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9 Shvat 5776
January 19, 2016
Mnstr. 190-2016

To
Ms. Michal Pomeranz, Adv.
Adv. Smadar Ben Natan law offices
Via Dacsimile: 03-6868596

Dear Madam,

Re: Decision according to section 11(a) of the Entry into Israel Law:
Your client: Mr. Abu Kaf I.D. No.

On October 21, 2015, the then Minister of Interior, Mr. Silvan Shalom, notified your client that the revocation of his permanent residency status in Israel was considered according to the power vested in the Minister of Interior under section 11(a) of the Entry into Israel Law, 5712-1952.

In the context of said notice your client was given thirty days to submit his written arguments regarding the above. On December 15, 2015, after several requests for extensions, written arguments were submitted.

Thereafter, an oral hearing was held for your client on December 24, 2015, in which he was advised that he could present all of his arguments which would be presented to me before a decision was made in his matter. During that hearing, your client claimed he had not carried out the acts for which he had been indicted; however, as detailed below, the administrative evidence presented before me has convinced me that your client was involved in said incident.

Based on all of the reasons which were specified in said notice, after I was convinced that your client had been given a fair opportunity to present his arguments against the intention to revoke his permanent residency status in Israel by written arguments as well as in an oral hearing, and after sufficient administrative evidence was presented to me which indicates that your client had committed the acts attributed to him as will be specified below, I decided to revoke the permanent residency status of your client in Israel.

The decision to revoke the permanent residency status is made following the murderous terror attack committed by your client on September 13, 2015. In the morning of September 13, 2015, clashes began between Muslim youths who set up overnight fortifications at the Al Aqsa Mosque and police forces which arrived to the scene to disburse the crowd. On that day and following the above, at noon time, your client met with other activists who have jointly decided to throw stones at vehicles driven by Jewish drivers on a major traffic route in Jerusalem on Rosh Hashana eve, as a "retaliatory action" and as an act of solidarity with the Temple Mount incidents. Thereafter, your client, together with others, deliberately threw stones at vehicles which were driving along the major traffic route in Jerusalem. As a result of these deeds, an Israeli citizen, the late Mr. Alex Leblovitch was killed and another person was seriously injured.

Said terror attack was committed by your client by taking advantage of the freedom of movement in Israel which derives from the fact that he has permanent residency status in Israel

and holds an Israeli identification card. A permanent residency status in Israel is based on a material connection between the resident and the state, in the sense that the state regards itself obligated and responsible towards the resident and in the sense that the resident carries the burden associated with said connection and coexistence and is obligated in the most basic sense not to act against the state or take action which undermines its existence. In this context, in view of the host of rights and obligations arising from a permanent residency status, the residency status requires basic commitment and loyalty in view of the fact that residency, and all the more so permanent residency, is not a status which only grants rights without any obligations and as such it embodies practices which pertain to the collection of duties and obligations of the person who holds said status and who wishes to continue to hold it.

A permanent residency status is revoked in very extraordinary cases and after consultation with the Attorney General, and is limited to cases in which the most fundamental nature of the permanent residency status in Israel is undermined, such as in the case at hand.

The acts of your client were carried out based on nationalist motives in a bid to injure Jews on Rosh Hashana eve, together with others, and caused the death of an innocent Israeli citizen and seriously injured another citizen as part of a wave of terror directed against the security of the state and the safety of its citizens and residents – by taking advantage of the freedom of movement and accessibility to a major traffic route in Jerusalem. These actions constitute a brazen and severe violation of the basic commitment embodied in a permanent residency status as stated above, namely – the most fundamental commitment to the state which grants the status holder rights and privileges of a resident, with all ensuing consequences.

In view of the severity of the actions and their results, and against the severe circumstances of the wave of terror, and after I have considered all of the above, I decided to exercise the power vested in me and to revoke the permanent residency status of your client in Israel.

Sincerely,

(Signature)
MK Aryeh Machluf Deri
Minister of Interior