

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**

Date: November 22, 2015
In your response please note: 31490

To:
Coordinator of Government Activities in
the Territories
Maj. Gen. Yoav Mordechai
COGAT 467
Ministry of Interior
HaKiryat
Tel Aviv

By Fax and mail

Urgent!

Re: **Media reports regarding a decision to suspend Israeli stay permits issued to Palestinian residents of the Hebron district**

Dear Sir,

1. I am contacting you on behalf of HaMoked: Center for the Defence of the Individual (hereinafter: HaMoked), a human rights organization which, as part of its activities, defends the rights of residents of East Jerusalem and the family members who live with them in Israel as part of the family unification process, including individuals who were originally residents of the Hebron district (hereinafter: sponsored individuals). I seek your attention and urgent response to the following:
2. On Friday, November 20, 2015, the media reported that following the stabbing at the Panorama building in Tel Aviv a day earlier, apparently perpetrated by a Palestinian from the Hebron district, 1,200 Israeli stay permits issued to residents of the West Bank originally from the Hebron district would be temporarily suspended. The reports emphasized that the suspension did not apply to permits issued for work or medical purposes.
3. We note at this early point, that aside from the contradicting media reports concerning the type of permit held by the perpetrator who was the cause for your above decision and the type of permits that would be suspended under same decision, inquiries held by HaMoked have thus far failed to uncover any document or official publication on your behalf that would clarify if indeed you made such a decision and if so, what this decision covers and what population it addresses.
4. Among other matters, it is not clear what is covered by the terms “**general stay permits**” and “**stay permits for personal needs**”, which were used in the media. Specifically, it is not clear whether these terms cover individuals from the Hebron district who are sponsored as part of the family unification process.



4 Abu Obeidah St.
Jerusalem 97200
Tel. +972.2.6283555
Fax. +972.2.6276317

شارع أبو عبيده ٤
القدس ٩٧٢٠٠
هاتف. ٦٢٨٣٥٥٥. ٠٢.
فاكس. ٦٢٧٦٣١٧. ٠٢.

mail@hamoked.org.il
www.hamoked.org.il

5. We note that inasmuch as your decision does address sponsored individuals lawfully residing in Israel as part of the family unification process, it is fundamentally unacceptable, and based on extraneous considerations, as detailed below.
6. First, and regardless of the type of stay permits suspended in the aforesaid decision, we note, that such a decision, if indeed made, disrupts the daily lives and violates the right to family life of thousands of innocent people. It is a disproportionate measure which constitutes collective punishment for all intents and purposes. Beyond requirement, we note that collective punishment measures against protected persons are strictly prohibited under international humanitarian law:

INSERT QUOTE

7. Moreover, inasmuch as the aforesaid decision is, in fact, directed against sponsored individuals from the Hebron district who live in Israel under the family unification procedure, there is grave concern that the decision rests on unacceptable, extraneous considerations. According to various media reports, the man who perpetrated the attack at the Panorama building, and is allegedly the reason for the aforesaid decision, had a permit to work in Israel. However, your decision, if indeed issued, harms a group of people that is entirely different from the group to which the perpetrator is alleged to belong – people who are sponsored under the family unification process, and as such undergo periodic security background checks and have spotless security records.
8. In light of the above we ask that you:
 - Urgently inform us whether you have, in fact, issued the aforesaid decision;
 - Inasmuch as the aforesaid decision has indeed been made, we ask that you clarify what population group it addresses and whether it includes persons sponsored under the family unification process;
 - Urgently provide us with a copy of the decision, if such exists;
 - Post the decision on the website of the COGAT, at minimum.
9. In conclusion, and inasmuch as you have in fact issued the aforesaid decision, we seek its immediate cancellation, given the serious, disproportionate harm it causes to the lives of thousands of people who have done nothing wrong, and have no connection to or responsibility for the actions of an individual person.

Sincerely,

Benjamin Agsteribbe, Adv.