

The Permit Regime: Controlling Demography and Fragmenting Geography

By: Issam Younis

The Gaza Strip is considered the largest open-air prison in the world today. However, unlike the practices in normal prisons, this prison warden is dissociating himself from any responsibility towards the inmates. On the contrary, the warden is greatly restricting these prisoners' incoming food and medications, as well as besieging, isolating, oppressing, and depriving them of their basic rights. Since the imposition of its military rule on the Palestinian Territories in 1967, the Israeli occupation authorities have been controlling the movement of people and goods to and from these areas, whereas they established a sophisticated permit regime by which to maintain absolute control over the population and affect even the slightest details of their lives. The Occupation also vigorously sought to enhance the separation of the Gaza Strip and deepen the fragmentation of Palestinian lands while dealing with them as separate geographic units. This in turn deepened the crises suffered by the Gaza Strip, as well as exacerbated the humanitarian condition in an unprecedented manner.

The fragmentation of the Palestinian territorial integrity is a systematic process through which Israel seeks to destroy the internationally supported two-state solution and eliminate any such possibilities. This has been maintained through active efforts to obliterate the Palestinian consciousness – both in theory and practice – and prevent the possibility of uniting the Palestinian land, people, and political system.

In fact, Israel has been pushing Gaza – which is already overwhelmed with the complex problems of water, electricity and humanitarian needs – to become a separate entity per se. By keeping them preoccupied with daily concerns, the Occupation forces the residents of Gaza to redirect their consciousness towards merely seeking to secure their basic human needs. Such procedures have led to a “De-development” process in all aspects of Palestinian social life, as well as impeding the society's development and undermining the future Palestinian generation.

There is no question that Gaza is currently in such a great state of uncertainty that makes it largely unpredictable even in terms of the next few hours. This crisis clearly erupted as a result of the fierce blockade imposed on Gaza in the last 14 years, as well as the Palestinian internal political division. These two elements led to a fragile situation and a great dependency on others in an area where refugees comprise approximately 75% of the population.

What is worst in this situation is that it “reproduces” itself (so to speak) in a more severe manner amidst the immense dynamics of this predicament and its great impact on citizens' lives and consciousness. Perhaps this is one of the main reasons that push Gazans – especially the youth – to emigrate, due to the loss of hope and the inability to live a normal life even with the minimal living conditions.

Historical Background

Immediately after Israel's occupation of the Gaza Strip in 1967, the Israeli military commander in-chief issued an order declaring the Gaza Strip as a closed military zone. The entry to and exit from this area thus became forbidden. This prohibition remained in effect until 1972, when the military commander granted (on the basis of the same military order and without annulling it) a general permission to enable Gaza's residents to go to the West Bank and Israel. This general permission directly served the interests of the Occupying Power which linked the economy of the Gaza Strip with its own. After all, Israel emplaced its military administration in the Gaza Strip and thus managed the lives of Gaza's population through a set of military orders. Moreover, Israel coercively deepened Gaza's status of dependency and subordination, controlled the various aspects of its economic activity, and exploited its lands and water.

The “general permission” decision by Israel was a security-economic decision par excellence. However, this decision was suspended during the First Intifada, when the Military Governor forced the residents who wanted to exit from Gaza to obtain a special permit

and a magnetic card, in addition to an identity card.

The reason behind the “general permission” decision at the time was to solve a major Israeli security problem, given that Gaza’s youth comprised the majority of its population. Therefore, it was seen that opening up the Israeli labor market for Gaza’s laborers would divert them from engaging in anti-occupation resistance activities. Also, the Israeli economy, which was largely dependent on the construction and agricultural sectors at the time before becoming more active in the Hi-Tech and military industries, was in dire need of cheap labor. Hence, the Israeli policies (which were carefully shaped by military orders) prevented the accumulation of Palestinian capital. Moreover, the wages earned by Palestinian workers were spent on buying Israeli goods seeing that other products were not allowed to exist in Palestinian markets and, evidently, Palestinian industries were greatly disrupted.

The Permit Regime as a Control Tool

The permit regime imposed by the Israeli authorities on Palestinian residents upon their departure from the Gaza Strip – whether for the purpose of education, work, medical treatment, family reunification or other reasons – was one of the main forms of enhancing Israel’s power and control over the population. Despite the fact that the Oslo Accords defined the Palestinian Territories as a “single territorial unit, whose integrity will be preserved,” Israel restricted the movement of Palestinian citizens both internally and externally. It also seriously undermined the Palestinian territorial integrity.

In 2005, Israel decided to unilaterally disengage from the Gaza Strip and redeployed its forces along the borders while keeping its absolute control over the air, sea, and crossing points of the Gaza Strip. Two years later, after Hamas took control over the Gaza Strip, Israel declared this area as a hostile territory and imposed a tight blockade over it. In doing so, it restricted the movement of individuals to only three categories: businessmen, patients and their companions, and exceptional humanitarian cases such as the death of a first-degree relative.

Accordingly, individuals wishing to obtain a permit must now submit an application to the Palestinian General Authority of Civil Affairs, which in turn will transfer the application to the Israeli side that performs a security vetting. Obviously, this process takes a long time. For example, the response to an application from a cancer patient takes about 23 working days, while cases that are classified as humanitarian could take up to 50 days. In many instances, however, the Israeli authorities do not even bother to respond to submit-

ted requests, while there are other times when they may allow a patient to travel outside of Gaza but would not allow his/her companion to do so. An example of this is giving a child with cancer a travel permit but preventing her parents from accompanying her, or allowing only one of her grandparents to join her even though her grandparent might himself need someone to accompany him (whereas the sick child would need psychological support from her parents given her special needs).

A joint statement issued by Al-Mezan Center for Human Rights, Amnesty International, Human Rights Watch, Medical Aid for Palestinians (MAP), and Physicians for Human Rights showed that movement through the Erez Crossing [of the Gaza Strip] in 2017 recorded less than 1% of the movement in the same period in 2000. The joint statement also indicated that the Israeli authorities adopted a very strict policy regarding permits even for those who meet the criteria, and especially the permits related to patients. Israel gave permits to 92% of the submitted requests in 2012, and this percentage decreased to 88.7% in 2013, 82.4% in 2014, 77.5% in 2015, 62.07% in 2016, and 54% in 2017, respectively.

The joint statement also pointed out that the Palestinians of Gaza missed out on at least 11,000 medical appointments in 2017 due to either the Israeli authorities’ rejection of their requests, not responding to them in a timely manner, or not responding to them at all. Ultimately, this led to the death of 43 Palestinians – including 3 children and 17 women – in the same year.

In 2019, the number of people who left the Gaza Strip through the Erez Crossing was 14,960. This shows an increase of 43% compared to 2018. However, the number decreased to 971 persons by September 2020, with an average decline of approximately 10%, reaching its lowest level due to the strict Israeli restrictions on movement, the spread of the COVID-19 pandemic, and the Palestinian Authority’s suspension of coordination with Israeli authorities.

It is also worth noting that, although the obtainment of a permit is the required condition, it does not necessarily guarantee a person’s ability to leave the Gaza Strip. For example, the Israeli forces on the Erez Crossing may perhaps arrest a person during his passage, or might withdraw his travel permit, or conduct interrogation and send him back to the Gaza Strip. Other cases showed that the security forces on the Erez Crossing might blackmail the passenger and give her the option to either collaborate with them as an informant or to be sent back to Gaza and await her death. Another point worth adding is that from 2017 until September

2020, the Israeli forces arrested 48 persons during their passage through the Erez Crossing in spite of having a permit, including 12 patients and their accompaniers.

Separation between the West Bank and Gaza Strip

In addition to controlling the population and forcing them to become reliant on the Israeli authorities in every aspect of their lives, the objective behind the closure policy is the separation between the West Bank and the Gaza Strip. This was crystal clear in the official Israeli policy that aims to undermine the Palestinian territorial integrity in order to prevent the establishment of a Palestinian State and destroy the two-state solution in theory and practice. Plainly, its goal has been to transform the Palestinian people from a single unified nation into isolated groups of people living in the Gaza Strip, West Bank, and Jerusalem.

In the context of their efforts to separate the West Bank from the Gaza Strip, the Israeli authorities have deprived Gaza's students of the chance to enroll in West Bank Palestinian universities. It is interesting to note that, in the 1980s, Gaza students constituted about 30% of the total number of students in West Bank universities. However, the number is zero now due to eliminating the option of studying in West Bank universities, since students and their families in the Gaza Strip understand that this is practically impossible.

The decision to prevent Gaza students from studying in West Bank universities has no relation whatsoever to security reasons. Rather, it is part of an official policy that aims to entrench the separation between the two areas. This also applies to family reunification requests, which were put on hold by the Israeli authorities to control the demography of the area. Israeli constraints have made it impossible for a person from the Gaza Strip to marry another Palestinian from the West Bank. There are also cases where families had to leave the Palestinian territories in order to meet together. For example, a woman from Gaza who is married to a man from Ramallah, located less than a 1.5-hour drive, is forced to travel thousands of kilometers (if she is lucky and has the financial capability) to meet with her husband abroad. Such circumstances have forced a number of Palestinian families to emigrate and move out of the country.

Collective Punishment and Emigration by the Thousands

The practices of the Israeli authorities constitute collective punishment in violation of the provisions of international law, and especially the Fourth Geneva Convention relative to the Protection of Civilian Persons. These practices inflict great harm on civilian persons and their

properties, thus leading to a deteriorating humanitarian crisis in light of the collective punishment regime and the imposed closure on the Gaza Strip.

In addition, these practices have increased unemployment rates in a young society (about 60% of the population is below 30 years old) – not to mention increasing the levels of poverty and food insecurity. After all, more than 80% of Gaza's families depend on humanitarian aid provided by relief organizations.

In 2012, Haaretz newspaper published a summary of the "red lines" document that was disclosed by the [Israeli] Coordinator of Government Activities in the Palestinian Territories. This document – which was released in 2008 – included a calculation of the "minimum number of needed calories per person" without reaching "undernutrition" as a result of the siege. In this context, there was the calculation of the minimum number of needed calories of basic foodstuffs for every respective age segment that were allowed to be entered into the Gaza Strip, as well as specifying the number of needed trucks for transporting the minimum quantities. The calculation was 2,279 calories per person per day, which include 1,836 grams of foodstuffs, i.e. an equivalent of 25,755 tons for all the residents of the Gaza Strip. This means that it is only allowed to enter a certain number of trucks carrying the specified quantities of basic foodstuffs for Gaza's residents as based on this calculation.

This "open and secret" policy – which was formulated by the Israeli military and Ministry of Health – made the lives of Gaza's population closer to death than to life, let alone the harm inflicted on civilians (who are protected by international law) and keeping them under constant threat. This policy also led to the deterioration of different spheres of life in Gaza, whereas it "kept their noses above the water" (so to speak), where they are neither able to breathe nor capable of swimming. This policy was clearly highlighted in a publication by Reuters on October 17, 2017, which showed the WikiLeaks telegrams in which Israel informed US officials in 2008 that they are intending to keep Gaza's economy on the brink of collapse, while at the same time avoiding a humanitarian crisis.

Undoubtedly, the policies and procedures adopted by the Israeli authorities created a state of despair and frustration among many Gaza Strip families, and especially the young population. The youth, who constitute the bulk of Gaza's population, are many times pushed towards making radical decisions to escape their difficult reality, such as seeking asylum in another country in search of a better life, or becoming illegal immigrants and taking life-threatening risks. In

its report on the emigration of Gaza's youth, Haaretz newspaper showed that, according to Israeli estimates, approximately 35,000 young men left Gaza through the Rafah border crossing in 2018 alone.

Cancelling Permits while Proceeding with Annexation
On May 21, 2020, the Palestinian Authority officially announced the end of security and civil coordination with Israeli authorities in response to the Israeli government's decision to annex the settlements built on Palestinian lands, and especially in the Jordan Valley. Following this decision, the Palestinian General Authority of Civil Affairs no longer received any travel requests (which used to be transferred to the Israeli authorities), and Israel stopped issuing travel permits for the residents. This led to exacerbating the crisis. Obviously, many residents would need to leave the Gaza Strip for various reasons, including cancer treatment [unavailable in the Gaza Strip] and microsurgery [unable to be performed in light of the deteriorating healthcare sector]. It is also worth noting that the Rafah border crossing, which connects the Gaza Strip with Egypt, has been closed throughout the COVID-19 pandemic.

In a subsequent development, the United Nations Special Coordinator for the Middle East Peace Process announced that a temporary agreement has been reached to allow for the departure of Gaza's patients through the World Health Organization (WHO), whereby the latter would transfer the permit-related applications to the Israeli authorities within the same mechanisms, conditions and time-periods that were previously put in place. Although this arrangement will somehow ease the burden of some patients and their families, it places again the basic right to receive treatment in the hands of the Israeli authorities, who are constantly and severely restricting these rights.

The permit system involves grave violations of human rights, and especially the citizens' right to movement and travel, which is the responsibility of the Occupying Power and not that of any other party. This is because Israel imposed its jurisdiction on the Palestinian population before the establishment of the Palestinian Authority (PA) and is still exercising it after its establishment. Hence, Israel as the Occupying Power is obligated to guarantee the people's inherent right to free movement, access to medical treatment, education, and the enjoyment of their human rights in all cases.

The Israeli authorities must not use the halting of the PA-Israeli coordination as a pretext for depriving patients of the right to medical treatment. This is because the Occupying Power is still controlling the population's civil registry, as well as the borders, air, and sea of the Gaza Strip. In fact, the Palestinian

ity – regardless of its civil or security coordination with Israel – does not have the right to grant a travel permit to a resident to move from or to Gaza. This should urge the international community to oblige Israel to respect the international law and guarantee the right to free movement of individuals and goods instead of searching for intermediary mechanisms that would legitimize illegal actions.

In conclusion, the permit regime paved the way for the dangerous fragmentation of the Palestinian people and territorial unity, which was also enhanced by Israel's separation wall on Palestinian lands, along with the military checkpoint system in the West Bank that led to annexing Jerusalem and isolating it from the other occupied territories. These measures constitute an official and systematic policy for facilitating the seizure of Palestinian lands, which has directly promoted the continued implementation of the annexation plan.

These developments show the absence of justice and accountability. They also demonstrate the failure of the relevant actors (on the local, regional and international levels) to take effective steps in order to stop the settlements, siege and fragmentation and put an end to the use of permits as a population and land control tool. This warns us that the worst is inevitably awaiting us on the humanitarian, legal, political, and ethical levels.

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