

6 November 2003

Press Release:

מסודה של ד"ר לוטה זלצברגר - עמותת רשומה  
Founded by Dr. Lotte Salzberger - Registered Association  
أسسته د. لوطه زلتسيرغر - مكتب الشكاوي - جمعية مسجلة

**Petition against the Route of the Separation Wall and the Apartheid Regulations  
Accompanying the Decision on Construction**

HaMoked: Center for the Defence of the Individual presented a petition to the High Court of Justice on 6 November 2003 requesting an order nisi canceling the decision to build segments of the separation barrier creating seven enclaves in the heart of occupied territory. HaMoked also asked for cancellation of the decision to build segments extending to the east beyond the Green Line.



HaMoked is also petitioning against the regulations accompanying the approval of the third stage of the barrier: against the declaration declaring the seam area as a closed military territory and against the matter of the entrance permits to the seam area which create a legalistic apartheid rule discriminating against the Palestinians, residents of the West Bank. This is gross discrimination, inhumane, immoral and illegal and for this HaMoked: Center for the Defence of the Individual is petitioning for cancellation of the regulations.

The petition, filed by Attorneys Avigdor Feldman and Michael Sfarid is based on the instructions of international law regarding combatant seizure, including the Fourth Geneva Convention and the Hague Convention which forbid the conquering power from harming property, movement and the livelihood of the population in the conquered territory as well as the Rome Convention (legislating the International Criminal Court) which defines apartheid rule, created under the cover of the barrier, as a crime against humanity.

The petition includes maps of the twisting wall which invades and dispossesses the Palestinian civilian population of its rights without any legitimate military need, and creates a de-facto annexation of the occupied territory, an action forbidden under international law.

In the petition, Attorneys Feldman and Sfarid note that the declaration establishing a separation wall and the accompanying regulations declaring the seam area as a closed military area to Palestinians and open to tourists and Jews creates an insufferable situation of injurious discrimination on the basis of race and nationality. Thus Israel joins the family of loathsome regimes in the international community which divided among residents according to their national origin, a regime illegal by definition forming itself a crime against humanity.

The many regulations issued by the IDF Commander of the West Bank turn the Palestinian residents, living generation after generation on their land, into peasant servants exploited for petty wages by those craving their lands, as in the best tradition of regimes discriminating by race.

The full version of the petition can be found (in Hebrew only at this point) at:  
[www.hamoked.org.il](http://www.hamoked.org.il)

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