

Date: 31 May 2005

In the response please cite: 37230

Lieutenant General Yaakov Ganot
IPS Superintendent
P.O.B. 81
Ramla 72100

Urgent! By fax

Dear Sir,

Re: **Ensuring prisoners are released in their actual place of residence**

1. I hereby appeal to you following the announcement of the release of 400 Palestinian prisoners in the coming days.
2. One of the humanitarian principles which you have always endorsed and which you have declared to the Supreme Court is that prisoners are released near their place of residence.
3. I request that you instruct all the relevant officials to be strict in this regard, especially in cases of prisoners who changed their place of residence between Gaza and the West Bank.
4. This demand stems from bitter experience in past cases, when prisoners were released in Gaza based only on their registered address, with blatant disregard for the fact that their place of residence prior to their arrest was in the West Bank, where their family, friends and relatives live.
5. Such cases are common due to the fact that, for many years, it has been impossible to change the registered address to match the actual place of residence. Under these circumstances, the registered address does not constitute significant evidence of the actual place of residence.
6. Releasing a prisoner who lives in the West Bank in Gaza, away from his home, causes him significant damage and unnecessary harm. **The prison sentence becomes a sentence of exile**, as travel permits between Gaza and the West Bank are rarely granted to former prisoners. Such exile is unlawful.
7. In light of the above, I request: **That you notify every prisoner of the location in which he is to be released several days in advance, and allow every prisoner who is being released to object to the location insofar as it is incompatible with his actual place of residence. You must enable a prisoner who wishes to do so to provide evidence supporting his claim, and must establish what instance is to decide on this matter. You must provide a prisoner with a final and orderly notification of the location of release a reasonable period of time prior to his release, in order to enable him to challenge the decision before the appropriate instance.**
8. I would be grateful if you could issue a clear directive concerning this matter. Please notify me in this regard.

Respectfully,

Gil Gan-Mor, Att.

Copies:

Brigadier Haim Shmuelevich, IPS Legal Advisor

Major General Yosef Mishlav, Coordinator of Government Activities in the Territories (by fax: 03-6976306)

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