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At the Supreme Court
Sitting as the High Court of Justice

HCJ 9657/07

Before: Honorable Justice A. Grunis
Honorable Justice E. Arbel
Honorable Justice H. Meltzer

The Petitioners:

1. _____ **Jarbo`a**
2. _____ **Jarbo`a**
3. _____ **Jarbo`a**
4. _____ **Jarbo`a**
5. _____ **Jarbo`a**
6. **HaMoked: Center for Defence of the Individual
founded by Dr. Lotte Salzberger**

- Versus -

The Respondents :

1. **Commander of the Army Forces in the West Bank**
2. **General of the Southern Command**
3. **Minister of the Interior**
4. **The State of Israel**

A petition for an *Order Nisi*.

Session date: **21 Tamuz, 5768 (24 July, 2008)**

Representing the petitioners: **Adv. Abeer Jubran**
Adv. Sigi Ben-Ari

Representing the respondent: **Adv. Ro`i Shwikah**

Judgment

Petitioner 1, who resides in the Gaza Strip, has applied for entry to the Judea and Samaria area, via passage through Israeli territory, in order to visit three of her children who reside in the Judea and Samaria region. The children in question are aged 17, 19, and 23.

The authorized body has decided that under the current circumstances the aforesaid passage shall only be permitted in exceptional circumstances, and the case of

petitioner 1 does not fall under this category. Taking into account the present security circumstances, especially those which exist in the Gaza Strip, we have not found any fault in the decision not to accede to the request by petitioner 1. The present case is qualitatively different from other cases in which there are exceptional medical circumstances and the like. One must bear in mind, that petitioner 1 has no inherent right to enter Israel for any purpose whatsoever, including passage to the Judea and Samaria region.

Therefore in light of the existing circumstances, the petition is dismissed.

Given today, 21 Tamuz 5768 (24 July, 2008).

Judge

Judge

Judge

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