

## Unseen Barriers to Everyday Life Residency in East Jerusalem: 1967 until today

Ever since Israel's annexation of both the territory and the people of East Jerusalem, the laws and policies governing the city's Palestinian population have been in a constant state of flux. The ever-changing policies and practices surrounding family unification, revocation of residency, and child registration create unseen barriers to everyday life for Palestinian permanent residents in Jerusalem.

Click on timeline items for further information on the history and developments in laws, policies, and practices, including links to court documents, legislation, updates, and analyses from HaMoked's website.

Visit [www.hamoked.org](http://www.hamoked.org) for an interactive version of the timeline.

Tags: Revocation of Residency - **R**  
 Family Unification - **F**  
 Child Registration - **C**

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|-----------|--|
| 19.6.1967 | <p><b>Census in East Jerusalem.</b> Palestinians who are physically present in recently-conquered East Jerusalem are included in the census; those who are not present are not counted.<br/>         F, C, R</p>   |
| 1967      | <p><b>State implements “open bridges policy” to facilitate the free passage of Palestinians from the OPT via the Jordanian bridges.</b> This policy recognizes the needs of Palestinians to stay in Jordan and other Arab countries for short term needs, such as visits or business trips, as well as for reasons which required continuous residence abroad, including study, work, and family ties.<br/>         F, C, R</p>  |
| 27.6.1967 | <p><b>East Jerusalem Annexed by Israel:</b> Israel incorporates East Jerusalem together with areas of the West Bank north and south of Jerusalem into the city's new municipal boundaries. 70,000 Palestinians find themselves with the status of “permanent resident” under Israeli rule.<br/>         Permanent residents receive Israeli ID cards, but cannot vote for the Israeli Parliament, do not hold an Israeli passport and cannot automatically pass on their legal status to their children. Unlike citizenship, their status can be revoked relatively easily.<br/>         F, C, R</p> |
| 1974      | <p><b>The Regulations on Entry into Israel go into effect.</b> Regulation 12 grants permanent residency status to children born in Jerusalem to at least one</p>   |

parent who is a permanent resident. Even though children born abroad are not covered by this regulation, the MoI grants these children permanent residency as well.

C

1985 **The State introduces 3 ways for permanent residents to lose their status.** Amendments to Regulations on Entry to Israel: A license for permanent residency will expire if the owner of the license leaves Israel and "settles" in a different country; a person will be considered one who "settled" in a different country if he left Israel for at least 7 years, or received permanent residency or citizenship in a different country.

R

5.6.1988 **The Supreme Court: Palestinian permanent residents of Jerusalem are treated like immigrants for the purpose of revoking residency status.** Court rules in the Awad case: Palestinian permanent residents of Jerusalem are bound by the same Law and Regulations on Entry into Israel as immigrants, declaring finally that there is no special status afforded to the city's indigenous Palestinian population. Accordingly, this group's residency "expires" if the conditions in the Regulations on Entry into Israel (1985) are met.

R

1994 **Supreme Court rules that family unification process must be applied equally to men and women residents.** Gerbit case: Up until this case, women residents were not granted family unification in Israel with husbands from the West Bank and Gaza. Permanent residency is now granted to both men and women automatically after proving the genuine nature of the relationship.

F

1994 **Children of Jerusalem mothers can be registered and gain status in Jerusalem.** Until this year, requests for child registration were approved for Jerusalem-resident fathers only, because of the discriminatory assumption that a Palestinian woman from Jerusalem married to a Palestinian man from the West Bank or Gaza will move to the West Bank or Gaza with her husband and children.

C

1995 **Beginning of mass revocations of residency (aka "Silent Deportation")** and end of "open bridges policy." Residency status is revoked from those who moved abroad or even to other parts of the OPT.

R

1995 **New graduated process for Family Unification is put in place.** The process begins with either a "working tourist" visa or military permits, followed by temporary residency, and finally permanent residency at the end of 5 years and 3 months.

F

- 1996 **Ministry of Interior begins processing child registration requests independently of parents' family unification due to the advocacy of HaMoked and other human rights organizations.** Up to this point, child registration was not processed separately from the parents' request for family unification, leaving children's status dependent upon their parents' application.  
F, C
- 1998 **HaMoked and other human rights organizations petition the Supreme Court in opposition to the new Silent Deportation policy.**  
R
- 1998 **Ministry of Interior stops automatically registering children of Palestinian women from Jerusalem as permanent residents.** This applies whether the children were born in Jerusalem or abroad; these children instead received temporary residency for a year. This procedure was very confusing, as parents often didn't understand that their children had not received permanent residency. Thus, parents did not know that there was a problem and many children were left with expired temporary residency after one year.  
C
- 1999 **Following HaMoked's advocacy, the policy of granting temporary residency (1998) is canceled.** It remains unclear to this day how many children were affected by this policy, and in some cases, these children have no status to this day.  
C
- 15.3.2000 **State clarifies its stance on permanent residents who are abroad for a period of time but don't have permanent status or citizenship abroad.** The State submits the "Sharansky Affidavit" as part of Supreme Court proceedings in HaMoked's case (1998). Permanent Residency status that was revoked after 1995 will be returned, if the resident can prove that, during the 7 years of absence from Israel, he or she visited Israel and has lived in Israel for two years. This Affidavit cannot help people whose residency is revoked due to receiving permanent residency or citizenship in another country.  
R
- 2001 **Ministry of Interior stops granting permanent residency to children born outside Jerusalem (or Israel) who have only one Jerusalem resident parent.** These children receive temporary residency for two years. This marks the beginning of the MoI's practice of drawing a distinction between children born in Jerusalem (or Israel) and those born abroad (including West Bank and Gaza).  
C
- 31.3.2002 **Minister of Interior Eli Yishai announces a freeze on all family unification processes with Palestinian spouses.**  
F

- 12.5.2002 **Executive Order 1813 effects sweeping ban on family unification for Palestinians.** This applies to families in which one spouse is from the West Bank or Gaza. Family Unification requests that have not been approved before this date will not be granted; those that are already in process will not receive further status “upgrades” (eg. from temporary to permanent residency)  
F, C
- 12.2002 **HaMoked discovers that the Ministry of Interior is refusing to handle requests for the registration of children from the West Bank or Gaza,** even though Executive Order 1813 doesn’t specifically mention children.  
C
- 6.8.2003 **The Law of Nationality and Entry into Israel (Temporary Order) enters into effect:**
- Palestinians from the West Bank and Gaza will not be granted residency or citizenship status
  - "Resident of the Region" (meaning the West Bank and Gaza) is defined as: "including those who live in the Region but are not registered in the Region's Population Registry
  - Children up to age 12 can receive a “license to reside in Israel” (which the law does not define) or military permit in order to prevent separation from a parent who lawfully resides in Israel, including East Jerusalem.
- R, F, C
- 2003 **Children over the age of 12 are treated as adults and cannot lawfully reside in Israel.** This is a key element of the Law of Nationality and Entry into Israel (Temporary Order).  
F, C
- 10.2003 **HaMoked learns that children born abroad will be subject to a "family unification" procedure instead of "child registration."**  
F, C
- 12.2003 **HaMoked demands the State cease to apply the Temporary Order to children.** HaMoked files the Abu Gwella petition to the Supreme Court.  
C
- 2004 **The MoI codifies its procedure for child registration for children born abroad:**  
Following the Juddah case, the MoI is forced to clarify and make official its procedure. Registration of a child born abroad to a Jerusalem permanent resident will be filed as a request for family unification. The child will receive temporary residency for 2 years, and afterwards will receive permanent residency.  
C
- 1.8.2005 **First Amendment to the Temporary Order provides limited exceptions to the ban.** Family unification is now possible for spouses from the West

Bank and Gaza, but only if the spouse is a woman over the age of 25 or a man over the age of 35. The age for children receiving “licenses to reside in Israel” is raised to 14. Children over 14 (and under 18) will receive military permits only.

"Resident of the Region" is now defined as a person who is either registered in the Palestinian Population Registry, regardless of where she or he physically resides; or one who resides in the West Bank or Gaza.

In addition, a “security” ban is added: a person will not receive a permit to stay in Israel if any of her or his family members has been determined by the State to pose a security threat. "Family member" is defined as spouse, parent, child, brother, sister and spouses of brothers or sisters. This ban affects not only adults but also children over the age of 14.

R, F, C

5.2006 **Supreme Court rules on constitutionality of Temporary Order in Adalah and Abu Gwella case:** Although six of the eleven justices on the panel write that the Temporary Order is unconstitutional, the Court nonetheless allows the Knesset to amend the law, rather than repeal it. No decision is made with respect to the Law as applied to children of permanent residents (Abu Gwella petition).

F,C

2007 **New internal MoI policy for child registration published: children must prove two years of “center of life” in Jerusalem** before they can even submit an application for child registration. This applies to all children born abroad or registered abroad (even if born in Israel). Once their application is approved, they will receive temporary residency for 2 years, after which, they will receive permanent residency.

For children defined as “residents” of the West Bank or Gaza under the Temporary Order, the rules differ: If the child turns 14 before completing the two years of temporary residency, her or his status will not be upgraded, and she or he will remain a temporary resident indefinitely. Children defined as "residents” of the West Bank or Gaza who are over age 14 at the time of application will receive military permits only (even if they were born in Jerusalem). Military permits must be renewed at least every year in the West Bank or Gaza, and do not afford the child any social rights or benefits.

C

28.3.2007 **Second Amendment to the Temporary Order.**

Minister of the Interior may approve temporary status in Israel on special humanitarian grounds. The maximum status that may be granted is temporary residence. Security ban is also extended, prohibiting family unification with persons from Iraq, Lebanon, Syria and Iran.

F, C

6.2007 **HaMoked petitions the HCJ to cancel the Temporary Order as it applies to the minor children of permanent residents of Israel.** Case is still pending.

F,C

- 2008 MoI revokes residency status of 4,577 residents of East Jerusalem, including 99 minors.  
R
- 15.6.2008 **No family unification for Gazans:** Executive Order 3598 defines Gaza as a region of security threat, and implements an absolute prohibition on family unification with residents of Gaza, aged 14 and over.  
F
- 14.2.2010 **State announces its intent to incorporate the Temporary Order into permanent immigration law** under Executive Order 1379.  
F, C
- 21.7.2010 **Extension of Temporary Order until 31 January 2011 passes in Knesset** by a vote of 53 to 13.  
F, C