



*Palestinians at Rachel Tomb checkpoint in Bethlehem waiting for their turn to get securely checked to enter into Jerusalem – photo by Neta Afroni, Mechsom Watch*

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## **The “Permit Regime” and Israeli Attacks on Palestinian Freedom of Worship**

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## SUMMARY

The restriction of movement of Palestinians in the Israeli-occupied territories by the Israeli government is considered an issue of the Israel-Palestinian conflict. The daily life of Palestinians has become a nightmare and their will to remain in the Holy Land is vanishing day-by-day. In the past years, Israel has escalated its policy of separating the Palestinian populations of the Gaza Strip and West Bank – including Jerusalem - from each other. The separation (permit) regime tears families apart and is placing obstacles for making Palestinians life any easier. Due to the continuous and illegal practices of Israel over the years, the phenomenon of emigration has become wide common in the Palestine. Palestinians emigration – and especially Christians - will continue over the years due to the harsh situation they are placed in, unless action is taken, there are strong indications that the situation will only get worse.

## BACKGROUND AND OVERVIEW

Following the 1967 war, the Occupied Territories were proclaimed closed military zones. In 1972, general exit orders were issued allowing residents of those territories to move freely between the West Bank, Israel and Gaza. In 1991, these general exit orders were revoked, and personal exit permits were required. According to B'Tselem, a measure of overall closure of the Occupied Territories was enacted for the first time in 1993, and would result in total closures following rises in Palestinian political violence.<sup>1</sup>

According to the Universal Declaration of Human Rights (1948) all people are entitled to the recognition of inherent dignity and certain inalienable rights, which are the "foundations of freedom and justice in the world." Freedom of movement is part of the "liberty of man" thus making it one of the most basic human rights. Article 13 of the Universal Declaration of Human Rights stipulate:

*“Everyone has the right to freedom of movement and residence within the borders of each State. Everyone has the right to leave any country, including his own, and return to his country”<sup>2</sup>*

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<sup>1</sup> [Restriction on Movements](#). B'Tselem, 1 January 2013.

<sup>2</sup> [Freedom of Movement](#). Human Rights Education Associates.

With the outbreak of the Al-Aqsa intifada, which is also referred to as the ‘Uprising’ in 2000, Israel imposed a comprehensive closure on the Occupied Territories and the Israeli Defense Force (IDF) used the permit system more vigorously. Every Palestinian had to obtain an individual permit, contrary to general permits that applied to the population as a whole. The military checkpoints were established along the Green Line<sup>3</sup> and movement from the West Bank and Gaza Strip to and from Jerusalem became more difficult. For a few months, Israel almost completely prohibited Palestinians from entering Israel and from traveling between the West Bank and Gaza Strip. Israel then allowed a limited number of workers from the Occupied Territories to return to work in Israel and enabled, with severe restrictions, Palestinians to enter Israel for medical treatment, trade, and for other needs. This situation remained until this very day. However, from time to time, following acts of violence and during Israeli holidays, Israel places a comprehensive closure on the Occupied Territories and cancels entry permits.

In September 2005, Israel completed its unilateral disengagement plan and announced an end to Israeli martial law in the Gaza Strip. However, Israel retained control of Gaza’s sea and air space, the crossings between Gaza and Israel, and Gaza’s registry of population. In June 2007, after Hamas took control of the Gaza Strip, Israel imposed a siege on Gaza, prohibiting both Palestinian travel to or from Gaza as well as the import and export of goods. In 2010, Israel eased the closure, permitting imports – with the exception of a small number of items – into Gaza. Most restrictions on exports remain in place. The six-year siege has caused and still causing a severe economic crisis in Gaza, which ended up in increasing the level of unemployment and poverty.<sup>4</sup>

Under Israeli military occupation, repression has become the worst of history compared to that of South Africa. It's a sophisticated form of social, economic, political and racial discrimination, strangulation, and genocide, incorporating the worst elements of colonialism and apartheid as well as repressive dispossession, displacement and state terrorism to separate Palestinians from their land and heritage, deny them their rightful civil and human rights, and gradually remove or eliminate

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<sup>3</sup> *Green Line* refers to the demarcation lines set out in the 1949 Armistice Agreements between Israel and its neighbors (Egypt, Jordan, Lebanon and Syria) after the 1948 Arab-Israeli War. The Green Line is also used to mark the line between Israel and the territories captured in the Six-Day War, including the West Bank, Gaza Strip, Golan Heights and Sinai Peninsula.

<sup>4</sup> [The Gaza Strip](#). B’Tselem.

them altogether. The ID/permit system is one of many elements designed to make greater Israel an ethnically pure Jewish state.<sup>5</sup>

## PERMIT REGIME

Since October 2003, Israel has implemented a new permit system in the enclaves it created between the separation barrier and the Green Line. As a result, Palestinians without a permit are denied the right to work their lands to the west of the barrier.<sup>6</sup> The permit system has imposed obstacles and is considered a denial of their basic religious freedom to worship in the Holy sites where Palestinians are not allowed freely to access to Holy sites inside the Green Line. Obtaining permits has become a bureaucratic nightmare for Palestinians since it is a complicated and long procedure that has to be completed with the Israeli Civil Administration.

To obtain a permit, Palestinian civilians are obliged first to issue an *Identity Card (ID)* after the age of 16. Afterwards, Palestinians have recently been subjected to new procedures of issuing a *magnetic card* before requesting a *permit*. This new system requires that Palestinian civilians – from West Bank and Gaza Strip - have their right hands electronically scanned when applying for the card. Israel imposed this system under the context of a new security plan. However, for Palestinians, these procedures are considered humiliating and collectively treat them as criminals behind bars.



<sup>5</sup> [Israel's Permit System](#). Palestine Chronicle, 15 May 2010.

<sup>6</sup> [Permit System to Cross Separation Barrier is Racist](#). B'Tselem, 16 June 2004.

The cost of preparing required documents to proceed with the magnetic card is very costly for some Palestinians. Magnetic cards are only valid for two years, which needs to be renewed for an additional two years, or otherwise, the permit will not be issued or renewed. In some cases, many Palestinians applications for a magnetic card are refused for purported security reason, thus, are not allowed to receive a permit. There are many cases where people appoint lawyers to solve this problem, which could take years and cost them a lot of money, and were unable to visit the Holy sites in Jerusalem for more than a decade.



**Magnetic Card**



**Palestinian Permit**



**Left Side: Israeli ID, Right side: Palestinian ID**

## **PALESTINIANS AND CHECKPOINTS**

Today in Palestine, Christianity is experiencing what many would consider a crisis. Christians constitute about 1.7% (about 200,000 residents) of the whole Palestinian population.<sup>7</sup> This is not due to the growth of so-called Islamic fundamentalism or the persecution of “believers” by their Muslim neighbors, misrepresentations that are unfortunately used to distract from the realities of occupation. Instead, the plight of the Palestinian Christian is very much connected to that of the Palestinian Muslim in that both, whether in the Occupied Territories or inside Israeli itself, are experiencing

<sup>7</sup> According to the Palestinian Central Bureau of Statistics 2012, the Palestinian population is 4,420,549 including inhabitants in West Bank including Jerusalem and Gaza Strip.

daily injustices at the hands of oppressive and discriminatory policies imposed on them by the Israeli government.

Palestinian Christians, like their Muslim brothers and sisters, have experienced a long history of dispossession and have not been immune to Israeli policies of occupation and discrimination. If anything, they have felt more strongly the feelings of forsakenness, knowing full well that many Christians in North America and Europe support without question the state of Israel in its oppression of their people. Daily experiences of humiliation at checkpoints, of land confiscation to make way for the separation barrier, the illegal occupation and colonization of Palestinian territory, lack of mobility and access to basic services, unemployment, poverty, and no sense of hope for a better future for their children have all contributed to this growing emigration of Palestinian Christians from the historical land of Palestine.

Like their Muslim neighbors, who are prevented by checkpoints and roadblocks from making pilgrimage to the Al-Aqsa Mosque in Jerusalem, Christians in the West Bank and the Gaza Strip are denied basic religious freedoms, routinely prohibited from traveling very short distances to worship in one of the most holy sites in Christianity - the Church of the Holy Sepulcher in the Old City of Jerusalem, where the church commemorates Jesus' crucifixion, burial, and resurrection from the dead.

In many Christian holidays, the Israeli Administration side tends to issue access permits for few members of the family so that Christians would not enjoy the spirit of their holy holidays with their entire families. No security reason is behind it, this is proved when the declined application for permit for one member suddenly gets approved in the following holiday. For instance, In April 2011, 15,000 Christian Palestinians applied for a permit to enter occupied East Jerusalem to worship at Old City holy sites for Easter, but Israel only granted approximately 2,500 of them.<sup>8</sup>

For the Palestinian Christians of Bethlehem, for example, traveling the six-mile (ten-kilometer) distance to Jerusalem's Old City is impossible without special permission. Roughly half of Bethlehem's residents are Christian. Over 2,000 Christians have emigrated from the Bethlehem area

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<sup>8</sup> [Faith under occupation: The plight of the indigenous Christians in the Holy Land](#). Ecumenical Accompaniment Programme in Palestine and Israel (EAPPI), February 2012.

since September 2000, representing a decline of more than nine percent of Bethlehem's total Christian population.<sup>9</sup>

The IDF currently operates 27 permanent staffed checkpoints in the West Bank. Some of these checkpoints are situated on the Green Line, and some are gates in the separation fence. At these checkpoints, which constitute the most severe restriction on movement of Palestinians, Israel's security forces check every person who crosses, resulting in frequent lengthy delays.<sup>10</sup> Palestinians sometimes spend hours in line waiting to get checked by the Israeli soldiers to access into Jerusalem. Israeli soldiers in holidays tend to delay Palestinians from reaching the religious masses on time.



**Bethlehem Gate**



**Qalandia Checkpoint in Ramallah**

Some people around the world continue to see that the portrayal of the Christian absence in Palestine is often played off as the fault of Muslims and not of the illegal Israeli occupation, as if Muslims are oppressing Christians and that this is the root of the problem for Palestinians. It is the occupation that has made life so difficult that many Christians have moved from Palestine. This continues to be a serious problem, ignored especially by “Christian” tour groups who while visiting the “Holy

Land” seldom bother to even come to Bethlehem especially to see these ancient sites, let alone see these Christian communities and recognize their existence.

<sup>9</sup> [Costs of Conflict: The Changing Face of Bethlehem](#). Office for the Coordination of Humanitarian Affairs (OCHA), December 2004.

<sup>10</sup> [Statistics on checkpoints and roadblocks](#). B'Tselem, 1 January 2013.

It is indeed hard to be Palestinian Christian these days. But it is also hard being a Palestinian Muslim. The fact of the matter is that it is hard simply being a Palestinian.

## KEY RECOMMENDATIONS

For these reasons, ACT Palestine Forum (APF) calls upon Churches around the world to pressure and urge the government of Israel to tear down the sections of the Apartheid barrier that have been built within the West Bank and the siege surrounding the Gaza Strip. Until that time, the government should:

- Revoke the declaration of the seam area as a closed military area;
- Terminate the racist permit system; and
- Rescind Military Order No. 418<sup>11</sup> and hand over responsibility for planning and permits to Palestinians.

ACT Palestine Forum urges Churches to contribute to APF's advocacy work through:

- Raising awareness on the real Palestine-Israeli conflict to limit the Christian-Zionism movement;
- Urging Christians to visit the Holy Land and have face-to-face interaction with Palestinians to learn more about the real conflict-story, hear and witness their suffering and violated human rights and seek to advocate for Palestinians' rights in their home countries; and
- Urge people to boycott illegal settlement products as sort of solidarity with the Palestinians.

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<sup>11</sup> Military Order 418 (1971) authorizes the HPC to “*amend, cancel, or condition the validity of any plan or permit.*” *Formalizing an arbitrary practice of discrimination, MO 418 authorizes the same alien body to “exempt any person from the obligation to obtain a permit required under the Law,”* which privilege is bestowed exclusively on Jewish settlers and “national” parastatal institutions involved in colonization to facilitate their lawless construction on Palestinian territory.