

March 2023

The Israeli government is advancing a series of measures to revoke citizenship and residency rights from Palestinians. Some of these measures constitute collective punishments, as they target family members of people involved in attacks. In many cases, the result of these measures will be to leave people stateless and at risk of deportation from their homes, in blatant violation of international legal principles. These measures also clearly deviate from the Israeli Supreme Court's jurisprudence, regarding the inviolable right to citizenship and residency, and the extreme cases in which these measures might be put into practice.

The Palestinian population in Jerusalem is especially vulnerable, as residents and not citizens of the State of Israel, and with a large population living without permanent status. In addition to Israel's human rights obligations (applicable to its citizens as well as residents), international humanitarian law protects the East Jerusalem population from collective punishments and forced displacement.

The international community must strongly resist measures which could be used to forcibly transfer Palestinians from their homes.

Breach of allegiance

This week, HaMoked filed a principled High Court petition against a 2018 law allowing revocation of Palestinians' permanent residency in Jerusalem on the basis of "breach of allegiance" to the State of Israel. To date, this law was used to revoke residency status from ten people, including Jerusalem lawyer Salah Hammouri who was deported to France in December 2022. We argue that Jerusalem Palestinians owe no allegiance to the State of Israel. The Court has given the state two months to respond to the petition.

New legislation revoking citizenship and residency

The Knesset has passed a law to strip citizenship or residency status from anyone convicted of a security offense who receives financial support from the Palestinian Authority while imprisoned. This could potentially affect hundreds of people. Israel Prison Service data shows (as of December 31, 2022) 140 Israeli citizens and 211 Jerusalem Palestinians serving a sentence for "security offenses".

The government has already published a list of hundreds of Palestinian households, both in Israel and in East Jerusalem, which are deemed to be debtors to the State for sums of money received from the PA. Some homes were raided, property seized and bank accounts frozen. This constitutes a retroactive demand for payment (in some cases up to hundreds of thousands of Shekels). Furthermore, there is a real fear that this list will be the basis for citizenship and residency status revocations.

The Knesset is also considering an even more draconian bill to revoke status and deport citizens and residents who express any support for family members who commit "acts of terrorism". This bill has passed a preliminary hearing, and could be passed into Law in a matter of weeks.

Punitive revocation of family unification status

In some 10,000 East Jerusalem families, one spouse has West Bank residency and can only live with the family with temporary status (due to the law banning Palestinian family unification). There are also several thousand families of Israeli citizens who are married to Palestinians, who live in Israel with temporary status.



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HaMoked has three ongoing cases in which the Minister of Interior revoked family unification status as a punitive measure. In two of these cases, the Ministry revoked the stay permit of one parent (a mother in one case and a father in the other) of a man who perpetrated a deadly attack. In the third case, the Ministry revoked stay permits and temporary residency of ten members of the Qunbar family (second and third-degree relatives of Fadi Qunbar who committed an attack killing four soldiers in Jerusalem in 2017). These cases are currently being appealed.

It appears that the new government is escalating its punitive revocation of family unification. In the past month, the Ministry announced its intention to revoke status in two cases: the father of the man who perpetrated the deadly attack in Ramot; and the father of a 14-year old boy who stabbed and **lightly injured** an Israeli youth in the Old City of Jerusalem.