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Maj. Gen. Ghassan Alian
Coordinator of Government Activities in the Territories
(COGAT)

[REDACTED]

Colonel Moshe Tetro
Head of the Coordination and Liaison Administration (CLA) for Gaza

[REDACTED]

May 23, 2022

Re: Israel's Restrictions on the Travel of Gaza Residents Through Erez

Dear Major General Alian and Colonel Tetro,

I am writing on behalf of Human Rights Watch, a nongovernmental organization whose work involves investigating and documenting violations of international human rights and humanitarian law by states and non-state armed groups in over 90 countries around the world.

Human Rights Watch has been researching restrictions Palestinians face while seeking to exit the Gaza Strip. We intend to publish our findings in the near future.

To ensure our reporting is fair and accurate, we seek your response to several questions regarding Israel's policy towards Palestinians in Gaza traveling through the Erez Crossing. In order to be able to reflect your views and information in our forthcoming reporting, we would appreciate if you could provide us with a reply **by Sunday, June 5**.

Our preliminary findings indicate that Israel's sweeping restrictions on exiting Gaza violates the basic rights of Palestinians and contributes to the fragmentation of the Palestinian people. We find that Israeli authorities, as a matter of policy, block most Gaza residents from going to the West Bank, and that this prevents professionals, artists, athletes, and others from pursuing opportunities within Palestine, and from traveling abroad via Israel, thereby restricting their rights to study and work. Our research also



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indicates that restrictive policies by Egyptian authorities at its Rafah crossing with Gaza have exacerbated the harms caused by the closure.

Our analysis indicates that Israel's policy to presumptively deny the freedom of movement, irrespective of any individualized security assessment, appears to not meet the requirements under international law of being strictly necessary and proportionate to achieve a lawful objective and violate Israel's duties as an occupying power under international humanitarian law. Israel also has obligations under human rights law to respect the human rights of Palestinians living in Gaza, including their right to freedom of movement throughout the Occupied Palestinian Territory and abroad, which affects both the right to leave a country, and the right to enter their own country, and rights for which freedom of movement is a precondition, for example the rights to education, work, and health.

To better understand and reflect the perspective of the Israeli government on these issues, we would appreciate answers to the following questions:

1. How many exits of Palestinians through Erez have Israeli authorities recorded since May 2018? If possible, please breakdown the data by month and year.
2. Why do Israeli authorities restrict movement for Palestinians between the West Bank and Gaza Strip? Does the government maintain the position that Israel accepted in the Oslo Accords that the two areas form a "single territorial unit"?
3. Why does the Israeli government impose a generalized travel ban, outside of humanitarian exemptions, for Palestinians seeking to exit Gaza via Erez instead of making case-by-case determinations to allow or deny travel?
4. Does the Israeli government maintain a policy of separating Gaza and the West Bank? If so, what is the motivation behind the policy? How does the government weigh its interests against the right of Palestinians to freedom of movement, in particular between Gaza and the West Bank?
5. Some people interviewed by Human Rights Watch said they received no response to their requests for a permit, even after getting confirmation from the Palestinian Authority that they have submitted their requests to Israeli authorities. In what situations do Israeli authorities not respond to requests for permits? Is it the policy or practice of Israeli authorities not to respond only when they have not received the request, or is it the policy or practice also to not respond if a request reaches them too close to the departure date? Are there other circumstances in which authorities would not to respond to requests for permits after receipt?

We would be pleased to reflect the responses that you provide in our reporting if we receive a **written response by Sunday, June 5**. We would alternatively be pleased to come to Israel, or meet virtually, to discuss these issues with you or appropriate colleagues.

Thank you for your attention to these important matters. My contact information follows my signature information, below. For any query, please contact my colleague

[REDACTED] at [REDACTED] or [REDACTED]

Thank you in advance for your attention to this request.

Regards,

[REDACTED]

Eric Goldstein
Deputy Director
Middle East and North Africa Division
Human Rights Watch

[REDACTED]
[REDACTED]