



**Adalah** - The Legal Center for Arab Minority Rights In Israel

## **International Legal Workshop**

# **Citizenship and Residency in Israel and the Occupied Palestinian Territory**

Convened by Adalah with the support of UNDP

Monday 26 & Tuesday 27 November 2012

*The Legacy Hotel, East Jerusalem*



The views expressed in this document are those of Adalah and do not necessarily represent those of the United Nations or UNDP.

*Empowered lives.  
Resilient nations.*

## **Adalah**

### Main Office

94 Yaffa Street  
PO Box 8921  
Haifa 31090, Israel  
Tel: (972)-4-9501610  
Fax: (972)-4-9503140

### Naqab Office

8A Henrietta Sold Street, First Floor  
PO Box 10273  
Beer el-Seba 84002, Israel  
Tel: (972)-8-6650740  
Fax: (972)-8-6650853

Email: [adalah@adalah.org](mailto:adalah@adalah.org)

**[www.adalah.org](http://www.adalah.org)**



**Adalah** - The Legal Center for Arab Minority Rights in Israel

## **International Legal Workshop**

# **Citizenship and Residency in Israel and the Occupied Palestinian Territory**

### **2012 – Towards 10 years of the Israeli Citizenship Law**

The Israeli Supreme Court upheld the constitutionality of the law banning family unification between Palestinians in January 2012. This decision and other Israeli policies controlling citizenship and residency affect all Palestinians in Israel and the OPT.

## CONCEPT PAPER

Citizenship and residency in Israel/OPT stir heated debates on demography, security and loyalty, raising questions concerning the Jewishness of the State, restraints on an occupying power, and the meaning of rights and duties under prolonged occupation, among others. Israel has imposed serious limitations on citizenship and residency and thus on the right to family life of Palestinians both within the Green Line and in the OPT including East Jerusalem.

### The Citizenship Law

2012 marks the 10th year of Israel's declared policy of banning family unification between Palestinians in Israel and from the OPT. In 2002, the Israeli government approved the policy on the alleged ground of security, and in 2003 the Israeli Knesset enacted this policy into law (the Citizenship and Entry into Israel Law). The law prohibits the granting of residency or citizenship status in Israel for the purpose of family unification to Palestinians from the OPT, and after amendments in 2007, also from four states defined as "enemy states": Iran, Iraq, Lebanon and Syria. The law affects thousands of Palestinian Arab citizens of Israel, most of whom are married to Palestinians from the OPT, and infringes on their constitutional right to equality and to family life in Israel. It also constitutes racial discrimination as it bars individuals from family unification solely on the basis of their national and ethnic belonging.

On 12 January 2012, the Israeli Supreme Court ruled in a 6-5 split decision that the constitutional right to family life derived from the right to human dignity. However, the court also held that the existence of this right did not necessarily mean that it may be exercised in Israel, and that even if the law violated constitutional rights, it did so proportionally. Further, a proposed bill is currently under discussion to set a new overall Israeli immigration policy for those seeking residency and citizenship in Israel, including Palestinians, asylum seekers and foreign workers, which would further increase existing restrictions.

### Jerusalem Residency

Israel implements harsh policies towards Palestinian permanent residents of East Jerusalem. For example, according to B'Tselem between 2005 and 2010 Israel revoked the residency of over 7,300 Palestinians who could not prove that Jerusalem was their "center of life", often because of divisions imposed by the Separation Wall. The Israeli Ministry of the Interior also refuses to register children of Palestinians who are permanent residents of East Jerusalem if the children were born outside Israel, mainly

in the West Bank; these children live under continuous threat of separation from their families and expulsion to the West Bank. Israel has also revoked the residency of Palestinian residents of East Jerusalem elected to the Palestinian Legislative Council in the 2006 elections representing the Change and Reform Movement, which Israel alleges belongs to Hamas. The reason given for the revocation was “breach of loyalty” for membership in a foreign parliament, although Israel agreed to the holding of the elections.

## **The Population Registry**

Israel has used its control of the population registry of the West Bank and Gaza since 1967 to regulate the demographic composition of the OPT. Residency status determines individuals’ ability to reside in and move and travel outside and between the West Bank and Gaza. Hundreds of thousands of registered Palestinians have family members who have not been registered as a resident of the West Bank or Gaza. These restrictions infringe upon the right to life of protected persons living in the OPT. Israel’s discriminatory policy against family unification also applies in the OPT.

## **Theme and Scope of the Workshop**

The workshop aims to discuss practical new legal and advocacy approaches, strategies and tools to challenge the undermining of the residency and citizenship status of Palestinians living in Israel and in the OPT. Discussions will cover new avenues for litigation, the current state of new legislation on citizenship in Israel and Europe, and local and international advocacy and campaigns using media and social media outreach.

The workshop will bring together legal, advocacy and media experts and practitioners from Israel, the OPT and abroad to contribute their knowledge and experiences of challenging residency/citizenship laws and legislation in Israel/OPT, Europe, and in other areas, and before national and regional courts. Speakers will debate new court decisions, legislation, jurisprudence of international law, and strategies for challenging existing laws and policies. The workshop will give participants a forum in which to discuss lessons learned and attempt to identify fresh approaches, informed by comparative perspectives.

Adalah will publish a printed journal based on papers from the workshop, as well as other materials on residency/citizenship, in English, Hebrew and Arabic. The journal will be distributed by mail and published online.

## PROGRAM

### **Day 1                      Monday, 26 November 2012**

---

**9:00-9:30                      Welcoming by Adalah and UNDP and Screening of Short Film**

**9:30-11:30                      Session 1 – Litigation Strategies**

*Moderator – **Attorney Manal Hazzan-Abu Sinni**, Head of the Legal Department, Society of St. Yves - Catholic Center for Human Rights*

- **Attorney Hassan Jabareen**, *General/Legal Director of Adalah*  
Setting the stage – Litigation on Citizenship and Residency in Israel/OPT
- **Attorney Yossi Wolfson**, *Human Rights Lawyer*  
Palestinian residency rights in the West Bank, including East Jerusalem, and Gaza
- **Attorney Sanaa Duweik**, *Women’s Center for Legal Aid and Counselling (WCLAC)*  
On the reality of undocumented Palestinian women in Jerusalem
- **Padraig Hughes**, *Equality Lawyer, Interights (London)*  
Litigation before the European Court of Human Rights (ECHR) and in the UK and Commonwealth

**11:30-12:00                      Break**

**12:00-14:00                      Session 2 – New Legislation & Policies**

*Moderator – **Attorney Sawsan Zaher**, Director of the ESCR Unit, Adalah*  
New discriminatory laws affecting citizenship/residency rights

- **Attorney Oded Feller**, *Association for Civil Rights in Israel (ACRI)*  
Newly proposed Israeli policies on immigrants, refugees, and family unification
- **Eitan Diamond**, *Legal Advisor of the International Committee of the Red Cross (ICRC)*  
Overview of the Rules of the Law of Occupation Concerning Demographics and Population Transfer
- **Ivanka Kostic**, *Executive Director, Praxis (Serbia)*  
Immigration and statelessness in East Europe and the Roma minority as a test case

**14:00-15:00                      Lunch**

**15:00-18:00                      Tour in Jerusalem for International Guests**

## Day 2                      Tuesday, 27 November 2012

### 9:30-11:30                      Session 3 – International Advocacy & Public Activities

*Moderator – Rina Rosenberg (Jabareen), International Advocacy Director, Adalah*

- **Nicole Fritz**, *Executive Director, Southern Africa Litigation Center*  
Citizenship and residency under Apartheid & post-Apartheid, and the internationalization of the struggle
- **Sebastian Kohn**, *Program Officer for Equality and Citizenship, Open Society Justice Initiatives*  
Positive initiatives worldwide on citizenship, residency, and statelessness
- **Bill Van-Esveld**, *Senior Middle East Researcher, Human Rights Watch*  
International advocacy on Palestinian residency in the West Bank and Gaza
- **Tzvika Besor**, *Social Media Expert*  
Designing an effective social media campaign on citizenship and residency

### 11:30-12:00                      Break

### 12:00-14:00                      Session 4 – Lessons Learned and the Way Forward

*Moderators - Adalah Attorney Orna Kohn, Director of the Civil and Political Rights Unit and Adalah Attorney Fatmeh El-Ajou*

A practitioner-focused discussion that aims to use lessons learned in the previous sessions, address the daily challenges that practitioners face in litigating citizenship and residency issues in Israel, and identify ways forward.

### 14:00-15:00                      Lunch

### 15:00-18:00                      Tour in Jerusalem for International Guests

9:30-11:30 الندوة الثالثة: المرافعة الدوليّة والنشاط الجماهيري

تدير الجلسة: رينا روزنبرغ - جبارين، مديرة قسم المرافعة الدولية في عدالة

- نيكو بريتنس، المدير التنفيذي لمركز المرافعة في جنوب أفريقيا
- حول المواطنة والإقامة تحت نظام الأبارتهايد وما بعده وحول تدويل النضال
- سيباستيان كوهن، مدير برنامج المساواة والمواطنة في مؤسسة مبادرة العدالة في مجتمع مفتوح
- حول مبادرات إيجابية في قضايا المواطنة، الإقامة وقضايا عديمي الجنسية في أنحاء العالم
- بيل فان أسفلد، باحث رفيع في قضايا الشرق الأوسط، مؤسسة هيومان راتس ووتش
- المرافعة الدولية في قضايا الإقامة للفلسطينيين في الضفة الغربية وقطاع غزة
- تسفيكا بسور، نائب المدير العام في شركة "ديبور" للاستراتيجيات الإعلامية
- بناء حملة إعلامية ناجحة حول المواطنة والإقامة في الشبكات الاجتماعية

11:30-12:00 استراحة

12:00-14:00 الندوة الرابعة: استنتاجات ونظرة إلى المستقبل

تدير الندوة: المحامية أورنا كوهن، مديرة وحدة العدل في الجنائيات في عدالة، والمحامية فاطمة العجو

طاولة مستديرة- حوار حول العبر المستخلصة من الندوات السابقة، من أجل التعامل مع التحديات القائمة أمام المهنيين العاملين في قضايا المواطنة والإقامة في إسرائيل، وتحديد سبل العمل الجديدة؛ ملاحظات من قبل الخبراء المشاركين، أسئلة، أجوبة وتلخيص.

14:00-15:00 وجبة الغداء

15:00-18:00 جولة في القدس للمشاركين من خارج البلاد



## برنامج

اليوم الأول يوم الاثنين، 26 تشرين ثاني 2012

9:00-9:30 استقبال، ترحيب وفيلم قصير

9:30-11:30 الندوة الأولى: استراتيجيات قانونية

تدير الندوة: المحامية منال حزان - أبو سنة، مديرة الوحدة القانونية في جمعية القديس إيف- المركز الكاثوليكي لحقوق الإنسان

- المحامي حسن جبارين، مدير عام مركز عدالة ومدير القسم القانون في المركز الشرعية في قضايا المواطنة في إسرائيل والأراضي المحتلة
- المحامي يوسي فولفسون، محام في قضايا حقوق الإنسان حقوق الإقامة للفلسطينيين في القدس الشرقية ولم شمل العائلات في الضفة الغربية وغزة
- المحامية سناء دويك، مركز المرأة للإرشاد القانون والمجتمعي أن تكوني امرأة فلسطينية دون مكانة قانونية في القدس
- المحامي بدرج هغز، محام في قضايا المساواة، مؤسسة انتر رايتس - لندن البت في قضايا المواطنة والإقامة في القضاء الأوروبي لحقوق الإنسان، بريطانيا ودول الكمون ويلث

11:30-12:00 استراحة

12:00-14:00 الندوة الثانية: التشريعات الجديدة والسياسات

يدير الندوة: المحامي سوسن زهر، مديرة وحدة الحقوق الاجتماعية والاقتصادية والثقافية في عدالة القوانين التمييزية الجديدة وتأثيرها على حقوق المواطنة والإقامة

- المحامي عوديد فيلبير، جمعية حقوق المواطن حول سياسات الهجرة الجديدة: اقتراحات قوانين تتعلق بالمهاجرين، اللاجئين ولم الشمل
- المحامي إيتان دياموند، المستشار القضائي لبعثة الصليب الأحمر الدولي لإسرائيل والأراضي المحتلة حول نقل السكان، الصراعات، الإقامة والمبنى الديمغرافي
- إيفانا كوستيتش، المديرية التنفيذية لمؤسسة Praxis Serbia المهاجرون وعديمو الجنس

14:00-15:00 وجبة غداء

15:00-18:00 جولة في القدس للمشاركين من خارج البلاد

## היום השני יום שלישי 27 בנובמבר 2012

11:30-9:30 מושב שלישי: סנגור בינלאומי ופעילות ציבורית

מנחה: רינה רוזנברג-ג'בארין, מנהלת המחלקה לסנגור בינלאומי בעדאלה

- **ניקול פריץ**, מנכ"לית Southern Africa Litigation Center, מזרח אפריקה / תושבות תחת משטר האפרטהייד ואחריו ובינאום המאבק
- **סבטיאן קוהן**, מנהל תוכניות שוויון ואזרחות, Open Society Justice Initiative, על יוזמות חיוניות בנושאי אזרחות, תושבות וחסרי מדינה ברחבי העולם
- **ביל ון אסולד**, חוקר בכיר לענייני המזרח התיכון, Human Rights Watch, פעילות סנגור בינלאומי בנושא תושבות פלסטינים בגדה המערבית וברצועת עזה
- **צביקה בשור**, סמנכ"ל אסטרטגיה וקריאייטיב בחברת "דיבור" עיצוב קמפיין אפקטיבי בנושא אזרחות ותושבות ברשתות חברתיות

12:00-11:30 הפסקה

14:00-12:00 מושב רביעי: לקחים ומבט קדימה

מנחות: עו"ד ארנה כהן, מנהלת היחידה לצדק בפלילים בעדאלה, ועו"ד פאטמה אלעגיז

שולחן עגול - דיון בתובנות שהושגו במושבים הקודמים כדי לתקוף את האתגרים העומדים כיום בפני אנשי המקצוע המתדיינים בנושאים של אזרחות ותושבות בישראל ולהתוות דרכי פעולה חדשות; הערות מפי המומחים המשתתפים; שאלות ותשובות וסיכום.

15:00-14:00 ארוחת צהריים

18:00-15:00 סיור נוסף לאורחי הסדנה מחו"ל

תוכנית**היום הראשון יום שני 26 בנובמבר 2012**

9:30-9:00 קבלת פנים, דברי ברכה והקרנת סרט קצר

11:30-9:30 מושב ראשון: אסטרטגיות משפטיות

מנחה: עו"ד מנאל חזאן-אבו סינה, ראש המחלקה המשפטית באגודת סנט איב

- עו"ד חסן ג'בארין, מנכ"ל עדאלה ומנהל המחלקה המשפטית ליטיגציה בענייני אזרחות ותושבות בישראל ובשטחים הכבושים
- עו"ד יוסי וולפסון, עו"ד זכויות אדם זכויות התושבות של פלסטינים בירושלים המזרחית ואיחוד משפחות בגדה המערבית ובעזה
- עו"ד סנא דוויק, מרכז אלמראה להדרכה וייעוץ משפטי לנשים המשמעות של חיים כאשה פלסטינית ללא מעמד בירושלים
- עו"ד פדריג יוז, Interights (לונדון) התדיינות בנושאי אזרחות / תושבות לפני בית המשפט האירופי לזכויות אדם, בריטניה וחבר העמים הבריטי

12:00-11:30 הפסקה

14:00-12:00 מושב שני: חקיקה חדשה ומדיניות

מנחה: עו"ד סאוסן זהר, מנהלת המחלקה לזכויות חברתיות, תרבותיות וכלכליות בעדאלה  
חוקים מפלים חדשים והשפעתם על זכויות תושבות/ אזרחות

- עו"ד עודד פלר, האגודה לזכויות האזרח על מדיניות ההגירה החדשה: הצעות חוק בדבר מהגרים, פליטים ואיחוד משפחות
- עו"ד איתן דיאמונד, יועץ משפטי של משלחת הצלב האדום הבינלאומי בישראל ובשטחים הכבושים על העברת אוכלוסיות, סכסוכים, תושבות והרכב דמוגרפי
- אינואנקה קוסיטיץ', מנכ"לית Praxis Serbia להגנה על זכויותיהם של פליטים, עקורים ומיעוטים מהגרים וחסרי מדינה במזרח אירופה: הרומא כמקרה מבחן

15:00-14:00 ארוחת צהריים

18:00-15:00 סיור בירושלים לאורחים מחו"ל

## BIOGRAPHIES

### Session 1 – Litigation Strategies

#### Moderator



**Attorney Manal Hazzan-Abu Sinni**

*Head of the Legal Department, Society of St. Yves - Catholic Center for Human Rights*

Manal Hazzan-Abu Sinni is a human rights lawyer and head of the legal department of The Catholic Center for Human Rights - St. Yves, in East Jerusalem. She has been advocating and litigating issues of citizenship with a focus on East Jerusalem residency for the past 7 years, with deep involvement in promoting residency rights within the Palestinian and international sphere through lecture tours in Europe, and the Palestinian Residency Campaign. She worked previously as a lawyer with other human rights NGOs (HaMoked and ACRI). She holds an LLB from the Hebrew University (Jerusalem) and an LLM in international Human Rights UCL (UK).



**Attorney Hassan Jabareen**

*General/Legal Director of Adalah*

Hassan Jabareen is the founder and General/Legal Director of Adalah. He has extensive experience in litigating landmark constitutional law cases before the Israeli Supreme Court, including the challenges to the Citizenship Law. These cases deal with equal citizenship rights of Palestinian citizens of Israel as well as the applicability of IHL to defend the rights of Palestinians living under occupation. Hassan has been teaching at the law school of Tel Aviv University and other law schools as an Adjunct Lecturer on the legal status of Arab citizens of Israel for 15 years. Hassan was a Yale World Fellow in 2005-2006 and is a Senior Robina Law Fellow at Yale Law School in 2012-2013. He has received several awards including the Peter Cicchino Award for outstanding public interest lawyering from the American University Washington College of Law, the Herman Schwartz Award for Law and Social Justice and the Victor Goldberg Award, top human rights law prizes.



**Attorney Yossi Wolfson**

*Human Rights Lawyer*

Yossi Wolfson is a lawyer specializing in animal protection and human rights. From 1992 to 2008 he worked for HaMoked – Center for the Defence of the Individual, where he dealt, inter alia with residency issues, both in East Jerusalem and in the rest of the West Bank. He still writes for HaMoked’s website “Court Watch”. He participated in writing reports on human rights violations in the OPT, including “Kept in Dark” on the treatment of Palestinian prisoners in GSS facility in Petach Tikva. Yossi currently coordinates the field of animals in agriculture in the animal protection group “Let the Animals Live”.



**Attorney Sanaa Duweik**

*Women’s Center for Legal Aid and Counselling (WCLAC)*

Sanaa Dweik is an attorney from Jerusalem. She is a legal advisor to the Women’s Center for Legal Aid and Counselling, the Palestinian Ministry of Detainees and Ex-Detainees’ Affairs, and other NGOs. She received her law degree from Al Quds University, and she manages her private law office since 2003.



**Padraig Hughes**

*Equality Lawyer, Interights (London)*

Pádraig Hughes is an Equality Lawyer with Interights. He holds an LLB and MA (International Relations) and was called to the Irish Bar in 1999. Prior to joining Interights Pádraig practised in the areas of commercial law, criminal law and refugee law. He joined INTERIGHTS in September 2008 and has advised on and submitted briefs in cases before various international bodies including the African Commission on Human and Peoples’ Rights, the European Court of Human Rights and the European Committee of Social Rights. Particular interests include the human rights of vulnerable people.

## Session 2 – New Legislation & Policies

### Moderator



#### **Attorney Sawsan Zaher**

*Director of the ESCR Unit, Adalah*

Sawsan Zaher is the director of Adalah's Economic, Social and Cultural Rights Unit. She has worked with Adalah since 2005. She has litigated several landmark cases in the Israeli Supreme Court such as challenging the constitutionality of the Israeli Citizenship law; discriminatory policies of budget allocations for Jewish and Arab towns; and challenging laws which limit freedom of expression of the Arab citizens and institutions through restricting state funding and others. Since 2007 she has been an Academic Assistant for a course on the Legal Status of the Arab Minority in Israeli law schools, and in 2008, she was a Law Fellow at Columbia Law School. In 2012 she won a prestigious fellowship to the Women in Public Service Project at Wellesley College in the US, and the Marker Magazine named her as one of the 40 promising people under the age of 40 in her field of expertise. Prior to joining Adalah, Sawsan established the legal department at Kayan – Feminist Organization.



#### **Attorney Oded Feller**

*Association for Civil Rights in Israel (ACRI)*

Attorney Oded Feller serves as the attorney in charge of addressing human rights infringements by the Interior Ministry's Population Registry. Mr. Feller is an expert in issues concerning immigration, citizenship and residency status in Israel. Mr. Feller joined ACRI in 2001, after graduating from Tel Aviv University, where he received his LL.B. He served as a member of the Board of Directors of the Hotline for Migrant Workers between 2004-2010, and is currently in the Board of Directors of "Israeli Children," an organization working to promote citizenship for children under threat of deportation. Co-Editor of "Laissez Passe," an Israeli website on immigration and issues of residency and status in Israel: <http://www.mehagrimg.org/> (in Hebrew) and now in English at: <http://972mag.com/laissez-passer/>



**Eitan Diamond**

*Legal Advisor of the International Committee of the Red Cross (ICRC)*

Eitan Diamond is the Legal Adviser to the Delegation of the International Committee of the Red Cross (ICRC) in Israel and the OPT. Before joining the ICRC in 2007, Eitan served as a Research Officer and Legal Adviser at B'Tselem. Eitan is one of the cofounders of the London-based international charity Videre Est Credere. He

has also served as a legal consultant for the research project “Forensic Architecture: The Space of Law in War” and as a member of the Editorial Board of the Journal of International Humanitarian Legal Studies. Eitan has an LLB from the Hebrew University of Jerusalem and an LLM in Public International Law from the London School of Economics and Political Science. Between law degrees, he pursued MA studies in Philosophy at Tel Aviv University focusing on ethics and political philosophy.



**Ivanka Kostic**

*Executive Director, Praxis (Serbia)*

Ivanka Kostic is the founder and Executive Director of Praxis and a lawyer with significant experience in the field of human rights and forced migration. She lives and works in Belgrade, Serbia. Ivanka investigated war crimes and human rights violations for the Humanitarian Law Centre before working for the Norwegian Refugee Council as a senior lawyer for the Civil Rights Project.

Later, as Project Manager she oversaw efforts to improve conditions for the influx of refugees and persons displaced by the conflict in former Yugoslavia by providing legal assistance and advocacy. At Praxis, Ivanka continues to work on forced migration, statelessness, discrimination and access to social and economic rights in Serbia. Ivanka is a member of the Steering Committee of the European Network on Statelessness.

## Session 3 - International Advocacy and Public Activities

### Moderator



#### **Rina Rosenberg (Jabareen)**

*Co-Founder and International Advocacy Director, Adalah*

Rina Rosenberg (Jabareen) is a lawyer, admitted to the Bars of New York and Washington, DC. Her work with Adalah includes legal research, reporting and advocacy before EU and UN human rights treaty bodies regarding Israel's (non)-compliance with its international agreements concerning the human rights of Palestinian citizens of Israel and Palestinians living under occupation, extensive fundraising, outreach to the international media, and writing and editing Adalah's English language publications. She has worked with the Arab Association for Human Rights (HRA), the Galilee Society, and the Working Group on the Status of Palestinian Women in Israel. Prior to working in Israel, she worked as a public defender in NY and as a clinical supervisor with the Criminal Justice Clinic of Georgetown University Law Center in DC. She was a Schell Fellow at Yale Law School (2005-2006).



#### **Nicole Fritz**

*Executive Director, Southern Africa Litigation Center*

Nicole Fritz is the founding director of the Southern Africa Litigation Centre (SALC). She has taught constitutional and international law at the University of the Witwatersrand School of Law and human rights law at Fordham University School of Law in New York. She has also worked at Fordham's Crowley Program in International Human Rights. She served as law clerk to Justice Richard Goldstone at the Constitutional Court of South Africa. Currently, she is an extraordinary lecturer at the University of Pretoria's Centre for Human Rights, on the advisory board of the South African Foreign Policy Initiative (SAFPI), the African Human Rights Law Reports and on the editorial board of the Constitutional Court Review.





**Sebastian Kohn**

*Program Officer for Equality and Citizenship, Open Society Justice Initiatives (OSJI)*

Sebastian Kohn is a program officer for equality and citizenship at the Open Society Justice Initiative. Based in New York, Sebastian holds a master's degree in conflict, security, and development from King's College London. He also has a bachelor's degree in international relations and history from the London School of Economics. At

the Justice Initiative, Sebastian's work focuses on nondiscrimination, statelessness and the right to nationality. He carries out research on the dimensions and scale of statelessness around the world, and advocates in favor of an affirmative right to nationality for all people, as well as better protections for those who are stateless. Sebastian's primary areas of interest and expertise are children's right to nationality, comparative nationality law and practices, methodologies for researching stateless populations, and international human rights institutions.



**Bill Van-Esveld**

*Senior Middle East Researcher, Human Rights Watch*

Bill Van Esveld is Human Rights Watch's researcher on Israel and the OPT. Bill was previously the Arthur Helton research fellow at Human Rights Watch in 2007-2008, when reported on Western Sahara, the United Arab Emirates, and the treatment of African asylum seekers in Egypt. He has worked with the UNHCR in Thailand, and as Outreach Coordinator for the People's Movement for

Human Rights Education. He provided research support on Iraq at the International Center for Transitional Justice, and reported on human rights developments in the UN General Assembly for the International Service for Human Rights and Amnesty International. He has co-authored scholarly articles and an amicus brief on human rights issues, and holds a J.D. from New York University, where he was a fellow at NYU Law's Institute for International Law and Justice.



**Tzvika Besor**  
*Social Media Expert*

Tzvika Besor is a leading Israeli Internet activist and social media marketing expert. As VP of strategy and creative in DIBOOR Ltd., he has worked with both Israel’s top corporations, and with leading social society organizations and political movements. Tzvika’s journey in the Internet business has given him experience in journalism, community management, startup entrepreneurship and political campaigning.

## Session 4 – Lessons Learned and Ways Forward

Roundtable discussion moderated by Adalah Attorney Orna Kohn, Director of the Civil and Political Rights Unit and Adalah Attorney Fatmeh El-Ajou



**Orna Kohn**  
*Advocate*

Orna Kohn has worked with Adalah since 1998 and served as Acting General Director in 2005-2006. She worked from 1995-1998 with the Association for Civil Rights in Israel, as a stagiaire and then as a staff attorney in charge of West Bank and Gaza cases. Orna was an Assistant Instructor at the Faculty of Law of Haifa University for a year-long course on Constitutional and Administrative Law. She received an L.L.B. in Law from Haifa University in 1995, and is a Candidate for an L.L.M in International Human Rights from the Transitional Justice Institute at the University of Ulster, Northern Ireland.



**Fatmeh El-'Ajou**

*Advocate*

Fatmeh El-'Ajou specializes in international humanitarian law and has worked with Adalah since 2007. She worked for five years at a private civil-commercial law firm, and for two years with the Association for Civil Rights in Israel as a staff attorney in charge of the protection and promotion of human rights in the Occupied Palestinian Territories. She received an L.L.B. in Law from Bar Ilan

University and completed her studies for L.L.M. in International Human Rights Law, Essex University (England) (Recipient of the Chevening Scholarship of the British Council) during 2005-2006.

## **BACKGROUND RESOURCES**

### **Session 1 – Litigation Strategies**

---

#### **The “Citizenship Law and Entry into Israel Law” – Ban on Family Unification:**

- Summary of Israeli Supreme Court Judgment in Citizenship Law Case (January 2012) HCI 466/07 MK Zahava Gal-On (Meretz-Yahad) v. Attorney General (petition dismissed) <http://www.adalah.org/newsletter/eng/jan12/docs/Summary%20Citizenship%20Law.pdf>
- Israeli Citizenship Laws are Unconstitutional – Hassan Jabareen and Sawsan Zaher, Hotline Buzz on Jurist, 10 February 2012 <http://jurist.org/hotline/2012/02/jabareen-zaher-israel-citizenship.php>
- Adalah Case Review: The Israeli Supreme Court’s Decision in the Citizenship and Family Unification Case – March 2012 <http://www.adalah.org/newsletter/eng/mar12/docs/Case%20Review%20Citizenship%20Law%20English.pdf>
- Summary of the Israeli Supreme Court Judgment in Citizenship Law Case (May 2006) HCJ 7052/03, Adalah, et. al., v. Minister of Interior, et. al. (petition dismissed) <http://www.adalah.org/newsletter/eng/may06/fet.pdf>
- Special Edition of Adalah’s Newsletter, May 2006: The Citizenship Law <http://www.adalah.org/newsletter/eng/may06/may06.html>

#### **Revocation of Residency in Jerusalem, the West Bank, and Gaza:**

- Jerusalem Residency revocation statistics, by year - B’Tselem. Total as of 2011: 13,115. [http://www.btselem.org/jerusalem/revocation\\_statistics](http://www.btselem.org/jerusalem/revocation_statistics)
- HaMoked CourtWatch 282/88 - 3 May 2012 “Revocation of permanent status from East Jerusalem residents. HCJ 282/88 - ‘Awad v. Shamir (judgment delivered 5 June 1988) <http://www.hamoked.org/Document.aspx?dID=Documents1317>
- Full Petition to Supreme Court on Revocation of Jerusalem Residency Rights. HCJ 2797/11 – Qarae’en, HaMoked, and ACRI v. Minister of the Interior. [http://www.hamoked.org/files/2011/114270\\_eng.pdf](http://www.hamoked.org/files/2011/114270_eng.pdf)

- HaMoked Press Release, 22 March 2012. The Israeli Supreme Court legitimizes the “quiet deportation” policy.  
<http://www.hamoked.org/Document.aspx?dID=Updates1178>
- Petition to Supreme Court in HCJ 3216/07 - Hamdan et al. v. The State of Israel et al. (April 2007)- HaMoked’s petition to allow Palestinian residents of the OPT to have their spouses enter the OPT and live together as a family.  
[http://www.hamoked.org/items/8870\\_eng.pdf](http://www.hamoked.org/items/8870_eng.pdf)
- Adalah & ACRI Amicus Curiae – Revocation of Jerusalem Residency of Palestinian Legislative Council (PLC) members of the Change and Reform political party list (2006 elections) - HCJ 7803/06, Khalid Abu Arafah et al. v. Minister of Interior (case pending)  
<http://www.adalah.org/eng/?mod=articles&ID=802>

## Session 2 – New Legislation & Policies

- New Discriminatory Laws and Bills in Israel – October 2012 Update – Adalah  
[http://adalah.org/Public/files/English/Legal\\_Advocacy/Discriminatory\\_Laws/Discriminatory-Laws-in-Israel-October-2012-Update.pdf](http://adalah.org/Public/files/English/Legal_Advocacy/Discriminatory_Laws/Discriminatory-Laws-in-Israel-October-2012-Update.pdf)
- International Organization for Migration and the European Parliament – Report on Laws for Immigration in the 27 Member States  
[http://publications.iom.int/bookstore/free/IML\\_16.pdf](http://publications.iom.int/bookstore/free/IML_16.pdf)
- Press Release – European Court Strengthens Protections Against Statelessness in Slovenia Ruling. 26 June, 2012. Open Society Justice Initiative. [Roma]  
<http://www.soros.org/press-releases/european-court-strengthens-protections-against-statelessness-slovenia-ruling>

## Session 3 – International Advocacy and Public Activities

- Adalah Report to the UN Human Rights Committee - 11 June 2012. See page 6, “Ongoing ban on Family Unification.”  
[http://www.adalah.org/Public/files/English/International\\_Advocacy/Torture\\_HRC%20LOIPR%203%206%202012.pdf](http://www.adalah.org/Public/files/English/International_Advocacy/Torture_HRC%20LOIPR%203%206%202012.pdf)

- Human Rights Watch – “Forget About Him, He’s Not Here” – Israel’s Control of Palestinian Residency in the West Bank and Gaza – 5 February, 2012  
<http://www.hrw.org/sites/default/files/reports/iopt0212webwcover.pdf>
- Forced Migration Review, Stateless. Issue 32, April 2009.  
<http://www.fmreview.org/sites/fmr/files/FMRdownloads/en/FMRpdfs/FMR32/FMR32.pdf>
- Statelessness at the UN: Reaffirming the Right to a Nationality, Sebastian Kohn and Katrine Thomasen - 5 July 2012  
<http://www.opensocietyfoundations.org/voices/statelessness-un-reaffirming-right-nationality>
- Bronwen Manby. Citizenship Law in Africa: A Comparative Study. Open Society Justice Initiative – Africa Governance Monitoring and Advocacy Project - 2010  
[http://www.soros.org/sites/default/files/citizenship-africa\\_20101118.pdf](http://www.soros.org/sites/default/files/citizenship-africa_20101118.pdf)
- Christa Meindersma. Legal Issues Surrounding Population Transfers in Conflict Situations Netherlands International Law Review. Vol. 41:1 – May 1994  
<http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=4886232>

## Advocacy Videos

- Video on the Citizenship Law, Adalah, 2009  
[http://youtu.be/BmC\\_11HK6H0](http://youtu.be/BmC_11HK6H0)
- Family Separation, B’Tselem, 2007  
<http://www.btselem.org/video/2007/09/family-separation-video-testimonies-women-former-ussr-married-residents-territories>
- Israel splits families between Gaza and West Bank, B’Tselem, 2008  
<http://www.btselem.org/video/2008/09/israel-splits-families-between-gaza-and-west-bank>

Supported by:



*Empowered lives.  
Resilient nations.*

The views expressed in this document are those of Adalah and do not necessarily represent those of the United Nations or UNDP.

Adalah is an independent human rights organization and legal center that has been at the forefront of promoting and defending the rights of Palestinians in Israel and the Occupied Palestinian Territory (OPT) for over fifteen years. Its work includes challenging discriminatory and racist laws against Palestinian citizens of Israel, advocating for basic services and against home demolitions and evictions in the unrecognized Arab Bedouin villages in the Naqab (Negev), and pursuing accountability for victims of Israeli military operations in the OPT.

[www.adalah.org](http://www.adalah.org)