



גישה - מרכז לשמירה על הזכות לנוע (ע"ר)
Gisha - Legal Center for Freedom of Movement
مسلك - مركز للدفاع عن حرية الحركة

הודעה לתקשורת
NEWS RELEASE
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News Release - For Immediate Release - Wednesday, November 11, 2009

At Gisha's Request:

High Court to Examine Israel's Refusal to Allow a 21 Year-Old Student to Complete Her BA in Bethlehem

- Tomorrow (Thursday, November 12, 2009) a hearing will be held in the Israeli High Court of Justice in the case of Berlanty Azzam, a student at Bethlehem University who was detained and forcibly removed to the Gaza Strip.
- Berlanty was to complete her BA in Business Management in just two months.
- Israel admits that it has no security claims against Berlanty and that she was removed solely because the address listed on her identity card is in Gaza.
- Despite an explicit promise by the army – she was not given an opportunity to meet with her legal counsel or appeal to the court; instead she was promptly blindfolded, handcuffed, and removed to Gaza by night.
- Israel refused Gisha's request to allow Berlanty to attend the hearing in her case.

Wednesday, November 11, 2009 – At the request of Gisha, the Israeli High Court of Justice will hold an emergency hearing tomorrow (**Thursday, November 12, 2009**) at 9 am in the case of Berlanty Azzam, a student of Business Management and Translation at Bethlehem University who was detained and forcibly removed to the Gaza Strip last week. **Despite the fact that she has lived and studied in the West Bank since 2005, and that she has less than two months to go before completing her BA, Berlanty was removed to the Gaza Strip, based solely on the address listed on her identity card.**

"The decision that a person's address listed in the Population Registry constitutes an essential condition for the legality of his/her residence at that address – with no explicit legal basis and with no official notification ... undermines the fundamental principles of the law," argues Gisha's **Adv. Yadin Elam** in the petition. Like Berlanty, **an estimated 25,000 Palestinians living in the West Bank are in danger of being removed from their homes and families**, just because their addresses in the Israeli-controlled Population Registry are listed in Gaza. Israel does not permit address changes from Gaza to the West Bank, even for people who have lived in the West Bank for decades.

The petition also notes that not only has Israel made no security allegations whatsoever against Berlanty, but also the manner in which she was detained and forcibly removed was a grave violation of her right to due process. In fact, despite an explicit promise by the Office of the Military Legal Advisor to Gisha that Berlanty would not be removed pending a meeting with her lawyer and an opportunity to file an emergency court petition, she was removed that very same night. Her right to a hearing, a proceeding which the High Court has determined essential, was denied.

"The detention of a young woman, who poses no danger, security or otherwise, is a breach of the law, morality and common sense, especially because her removal to the Gaza Strip was done under the cover of night, tearing her away from her studies just before she was to complete them, ignoring an explicit official promise, and violating her right to due process," wrote Adv. Elam.

Regarding the State's only claim against Berlanty, which is that she was present in the West Bank "illegally", the petition states: "The petitioner traveled from the Gaza Strip to the West Bank legally. The Military Commander himself issued a permit for her to cross to the West Bank with no conditions



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or limitations, and with no requirement to obtain any special permit. Such permits simply did not exist.”

Berlanty Azzam said: **“I’m dreaming of the day when I can return to my studies. I worried and fearful of what might happen, and I hope that my right to education will not be violated.”**

In 2007, a High Court of Justice ruling determined that students from Gaza wishing to study in the West Bank should be allowed to do so “in cases likely to have positive humane implications.” However, to the best of Gisha’s knowledge, since this judgment in 2007, Israel has not issued an entry permit for the purpose of traveling to study in the West Bank for a single student from Gaza – despite numerous applications. Just this summer, requests to allow 12 students from Gaza to reach their studies at Bethlehem University were summarily denied.

For background, see Gisha, [Disengagement Danger: Israeli Attempts to Separate Gaza from the West Bank](#).
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