

Disclaimer: The following is a non-binding translation of the original Hebrew document. It is provided by **HaMoked: Center for the Defence of the Individual** for information purposes only. The original Hebrew prevails in any case of discrepancy. While every effort has been made to ensure its accuracy, **HaMoked** is not liable for the proper and complete translation nor does it accept any liability for the use of, reliance on, or for any errors or misunderstandings that may derive from the English translation. For queries about the translation please contact site@hamoked.org.il

-1-

Israel Defense Forces
Judea and Samaria Area
Legal Advisor's Office
P.O.Box 5, Beit El 90631
Tel: 02-9977071/711
Fax: 02-9977326
753428 - 910/01
Tishrei 6 5774
September 10 2013

To
Advocate Yadin Elam

Dear Sir,

Re: **Your letter regarding removal of movement limitations imposed on Palestinian residents in the DCO Checkpoint**

Yours: April 8, 2013, August 22, 2013

Ours: (1) 570521-910/01 dated April 24, 2013

(2) 752627-910/01 dated June 9, 2013

1. In your above referenced letter you requested that the movement limitation in the "DCO Checkpoint" on the part of the road being the subject matter of your letter (hereinafter: the "**checkpoint**") be lifted by the IDF so as to facilitate free movement of the residents of the area on said road. Following an inquiry conducted by us, our response is as follows.
2. The part of the road referred to in your above letter was built on land seized for military needs during 1995, in the framework of IDF's redeployment outside the Palestinian cities following the interim agreements between the state of Israel and the PLO. Its purpose was to enable the security forces stationed alongside the road and the Beit El residents to travel to route 60 and the other parts of the Judea and Samaria area, and to remove the security risk involved in the travelling of Israelis in Al Bireh and Ramallah. In recent years, in view of the security condition evaluation, a decision was made to enable the holders of special permits and representatives of international organization to pass through the checkpoint.
3. Our inquiry indicates that in the current situation the checkpoint cannot be opened for all inhabitants of the area. This position is based on two reasons. Firstly, according to the evaluation of security agencies, the opening of the checkpoint will pose significant security threat to passengers travelling on the road which connects between route 60 and Al Bireh north, *inter alia*, in view of the heavy traffic loads expected therein and the security condition in the area.

4. Secondly, traffic wise, the road which connects between route 60 and Al Bireh north, cannot currently serve heavy traffic loads. Hence, it is the evaluation of the professional officials that the opening of the checkpoint for free traffic will cause heavy traffic loads on this road, and particularly in the junction which connects between the

-2-

latter and route 60, in a manner which will make it difficult to realize the main purpose of the road.

5. On the other hand, the damage caused to the Palestinian inhabitants of the area who do not hold a permit which enables them to pass through the DCO checkpoint, is minimal. The inhabitants of the area have available to them several effective and convenient access ways to and from the city of Ramallah, including the following main roads:
 - a. From the Ramallah area to Ein Sinya circle to route 60 – this road was opened for the passage of the entire Palestinian population on July 10, 2013 after the part of the road was renovated and a traffic circle was built in the Ein Sinya area which enables a secured passage to route 60. Travelling this road, which is only 8.1 Kilometers long, takes about eight minutes. It should be emphasized that the opening of said part of the road shortens the way between Ramallah and the villages and communities located to its north, and even shortens the travelling time of the inhabitants of Ramallah to the other parts of Judea and Samaria, through the British Police junction.
 - b. From the Ramallah area through Ein Yabrud road to route 60 – travelling this road which is 5.8 Kilometers long takes six minutes.
 - c. From the Ramallah area to Beitin village (through Dura al Qar' village) – travelling this road which is 12 Kilometers long takes about ten minutes.
6. Accordingly, considering the security and traffic risks involved in the opening of the route for traffic, and in view of the fact that the inhabitants of the area have available to them an alternative road system which gives their traffic needs an immediate and efficient solution, it was decided that there was no reason to alter the policy regarding the passage through the DCO checkpoint.

Very truly yours,

[Signature]

Tamar Bukia, Captain
Advising Officer on Operations and Human Rights Security and Criminal Division
On behalf of the Legal Advisor