



Legislating Displacement:

Punitive Residency Revocation and Statelessness in East Jerusalem

The residency status of Palestinians in Jerusalem has long been utilized by the Israeli authorities to manipulate the city's demographics and limit Palestinian representation in it. Since 1967, [more than 15,000 Jerusalem-born Palestinians](#) have lost their residency status, often leaving them stateless.

In recent years, the Knesset has expanded these powers through a series of extreme legal measures to penalize acts deemed "a breach of allegiance" to the state through residency revocation, undermining Palestinians' right to remain in their birthplace. **These measures are already being implemented and have the potential to endanger the status of thousands of protected residents.** These include hundreds of East Jerusalem residents imprisoned for security-related offences, thousands of Palestinians living in Jerusalem under renewable family-unification permits; and the Jerusalem-born relatives of tens of thousands of current and former prisoners from across the OPT. **If the trend is not reversed, it could lead to one of the largest displacements of Palestinians from Jerusalem since 1967.**

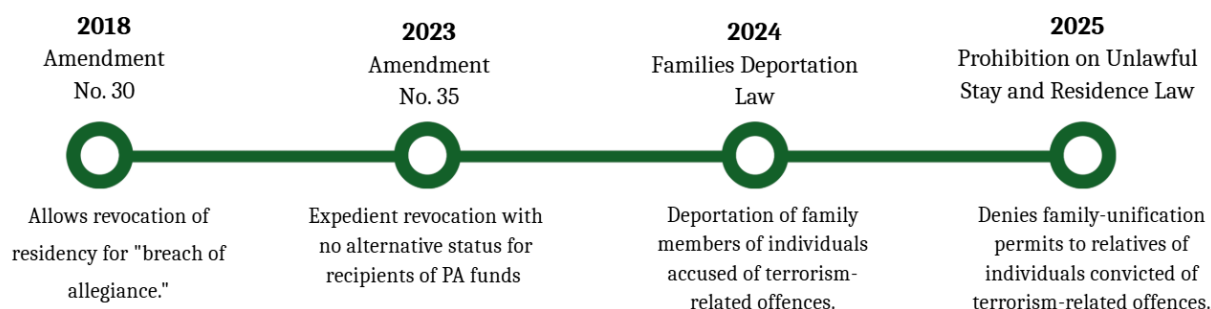
Factual Background – Expansion of Punitive Residency Revocation Measures:

Enacted over the span of only seven years, the following four legislative measures mark a dramatic shift in the legal framework governing the status of Palestinian residents of Jerusalem:

1. In 2018, the Knesset enacted [Amendment No. 30 to the 1952 Entry into Israel Law](#), empowering the Minister of Interior to revoke the permanent residency of East Jerusalem Palestinians for a "breach of allegiance" to the State of Israel - defined to include terrorism, espionage, and treason under Israel's broad terrorism framework, which **encompasses offenses ranging from deadly attacks to ideologically motivated acts causing no physical harm** - and applying even to individuals who have already served their sentence.

Individuals whose residency is revoked and who do not hold foreign citizenship receive a temporary status, subject to renewal every few years based on the state's discretion.
2. In 2023, the Knesset enacted [Amendment No. 35. to the 1952 Entry into Israel Law](#), which applies to individuals accused of "breach of allegiance" who also **received funds from the Palestinian Authority**, either directly or through family members. Unlike Amendment 30, it allows deportation and revocation of residency without any alternative legal status.
3. In parallel, in 2024, the Knesset passed the [Deportation of Families of Terrorists Law](#), authorizing the **deportation of family members of individuals accused of terrorism-related offences**. Deportation may be imposed on relatives alleged to have known, or should have known, about a planned attack and failed to prevent or report it, or who expressed support for organizations designated as terrorist groups.
4. A year later, in 2025, the Knesset approved the [Prohibition on Unlawful Stay and Residence in Israel Law](#). **The new Law denies stay permits to family members of individuals convicted of terrorism-related offences who are in the process of obtaining status through family unification procedures.** Unlike the 2024 law, this legislation extends to more distant relatives, including cousins, nephews, uncles and

step-relatives. Rather than being justified on concrete security grounds, the law expressly identifies deterrence as its primary objective.



Legal Analysis – Statelessness, Deportation, and the Weaponization of Residency Rights:

The new legal framework described above violates the rights of protected residents under occupation; render individuals stateless and jeopardize fundamental human rights; and undermine due process and judicial review:

- 1. Basic rights of protected residents conditioned in loyalty to the occupying state:** Under international law, Palestinians in East Jerusalem are protected persons living under occupation, and Article 45 of the Hague Regulations prohibits compelling inhabitants of occupied territory to swear allegiance to the occupying power; moreover, GCIV, art. 67 requires occupying powers to recognize that protected residents do not owe them allegiance when imposing penalties. In contrast, the legal amendments passed by Israel condition residency rights on loyalty to the State and impose severe punishments that undermine the basic rights of protected residents on that basis.
- 2. Collective punishment:** A fundamental principle of international law is that individuals may be held responsible only for their own actions and not punished for acts committed by others. Collective punishment is expressly prohibited under Article 33 of the Fourth Geneva Convention, Rule 103 of customary IHL, and Article 50 of the 1907 Hague Regulations, all binding on Israel. The new laws impose severe consequences on Palestinians solely because of their family ties, amounting to a dangerous form of collective punishment impacting thousands of lives.
- 3. Statelessness jeopardizes fundamental human rights:** The amendments risk rendering affected individuals stateless and even permitting their deportation, leaving them either with an insecure temporary status dependent on repeated state approval or without any legal status at all, including in their native city. Loss of legal status severely restricts freedom of movement, access to lawful employment, healthcare, social services, and family life, in violation of protections guaranteed under the 1954 Convention relating to the Status of Stateless Persons, ratified by Israel.

These measures also conflict with core international legal protections, including Article 12(4) of the ICCPR protecting the right to enter one's home country, Article 49 of the Fourth Geneva Convention prohibiting forcible transfer and deportation in occupied territory, and Article 8 of the Convention on the Reduction of Statelessness, signed by Israel, which prohibits rendering individuals stateless.

- 4. No effective judicial review or due process:** The amendments remove basic safeguards on these extreme powers. Residency can be revoked without prior judicial

approval and with only retroactive judicial review. The amendments also allow double punishment by penalizing individuals who have already served their sentence. Amendment 35 goes even further by creating an expedited procedure that gives individuals one week to respond in writing without guaranteeing a hearing. This violates basic due process protections guaranteed under international law, including the ICCPR ([Arts. 13–14](#)) and the Fourth Geneva Convention ([Arts. 66–67, 72–74](#)), both ratified by Israel.

Current litigation efforts:

- In May 2026, HaMoked filed a petition with the Israeli High Court of Justice seeking the annulment of Amendments 30 and 35. This follows apparent efforts by the Ministry of Interior to implement the law, after several years it has been de-facto dormant. The state has been ordered to respond by 28 June 2026.
- In August 2025, [HaMoked joined a petition led by ACRI](#), seeking the annulment of the Prohibition on Unlawful Stay and Residence in Israel Law and the issuance of an interim order. The state has committed to providing notice of any intention to implement the law. The proceedings are ongoing, with the State's preliminary response due on 7 June 2026.
- In March 2025, [HaMoked sent an urgent letter to the Attorney General](#) and the Knesset's Legal Advisor calling for the immediate suspension of the Deportation of Families of Terrorists Law. No response has been received to date. HaMoked continues to challenge the law's implementation through administrative proceedings in individual cases.

Conclusions and recommendations:

Taken together, these legal measures mark a profound escalation in the use of residency status as a punitive tool against Palestinians in Jerusalem. By conditioning basic rights on political allegiance, enabling statelessness and displacement, and stripping away fundamental procedural safeguards, the laws undermine core protections guaranteed under both international human rights law and Israel's own laws.

Beyond their legal implications, **these measures threaten the ability of Palestinians in Jerusalem to continue living securely in their home city, potentially affecting hundreds of families.**