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

**HCJ 8102/03**  
**HCJ 9733/03**

**Before The Honorable President A. Barak**  
**The Honorable Justice J. Türkel**  
**The Honorable Justice Y. Adiel**

The Petitioners in  
HCJ 8102/03:

- 1. MK Zahava Gal-On**
- 2. Meretz – Democratic Israel**

The Petitioners in  
HCJ 9733/03:

**HaMoked: Center for the Defence of the Individual,  
founded by Dr. Lotte Salzberger (Reg. Assoc.)**

v.

The Respondent in  
HCJ 8102/03:

**Minister of Defence**

The Respondents in  
HCJ 9733/03:

- 1. The State of Israel**
- 2. Israel Defence Forces**
- 3. General Security Service**
- 4. Israel Police**
- 5. Commander of the detention facility referred to as  
“Facility 1391”**

**Petition for Order Nisi**

Date of session:

3 Tevet 5765 (15 December 2004)

On behalf of the Petitioners:  
in HCJ 8102/03:

Attorney Uri Kedar

On behalf of the Petitioner  
in HCJ 9733/03:

Attorney Yosef Wolfson; Attorney Lea Tsemel

On behalf of the Respondents:

Attorney Shay Nizzan

## Decision

We began to hear the arguments of the two petitions herein. During the session – and with the consent of the sides – we received confidential material. In the course of its review, we proposed a number of suggestions. They will be considered by the respondent. Notification of the results of the examination will be submitted to us within sixty days. The respondent informed us that, as of this time, there are no detainees in the facility. If it is found that, during the aforementioned examination, it is necessary to use it to interrogate detainees, notice shall be provided to us (in advance, immediately, or subsequently), *ex parte*, and we shall decide the matter.

Upon receiving the statement from the respondent, and based on its contents, we shall decide on the manner in which the petition shall be handled.

Given today, 3 Tevet 5765 (15 December 2004).

*[signed]*

The President

*[signed]*

Justice

*[signed]*

Justice