



*Tens of Palestinians are waiting in front of the offices of the Israeli Ministry of Interior in East Jerusalem*

## FACTSHEET

# ISRAELI PERMIT REGIME: SEPERATION OF PALESTINIAN FAMILIES IN JERUSALEM

## Forcibly Transferred from their own City

East Jerusalem has been under military occupation since the June 1967 War. In the immediate aftermath of the war, the Government of Israel amended the Law and Administration Ordinance (1948), extended the boundary of the Jerusalem municipality, and unilaterally declared that “the law, jurisdiction and administration of the State” would apply to an additional approximately 70 square kilometres of occupied territory. The newly annexed territory was incorporated into the Municipality of Jerusalem.

In 1980, the Israeli Knesset enacted the “Basic Law: Jerusalem, Capital of Israel”, which declared a “complete and unified” Jerusalem to be the capital of Israel. Irrespective of these unilateral acts, the status of East Jerusalem under international law is not in doubt. The Fourth Geneva Convention is de jure applicable, and Israel has no claim to East Jerusalem by virtue of its military control of the city. As early as 22 November 1967, United Nations Security Council (UNSC) Resolution 242 called on Israel to withdraw its armed forces from territories occupied in 1967. Until now, the international community broadly rejects Israel’s claim to East Jerusalem.

East Jerusalem is home to around 382,000 Palestinians, constituting 38 percent of the city’s population<sup>1</sup>. Most of the Palestinians who live in Jerusalem have temporary resident status renewed every 10 years, and the vast majority live in neighbourhoods in east and south of the city.

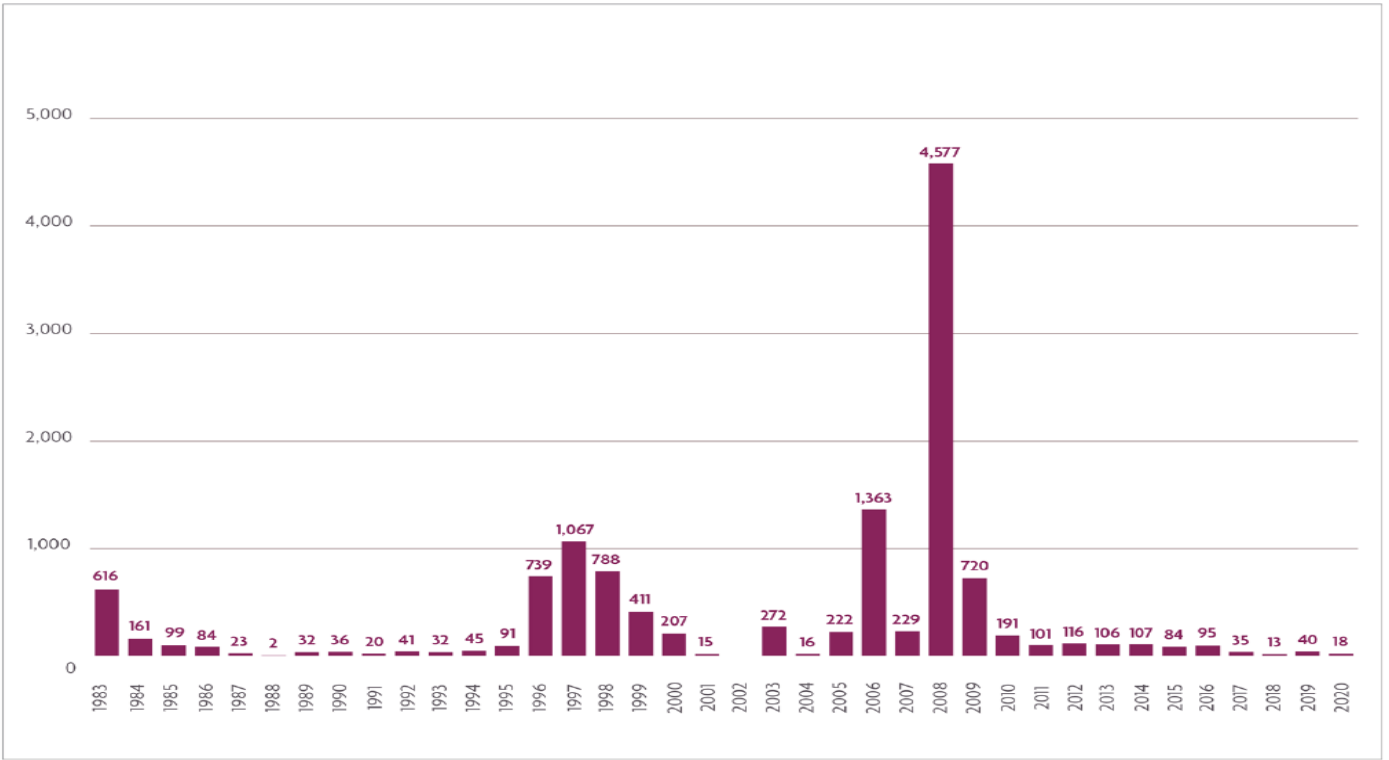
<sup>1</sup> Humanitarian Needs Overview 2022 | United Nations Office for the Coordination of Humanitarian Affairs - occupied Palestinian territory (ochaopt.org)

Unlike citizenship, temporary residency status can be revoked under Israel’s various laws. “**Centre of Life**” is a phrase coined by the Israeli Ministry of Interior, and refers to one’s primary place of residence, employment, and plans of residence in the future. Despite the fact that the Palestinians who live in East Jerusalem are residents, the status Israel imposes on them after occupying the city continuously renders their residency conditional. They are at risk of residency revocation having to keep a list of necessary documents readily available for the Ministry of Interior such as: apartment lease or purchase agreement, bills related to living expense (water, electricity, phone, gas etc.), membership in Israeli Health Insurance and Medical Services Organization (*Kupat Holim*), up to date payments to the National Insurance Institute, Israeli bank accounts, school certificates and even children’s vaccination books, etc.

In addition to the “Center of Life” policy, Israel uses residency revocation as a measure to punish Palestinian Jerusalemites accused of carrying out attacks against Israeli targets. Punitive residency revocations could also target the families of alleged attackers as an act of collective punishment. Collective punishment is prohibited under customary international Humanitarian Law including Article 40 of the 1899 and 1907 Hague Regulations and Article 33 of the Fourth Geneva Convention, among others.

**The Jerusalem Legal Aid and Human Rights Center (JLAC)** submitted a formal request to the Israeli Ministry of Interior (IMOI) for official figures regarding residency revocation, child registration and family unification in East Jerusalem.

Between 1967 and 2021, Israel revoked the residency status of 14,727 Palestinian residents of East Jerusalem. In 2021, the MOI revoked the permanent residency of 26 Palestinians from East Jerusalem including women. This counts to around **31% increase** from the year 2020. It is important to note that one revocation is way too many and is still a significant human right violation.



JLAC asserts that all residency revocations, whether on punitive grounds or based on the arbitrary “Center of Life” policy, amount to legalized forcible transfer, which is a war crime under Article 49 of the Fourth Geneva Convention.

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### Family Unification: Fragmented and separated

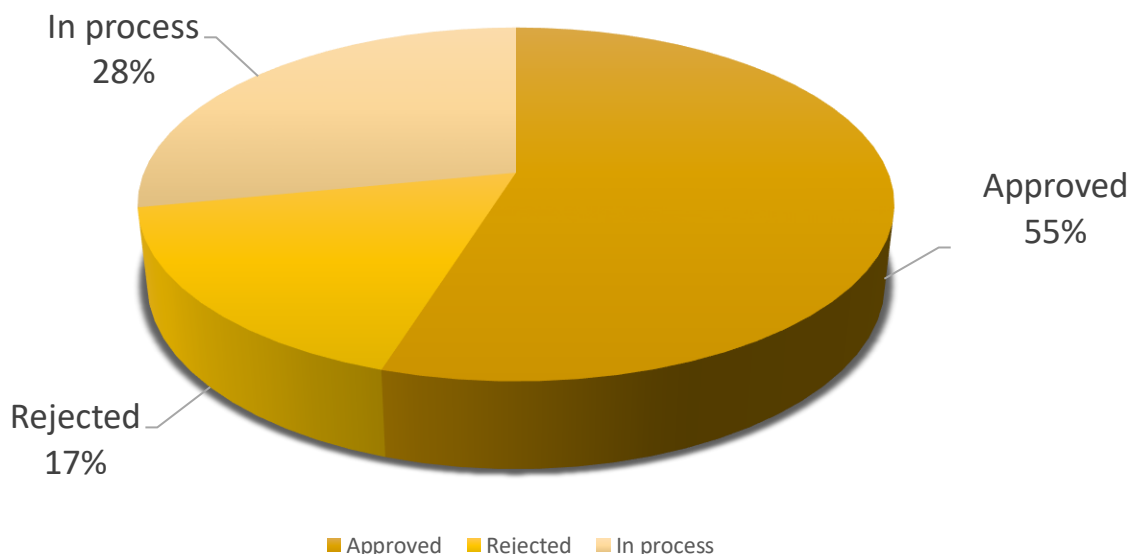
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On 10 March 2022, the Israeli parliament (Knesset) passed the explicitly discriminating Citizenship and Entry into Israel Law (*Temporary Order*). This reproduces most provisions contained in the 2003 Citizenship law, which is renewed annually since 2003. It is important that, for the first time since its issuance in 2003, the law was not renewed and expired for a period of 8 months from (6 July 2021-10 March 2022). This was an opportunity for thousands of Palestinian spouses to apply for family unification

The law prohibits Palestinian residents of Jerusalem or citizens of the “Green Line” from applying for family unification with their spouses that are residents or citizens of the West Bank or the Gaza Strip, Syria, Iraq Lebanon and Iran. Palestinians who live in the Gaza Strip, or are registered as Gaza residents, are absolutely barred from living with their spouses in areas under Israeli jurisdiction. Any West Bank male spouses below the age of 35 and female spouses below the age 25 are barred from living with their spouses in Jerusalem or the “Green Line”. Exceptions may be granted by a “humanitarian committee” appointed by the Interior Minister on “humanitarian” grounds, but the quota of requests accepted by that committee should not exceed 58 applications (regardless of the number of applications).

According to official MOI data provided to JLAC, the number of family reunification applications submitted to the IMOI office in East Jerusalem between 2013 until 2020 was 5197 applications, 2850 applications approved, while 885 applications were rejected; and the rest are still pending. The rejection of family unification applications tears entire Palestinian families apart while the current legal framework makes it difficult to obtain anything more than a temporary permit that constantly requires additional fees and follow up for renewal.

**Family Unification Applications between 2013 - 2020**



Still, Palestinian men over 35 and women over 25 are allowed a permit to “stay” with their spouses in Jerusalem or the “Green Line” (Art. 4), but have to annually renew their permits with no social or economic rights or even health insurance.

### Child Registration: Years of Uncertainty

Palestinian residents of Jerusalem who are married to Palestinians from the West Bank have to register their children in Jerusalem in order to guarantee their rights to social security, healthcare and education in Jerusalem.

According to IMOI data provided to JLAC in February 2022, between 2010 and 2021 over 23,993 applications for child registration were submitted in East Jerusalem (*these applications included requests to 32,750 child*), 18,419 applications were accepted (26,466 children were registered), and 3,617 applications were rejected (6,008 children), while the other are still pending. **Which means that 23% of the applications are do not have any status.** The child registration process takes the longest time to be resolved - four to five years on average. The systematic delay in processing and accepting child registration applications violates Article 7(1) of the Convention on the Rights of the Child, which Israel has ratified.

Irrespective of efforts by Palestinian CSOs, INGOs, UN agencies and third states, Israel has continued to entrench its annexation of East Jerusalem, implementing policies and practices that deepen its isolation from the remainder of the West Bank and the Gaza Strip, and continue to deny freedom of movement, access to land, and the realization of the basic human rights of the protected Palestinian population. As a result of the Israel’s permit regime, which is a major pillar of systematic domination, Palestinians in East Jerusalem are subject to persistent harassment, collective punishment, and violence from both Israeli settlers and security forces in order to pressure them to leave the city.

**The right to live in peace, safety and dignity with one’s own family, to choose the person with whom they wish to form a family, is a fundamental right that Israel continues to strip Palestinian of. It has torn Palestinian families apart, subjecting them to perpetual fear, separation, and uncertainty.**

