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Israel/Occupied Territories: The Knesset should reject discriminatory law

"The draft law barring family reunification for Palestinian spouses of Israeli citizens is profoundly discriminatory and Knesset members should reject it," Amnesty International urged today.

The "Proposed Law on Citizenship and Entry into Israel," denies Israeli citizens married to Palestinians from the West Bank and Gaza Strip their right to live with their spouses in their own country. The draft bill in effect targets Israeli citizens of Palestinian origins, who constitute some 20 percent of the population of Israel, as it is they who marry Palestinians from the Occupied Territories.

"A law permitting such blatant racial discrimination, on grounds of ethnicity or nationality, would clearly violate international human rights law and treaties which Israel has ratified and pledged to uphold," Amnesty International said.

This bill clearly discriminates against Israeli citizens of Palestinian origin and their Palestinian spouses. It is scandalous that the Government has presented this bill - and it is shocking that the Knesset has accepted to rush it through - the organization added.

If passed this law would affect thousands of couples, including those newly married and couples who have been married for years, and whose requests for residence permits are still pending. Some couples have been waiting for 10 years or more for family reunification. In the meantime they are forced to live separately or for the Palestinian spouse to stay in Israel without a permit and risk being deported at any time.

The government has contended that the bill is aimed at addressing the security threat posed by Palestinians from the Occupied Territories.

"Security measures must be proportionate and respect Israel's human rights obligations. Israel cannot punish thousands of families, when it has many other security options available," Amnesty International stressed.

The adverse impact of this law would be even greater for Palestinians residents of East Jerusalem who do not have Israeli citizenship. Their Palestinian spouses will not be allowed to live with them in Jerusalem and they will lose their right to live in Jerusalem if they go to live with their spouses in

the Occupied Territories.

Background

Palestinians have long experienced difficulties in obtaining permits to join their spouses in Israel. Such difficulties have progressively increased over the years. Some couples who have been married for 10 years or more have still not been able to obtain approval for their family reunification applications. These couples are thus forced to live apart, or the Palestinian spouse has to remain in Israel without a permit and be liable to arrest and deportation at any time.

Since the beginning of the *intifada* residence permits for Palestinian spouses have been de-facto frozen and in May 2002 the Israeli Ministry of the Interior issued an administrative decision formalizing the freeze. The Israeli government cabinet approved this policy "in light of the security situation and because of the implication of the immigration and the establishment in Israel of foreigners of Palestinian descent including through family reunification."

The government subsequently submitted the above-mentioned draft law to the Knesset. The draft law passed its first reading in the Knesset on 18 June 2003. It is scheduled to be discussed by the Knesset's Internal Affairs Committee on 29 July 2003 in an effort to have the bill rushed through and passed by the Knesset before its summer recess (which begins on 3 August).

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