month went by with no response, HaMoked contacted Respondent 4, the legal advisor for Respondent 4, on 15 June 2008 (two weeks before the planned date of travel) on Mr. 'Afaneh's behalf.

On 17 June 2008, the following response was received from the office of Respondent 4:

"An inquiry held with DCO officials indicates that no application was received in the matter of your client relevant to a request to travel abroad. As you recall, filing an application for travel abroad requires reporting to the DCO in person in order to file the application. Therefore, the document attached to your letter, which is a request by the civil affairs office for the purpose of removing a security preclusion is irrelevant (it appears that this is an application for removing a preclusion to enter Israel)...

We wish to emphasize that your client's last application for travel abroad was reviewed on 8 February 2005, namely over three years ago. We are entirely unclear as to why you contacted our office at the last minute rather than filing a proper application with the DCO. It would seem that applying for a seminar abroad, being accepted to the seminar, and making visa and travel arrangements does not take a day or two, and therefore it seems your client had enough time to file a timely application.

Therefore, and in view of the fact that the requisite date of travel is only three weeks from now, we suggest that you refer your client to the DCO closest to his area of residence, in accordance with the procedure for processing Palestinians' applications for travel abroad. We suggest that your client clarify the urgency of his appeal to the DCO in the application.

This concludes processing of your request".

In light of the urgency of the matter and since the applicant had to leave the Territories as early as 30 June 2008 (namely within two weeks) in order to get to the seminar on time, and in light of the fact that both the applicant and the Palestinian DCO clarified that the application regarding the Petitioner's travel abroad had been filed and forwarded and was still being processed, a petition was filed to this Court on 24 June 2008 (HCJ 5663/08).

The petition was scheduled for an urgent hearing on 7 June 2008.

Five days after the petition was filed, on 29 June 2008, Respondent 1 informed that "security officials have indicated that there is no security objection to allowing the Petitioner's travel to Jordan at the present time".

Copies of HaMoked's letter, the response of Petitioner 4, the relevant pages from the petition and the Respondents' response are attached and marked **Exhibit P/63**.

14. **Margaret Al-Ra'i** – Ms. Al-Ra'i, a resident of Qalqiliya, a social worker and an employee of the Red Crescent Society was invited to participate in a Norwegian-Palestinian project in Norway beginning on 19 May 2008.

Ms. Al-Ra'i was prevented from traveling abroad twice in 2007, which made it clear to her that she was recorded as precluded from travel.

However, in light of the Respondent's refusal to process objections as he has done before the procedure was adopted, Ms. Al-Ra'i attempted to follow the new procedure. This, despite the fact that it was clear to her that the "prior inquiry" procedure did not suit her case (as she already knew she appears as "security precluded" in the ISA's records).

On 15 April 2008, a month before the planned date of travel, the Petitioner contacted the Palestinian DCO in Qalqiliya requesting her travel abroad be permitted, while mentioning the urgency of the matter and her tight schedule. An invitation to attend the seminar was attached.

On 23 April 2008, the response of the Israeli DCO arrived, according to which Ms. Al-Ra'i was required to present herself at the Israeli DCO in order to file the application.

On 28 April 2008, the Petitioner presented herself at the Israeli DCO in Qalqiliya and filed an application to travel abroad. She received a confirmation entitled "application processing form" which instructed her to "return for further processing on 15 May 2008". However, the soldier who handed her the form informed her that the chances that a response would actually be obtained by that date were slim.

In light of the tight schedule, which did not permit waiting any longer, a petition was filed to this Court on 5 May 2008 (HCJ 4004/08).

The petition was scheduled for an urgent hearing on 12 May 2008.

On 11 May 2008, six days after the application was filed and one day before the scheduled hearing, Respondent 1 informed that "security officials have indicated that there is no security preclusion preventing the Petitioner from traveling abroad, and it will be possible to permit the Petitioner's travel abroad as sought in the petition".

Copies of the relevant pages of the petition and the applications for postponement of the hearing and deletion of the petition are attached and marked **Exhibit P/64**.

15. **Maamun Muhammad Hassan Fiad Kafishah** – Mr. Kafishah is a resident of Hebron. While on vacation in Jordan, his son fell and injured his head. Mr. Kafishah wished to travel to Jordan to be at his son's bedside.

On 17 July 2008, en route to Jordan, Mr. Kafishah was denied exit at the Allenby Bridge. He was informed that he was precluded from traveling abroad for security reasons. The soldiers who prevented his exit did not inform him of what he might do to reverse the decision.

On 23 July 2008 HaMoked: Center for the Defence of the Individual appealed to Respondent 4 on behalf of Mr. Kafishah.

On 25 July 2008, Mr. Kafishah attempted to leave for Jordan, managed to cross the Israeli side, but was turned away by the Jordanians as his passport had expired.

On 27 July 2008, after renewing his passport, he again attempted to cross, however, this time the Respondents prevented him from traveling.

On 29 July 2008, a reminder was sent to Respondent 4.

On 31 July 2008, Respondent 4 replied that there was no impediment to Mr. Kafishah's travel to Jordan.

Had the Respondents examined Mr. Kafishah's case in advance rather than in retrospect, the anguish, sorrow, stress and fear involved in a father's being prevented from supporting his injured son might have been spared.

Copies of HaMoked's letters and the response of Respondent 4 are attached and marked **Exhibit P/65**.

16. **Ahmed Tayseer Shaker Hamed** – Mr. Hamed, a resident of the Ramallah district, enrolled in a post graduate program at a university in the USA. For this purpose he had to take a preliminary course to which he had to arrive no later than 17 May 2008.

On 19 April 2008, en route to the USA, Mr. Hamed was prevented from crossing the Bridge. He was told he was precluded from exiting. A soldier at the Allenby Bridge referred him to the Palestinian Coordination. Mr. Hamed went to the Palestinian DCO in Ramallah on the very same day. The head of the DCO informed him that he was not aware of a procedure for removing a security preclusion.

On 21 April 2008, Mr. Hamed again went to the Allenby Bridge. A soldier stamped his passport and then drew two lines across it and informed him that he was precluded from exiting by the ISA.

On 23 April 2008, Mr. Hamed contacted the ISA office adjacent to the Ofer prison on his own initiative, in order to find a way to remove the security preclusion. A soldier took the Petitioner's ID card and ordered him to wait. After waiting for some three hours, "Captain Hassan" spoke to the Petitioner over the phone and told him that he was not at the office at the time and that he would make contact with him. Yet, "Captain Hassan" did not call.

On 26 April 2008, Mr. Hamed again went to the Allenby Bridge. A soldier there informed him that he was precluded from exiting and put a sticker in his passport.

In light of the repeated notices by Respondent 4, the legal advisor for Respondent 1, that he refuses to process such applications, in light of the fact that the Respondent's decision to prohibit his travel abroad was clear and final and in light of the pressing time, on 5 May 2008, a petition was submitted to this Court against the decision to prohibit Mr. Hamed's travel.

The petition was scheduled for an urgent hearing on 12 May 2008.

On 11 May 2008, six days after the petition was filed and one day before the scheduled hearing, Respondent 1 informed that "security officials have indicated that the security preclusion preventing the Petitioner's travel abroad has been removed and it will be possible to permit the Petitioner to travel abroad as sought in the petition".

Copies of the relevant pages of the petition, parties' notices and the Court's decision are attached and marked **Exhibit P/66**.

17. **Baraa Zaher Razek Al-Masri** – Mr. Al-Masri is a fifth year medical student in the Al-Quds Abu-Dis University. As part of his studies Mr. Al-Masri is required to undergo a six-week-long professional training course in a university hospital in England, which was to commence on 17 July 2008.

In October 2007, Mr. Al-Masri was prevented from traveling abroad on the claim that he was precluded from traveling by the ISA. Following this, he contacted Respondent 4 through an attorney. He was informed, in response, that he was precluded from traveling on the claim that he was a Hamas activist.

In early May 2008, he went to the Israeli DCO at the Zeitim Crossing and asked to file an application for a permit to travel abroad. The soldier at the DCO provided him with a cell phone number for a coordination officer by the name of Raad. The coordination officer explained to Mr. Al-Masri that the travel permit depends on the ISA and that he must meet with an ISA representative on 11 May 2008 at the Zeitim Crossing.

On 11 May 2008, Mr. Al-Masri presented himself at the Zeitim Crossing, but was given a summons for the next day. On 12 May 2008, Mr. Al-Masri again went to the Zeitim Crossing and met with an ISA representative by the name of Hanoch, who asked him about his trip abroad and his arrest in February 2007. At the end of the questioning, the ISA representative suggested the Petitioner collaborate with him and that in return, he would allow him to travel abroad. The Petitioner refused. At the end of the meeting, the Petitioner asked the ISA representative how he would be able to travel abroad and the ISA representative told him that he could turn to an attorney.

In view of the lack of time and in view of the fact that it was already known that he was precluded from traveling, HaMoked contacted Respondent 4 on 12 June 2008 requesting the preclusion be removed.

On 15 June 2008 the response of Respondent 4 was received. It stated that Mr. Al-Masri's appeal was not urgent, that he could inquire whether he was precluded from traveling through a detailed application submitted to the DCO in his area of residence and if it turned out he was precluded, he could then file an objection.

On 18 June 2008, Mr. Al-Masri again contacted the Israeli DCO at the Zeitim Crossing and filed an application regarding his exit abroad, attaching all the documents related to the trip thereto. The soldier at the DCO informed him he would be able to receive an answer only after six weeks. Mr. Al-Masri attempted to explain the urgency of the matter and what he had to go through with his first application, but the soldier was uninterested and repeated that he must come back for an answer in six weeks.

After two applications to the DCO, two days of waiting for an ISA investigator, questioning by an ISA agent, an attempt to recruit him as a collaborator, an appeal to a human rights organization and an appeal to Respondent 4, a petition was filed to this Court on 3 July 2008 (HCJ 5974/08).

The petition was scheduled for an urgent hearing on 9 July 2008.

Five days after the petition was filed and one day before the scheduled hearing, Respondent 1 informed that "security officials have indicated that following an up-to-date examination, it has been decided to allow Petitioner 1 to travel to England via Jordan, subject to a briefing at the Allenby Bridge and the Petitioner's signing a declaration and undertaking to abstain from any terrorist activities which may put the security of the Area and/or the State of Israel at risk".

Following this announcement, Mr. Al-Masri was able to travel abroad.

Copies of HaMoked's letter, the response of Respondent 4, the relevant pages from the petition, parties' notices and the Court's decision are attached and marked **P/67**.

18. **Ashraf Musa 'Issa Musa** – Mr. Musa is 100% handicapped and bound to a wheelchair. Mr. Musa's three-year-old son suffers from autism and other afflictions and is receiving rehabilitative treatment designed to improve his condition at an autism treatment center in Amman.

In June 2007, Mr. Musa travelled abroad to participate in a basketball game with the handicapped basketball team. Therefore, on 23 May 2008, when he was en route to Jordan with his wife and children where they were required to go for treatment of their three-year-old son, Mr. Musa was surprised to discover that he was precluded from leaving for security reasons. Given this, the soldiers prevented his passage and he was required to return home.



Given this Court's decision in the request for temporary injunction, according to which the courses of action available before the entry into force of the new procedure had not been blocked, Mr. Musa appealed to Respondent 4 through HaMoked on 12 June 2008, requesting to allow him to travel to Jordan no later than 15 June 2008.

On 17 June 2008, a response was received that in an exceptional manner, the appeal was forwarded for examination by the relevant officials upon termination of which a response will be conveyed.

After some weeks of waiting, and in view of the importance of beginning rehabilitative treatment soon, Mr. Musa's wife was forced to go to Jordan on her own with their son who suffers from autism and leave her husband, who needs her assistance, and her elder, 5-year-old son behind.

On 14 July 2008, another letter was sent to Respondent 4.

As no response was forthcoming, a petition was filed before this Court (HCJ 6961/08) on 7 August 2008 (some two and a half months after he was denied exit).

On 10 August 2008, Respondent 4's reply was received which indicated "according to an examination we conducted regarding the subject, there is no preclusion regarding permitting the subject to travel to Jordan as per ordinary procedures".

Copies of the letters, the relevant pages of the petition and the response of Respondent 4 are attached and marked **Exhibit P/68**.

19. **Basem Natsheh** – Mr. Natsheh wished to leave the Territories for Jordan and from there to Saudi Arabia to perform the 'Umra.

On 4 June 2008, en route abroad, his passage through the Allenby Bridge was prevented and he was informed that he was precluded from traveling abroad.

The following day, 5 June 2008, Mr. Natsheh went to the Israeli DCO in Hebron in order to file an application for travel to Jordan. He was asked to provide his ID card. After having waited for two hours, he was sent home and told to return the next day.

The following day, on 6 June 2008, Mr. Natsheh returned to the Israeli DCO. This time his phone number was taken and he was told he would be contacted.

When he tried to inquire about his application over the phone he was told it was not being processed.

On 16 June 2008 Mr. Natsheh filed an application of inquiry regarding the preclusion through the Palestinian DCO. Yet, he received no response before 6 August 2008.

On 6 August 2008, HaMoked appealed to Respondent 4 on Mr. Natsheh's behalf.

On 11 August 2008, Respondent 4 informed that the appeal had been forwarded for examination.

On 3 September 2008, three months after Mr. Natsheh was prevented from traveling abroad, Respondent 4 informed that his application to have the preclusion removed had been refused on security grounds, and that inasmuch as he wished to appeal this decision he was to file an objection with the DCO (!?).

On 15 December 2008, three and a half months after his travel abroad was prevented, Mr. Natsheh 'succeeded' to get to the point of filing an objection with the DCO. No response has yet been received.

Copies of HaMoked's letter and the responses of Respondent 4 are attached and marked **Exhibit P/69**.

### **Conclusion**

20. An authority is obligated to consider, provide the right to plead and arrive at an informed and grounded decision before it decides to deny a person a fundamental right. This has been ruled in this Court's prolific rulings. Such are the procedures adopted by the competent authority regarding residents of the State of Israel who wish to travel abroad. These are also the rules declared by the competent authority regarding the exit of residents wishing to travel to Jordan (see sec. 11-12 in the written arguments in AdmP 750/05 HaMoked: Center for the Defence of the Individual v. Minister of the Interior. A copy of the written arguments and all its exhibits is attached and marked **Exhibit P/70**).
21. The "new procedure" adopted by the Respondents in our case is incongruent with these obligations which are entrenched in common law, as well as with the procedures that apply in parallel situations. The Respondents have presented no grounds for this breach of the fundamental duties incumbent upon them.
22. The principle which is the foundation of this "new procedure" is fundamentally flawed – the authority's disavowal of its responsibility to provide prior notice of its intention to deny a person's fundamental right and its duty to provide him with the right to plead before a decision on his case is reached. How? By transferring the onus to inquire onto the individual.
23. However, this is not all. The 'onus of inquiry' transferred onto the individual is too heavy to bear. This individual, who is, for all intents and purposes, every single resident of the Territories wishing to travel abroad, must travel distances and while away hours waiting at the DCO – the Palestinian DCO? The Israeli DCO? This we cannot know for sure, and even the DCOs themselves did not know (see examples in sec. 12, 13, 14, 16, 17, 19 above).
24. Ostensibly, and ostensibly only, the "new procedure" allows residents to inquire if they are precluded ahead of time. In effect, the procedure imposes a bureaucratic nightmare, which is *per se*, a human rights infringement. Even when a person already knows he is precluded (for instance when had had been turned away at the Bridge and told by the soldiers there that he was precluded from exiting for security reasons), even then, the Respondents insist that he must turn to the DCO (the Palestinian DCO? the Israeli DCO?) to file an application for prior inquiry (for what purpose is an inquiry needed when indeed he already knows he is precluded!?), wait (some six weeks), obtain the decision (perhaps) and apply to submit an objection (with whom? the Israeli DCO? the Palestinian DCO?), and so on and so forth.
25. What does this person, this human being, endure even as the new bureaucratic apparatus created by the Respondents sends him back and forth? What of the plans of this person who was en route abroad, who enrolled in classes, bought an airline ticket, or whose child is in treatment in the meantime and he is unable to see him, or his mother is on her deathbed and he is unable to care for her? What of

him? Let him wait, the Respondents reply.

26. In light of the aforesaid, and the statements made in the Respondent's response of 20 February 2008, the Honorable Court is requested to issue an *order nisi* in the petition, as detailed in pages 10-11 of the Petitioners' response of 20 February 2008.
27. Additionally, in view of the effective absence of a substantive appeals process, the Honorable Court is requested to issue a temporary injunction obliging the Respondents to act as they did before the adoption of the procedure: the possibility of filing an objection to the office of the legal advisor for the Judea and Samaria Area in cases of individuals who it is known are recorded as security precluded (whether since they were turned away at the Allenby Bridge, or whether they have found out in some other way that they were recorded as 'security precluded'), this until a judgment is rendered in this petition.

Today, 21 September, 2008

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Limor Yehuda, Att.  
Counsel for the Petitioners