

The UN's Sustainable Development Goal 10 in Jerusalem:  
The unequal legal status of Palestinian residents in the  
territory annexed by Israel

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**Declaration**

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## **Abstract**

The establishment of strict nationality laws leaves millions of individuals with no bond to a state and rises profound inequalities globally. Meanwhile, the Agenda 2030 for Sustainable Development remains committed to “leave no-one behind” and presents a roadmap that combines a series of Goals and targets to reach a sustainable future in which everyone would be included. This paper analyses the dynamics and conditions of a specific inequality that leads to all other: strict nationality laws based on ethno-religious grounds. The employment of the case-study of East Jerusalem Palestinians’ legal status as residents of Israel but citizens of no State, aim to portray the roots of an uneven legal system in which this vulnerable group is in constant threat of statelessness. It assesses where does Israel, as a State with a clear religious national identity, stands regarding Sustainable Development Goal 10 “reduced inequalities” and Target 10.3 “ensure equal opportunities and reduce inequalities of outcome, including through eliminating discriminatory laws, policies, and practices in this regard”. It proposes programs and practices for reducing inequalities and ensuring a legal status to Palestinian residents of East Jerusalem in which they are not threatened to render stateless, and stress the explicit inclusion of nationality laws on Goal 10. The overall aim of this dissertation is to raise awareness and provoke debate, reflection, and subsequent action about exclusive nationality laws, statelessness, and the blueprint of the Agenda 2030 to reverse the trend.

**Key words:** Sustainable Development Goals; Goal 10 Reduced Inequalities; ethno-religious discrimination; permanent residency; East Jerusalem

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<sup>1</sup> See Annex A: Tables (p. 35) to consult the data used for the elaboration of the figures.

### **Note on terminology**

This work requires some clarification and background information on the semantic designation of certain concepts and groups of people. The complexity on the ground leads to the subsequent complex range of terms. A simplistic and superficial analysis would fall into the trap of binary antagonistic classification of the state of affairs: The Jewish majority that rules over the Palestinian community.

The logic followed to address the pertinent ethno-religious classification in this paper is based on the denomination of the examined group by other academics and researchers, as well as official administrative and judicial denominations. Some examples are ‘[Palestinian] East Jerusalemites’, ‘[Palestinian] residents of East Jerusalem’, ‘permanent or temporary residents’ or ‘Palestinians holding Israeli residency’. (Jefferis, 2011; Veldhorst, 2012; Salhab, 2015; HaMocked, 2018; Btselem, 2018). The Israeli Central Bureau of Statistics (2011, p.10) denotes that the “Arab minority” (in this thesis referred to as the Palestinian minority) includes Moslems, Arab Christians, and Druze. Although the term “Arab” is a self-identification category and commonly accepted in the academia, I have tried to avoid its use for personal matters, as the Mizrahi Jews –descendants of Jewish communities from the Middle East and North Africa – are considered as “Arab Jews” under the official Israeli view and those whom I had the opportunity to meet confirmed it.

On the other hand, I felt compelled to restrict the administrative boundaries of the research to the territory annexed to the Jerusalem administrative area, which is known as East Jerusalem, (see Figure 5, p. 14). Among the Palestinian population living in the city, some of them possess the status of citizens, while others, are permanent or temporary residents. The scope of this examination excludes the former group and brings all the attention to residents, for having an insecure legal status and living under constant threat of rendering stateless.

Finally, in international law and the majority of publications on statelessness (Van Waas, 2014), the term nationality and citizenship are interchangeably and have the same meaning.

## 1. Introduction

Jerusalem is a well-known religious contested city. Traditionally, diverse religious groups peacefully coexisted and conformed a succulent multicultural society. Nowadays, Israel exerts control over the city and there is a segment of the population that lives in constant threat of statelessness. Palestinian Jerusalemites have an exceptional legal condition that differs from that of Palestinians from the West Bank and Palestinian citizens of Israel. Members of this group hold Israeli residency but are citizens of no state.

This legal category grants them some benefits, especially the right to live and work in Israel. But at the same time, the already weak legal status is volatile and subject to the Minister of Interior revocation. When this occurs, they lose their only legal bond to any state and either live under irregularity in the city in which they and their families were born, or are expelled to the West Bank.

Since Israel one-sidedly annexed East Jerusalem in 1967 and applied Israeli law to the territory, in this paper Israel is accountable for enacting inclusive legislation in Jerusalem through its nationality laws, and hence, it must ensure all its inhabitants' legal status. It is worth noting that acknowledging Israel as the power that exerts control over East Jerusalem does not necessarily imply the recognition of the annexation as lawful. Instead, this legal system must be examined and ameliorated to include the lives of the individuals traditionally left aside. The conducted research for this thesis includes two interviews that complement the work of existing literature. The first interviewee is a worker that spoke on behalf of HaMoked: Center for the Defence of the individual, a Jerusalem-based non-governmental organization that provides legal assistance to Palestinian Jerusalemites (HaMoked, pp. 39-52). The other interviewee is Al-Ashhab, a human rights activist and permanent resident of Jerusalem living at the Shu'afat Refugee Camp (Al-Ashhab, 52-58). Both agreed that should the situation be addressed from an egalitarian point of view it would have to be scrutinised through Israeli law (see pp. 50 and 57).

The work of academics and civil society organizations illustrate that East Jerusalem Palestinians are in constant threat of rendering stateless for their volatile and weak legal status (Jefferis, 2012; Veldhorst, 2012; Salhab, 2015; Adalah, 2018; B-Tselem, 2019; HaMoked, 2018; Ir-Amim, 2012; Norwegian Refugee Council, 2015). "The existence of the discrimination undermines most of the citizenship rights we should have but we are lacking" Al-Ashhab determined, "I have never been a citizen of any state" (see p. 57). In this light, Ilan Pappé (2011) referred to Palestinians in Israel as 'the forgotten people' of this conflict, and during my

academic exchange in Jerusalem, I witnessed the implications this has on their individual and collective living conditions.

The example of East Jerusalem Palestinians is not an exception; it rather is the entrenchment of global nationalist momentum. The United Nations Development Program (2016) notes that our world today is more unequal than any time since the 1940s. Inequalities within countries are sharply rising in many ways, household and income disparities are the visual consequences of an underlying discriminatory legal system that sets exclusive rules of belonging through its nationality laws.

Meanwhile, significant supranational efforts are being deployed to reverse this trend. The 2030 Agenda for Sustainable Development adopted by all United Nations Member States in 2015 provides a blueprint to end poverty, promote prosperity and people's well-being while protecting the environment by 2030 through its 17 Sustainable Development Goals [SDG]. The Commitment to "Leave no one behind" provides a shared roadmap that combines a series of Goals and specific targets to reach a sustainable present and future in which everyone is included. In a meeting at the General Assembly to review progress among the SDG, the United Nations Secretary-General, Antonio Guterres, stated that development is not sustainable if it's not fair and inclusive (United Nations, 2019).

The equality imperative is a significant concern present in all the 2030 Agenda's goals, but it is particularly enshrined under Goal 10 "reduced inequalities between and among countries". On top of that, Target 10.3 "ensure equal opportunities and reduce inequalities of outcome, including through eliminating discriminatory laws, policies and practices in this regard" underlines the theoretical scheme to apply the principle of equality before the law, which is the premise to narrow gaps between segregated communities within countries. This fundamental principle requires State commitments to the promotion of comprehensive equality laws to include all segments of society and avoid discrimination, stigmatization and ultimately, reduce the risk of statelessness (A/RES/70/1, p. 21).

The literature addressing disparities under the frame of sustainable development has focused almost exclusively on the economic outcomes of segregated communities. This dissertation tackles the underlying legal discrimination that perpetuates inequality in other social, political and economic domains: exclusive nationality laws on the grounds of ethno-religious motives. It does so by the example of Palestinian East Jerusalemites and their inferior legal status as residents of Israel, but citizens of no country.



Analysing the Goal 10 and Target 10.3 through a specific case example, the weak legal status of Palestinians in East Jerusalem, confers mutual learning to the State concerned, and the future conception and evaluation of the Sustainable Goal 10.

Disappointingly, the subject of exclusive nationality laws is largely absent in Goal 10. At a point in history when the UN High Commissioner for Refugees [UNHCR] alerts on the rising numbers of statelessness, this approach begs to be explicitly included in Target 10.3 of the 2030 Agenda. On the other hand, the systematic assignment of permanent residency to Palestinians from East Jerusalem has received little attention from a wider perspective.

Analysing the Israeli commitment and performance of the UN Sustainable Development Goals [UNSDG] is particularly interesting and valuable to consider because of the contradicting ideas it poses on multiculturalism. On the one hand, in its National Review (2019), Israel acknowledges the benefits of a multicultural society for endorsing development. But, on the other hand, the national character of the state as the “Jewish homeland” has promulgated high restrictions on the legal conditions for belonging to a State.

This paper presents the actors involved in the promotion of inclusive legislation in line with Target 10.3 –Israel as the sovereign power, the international community, and civil society organizations –and evaluates their success and failures. It then finalizes with a set of recommendations aiming to promote a comprehensive secure residential status that cannot be revoked. Therefore, through the example of legal inequalities in Jerusalem, this research aims to conduct a comprehensive analysis of the reasons and effects of strict nationality laws, how they collide with Target 10.3 of the UNSDG and how can they be improved.

The article precedes as follows. First, it frames the global and regional contextualization of nationalistic tendencies that lead to the exclusion of certain groups on ethno-religious grounds. Second, the case under analysis, the legal status of East Jerusalem Palestinians and its connection to Goal 10 and Target 10.3 of the 2030 Agenda are elaborated. This section addresses a historical overview of nationality laws highlighting the Jewish character of the State, to consider afterwards the present context and appoint the benefits and restrictions this special status confers to Palestinian residents of Jerusalem. Third, the three actors involved are presented and evaluated: Israel as the country that exercises legal control over Jerusalem, the international community, and civil society organizations. Fourth, it provides a list of concise recommendations to ensure a reliable residential status that prevents statelessness. Finally, the conclusion captures the most relevant aspects of the study. In doing so, this article provides a new perspective with which to recognize the negative outcomes of discriminatory nationality laws and promotes Target 10.3 to pressure states in having more inclusive legislations.

## **2. Global and regional situation with regards to Sustainable Development Goal 10**

This analysis follows a deductive strategy that goes from the general framework to the specific case-example. This is for two reasons: first, to contextualize the global dynamics in terms of strict nationality strategies; and second, to prove that the case of East Jerusalem, far from being an isolated example, corresponds to a worrying global trend in which national identities are endorsed by legislative bodies. Therefore, the examination is conducted through three levels of analysis: global, regional, and local. This section describes global and regional frameworks, to then deepen, in section 3, on the case-example of East Jerusalem.

### **2.1. Global Trend. The increase of exclusive nationality laws.**

Nationalism is an alarming widespread trend coined by some authors as a consequence of globalization (Kinnvall, 2004; Tétrault & Denemark, 2004). The notion of an “us” that differs from “them” raises in various regions of the world, in many cases, the differences emulate from ethnic and religious components. The Council on Human Rights (2016, p. 13) warns that intolerance, discrimination, and violence against persons based on their religion or beliefs are on the rise around the world. This type of discrimination is banked by pieces of nationality legislation that determine the national demographic preferences on ethno-religious grounds. Many of the most popular cases of inequalities and discrimination within countries coincide that national discriminatory bills are on their bottom line and lead to further inequalities. This section, by showing the current alarming cases of Myanmar, India, and the Middle East and North Africa [MENA] region, proves that the presence of religious favouritism on nationality bills perpetuates a system of inequalities.

The UNDP, in support of the implementation of UNSDG, pointed out that the rise of inequalities can increase political and social tensions, leading to conflict and instability (UNDP, 2016, p. 4). All human beings have a set of human rights by virtue of being human. These rights apply to everyone; however, at present, the most effective way to achieve these and access an even broader range of rights is through a State entity (Kochovski, 2013, p. 13). Van Waas (2014, p. 9). At this juncture, nationality is perceived as the legal bond through which individuals are linked to states, and, while some individuals enjoy dual or even multiple nationalities, others find themselves with no nationality at all. International Law coined the term “statelessness” to designate the latter category as a person “who is not considered as a national by any state under the operation of its law” (360 UNTS 3). In this line, it is impossible to neglect the importance of nationality as a getaway to other rights (Van Waas, 2008, p. 3). Hanna Arendt initiated this discussion when she identified statelessness as an iconic fallacy of the modern state system. If

nationality is “the right to have rights” the absence of the former entails the inexistence of the latter and leaves the individual in extreme political exclusion, not only from a specific state but from the world system at large (Arendt 1966; Agamben 1998; Bauman 2004).

Although the international system, through its conventions and norms, can confer solutions and even prevent statelessness, the last word remains on sovereign states and their rules of attribution of nationality. In other words, the modern state system constitutes a framework in which access to individual rights is dependent on citizenship and, at the same time, states have the sole sovereignty to determine their legislation and the requirements to decide who their nationals are (Sköld, 2019, p. 285). This fact also entails that states have the responsibility to ensure that “no-one is left behind” and reinforce the extent of inclusivity of their laws. As Kochovski (2013) notes:

“When states adopt their rules on the attribution of nationality they must ensure that those laws will not create statelessness, will not unjustly discriminate on protected grounds, such as race, ethnicity or political affiliation (...), and will recognize the right to a nationality”. (p. 15)

Kochovski (2013) expands on this argument by identifying the most common causes of statelessness: (1) state succession, (2) discriminatory laws, (3) arbitrary deprivation of nationality, (4) displacement, (5) birth to a stateless person, (6) lack of birth registration and (7) the inability to satisfy certain requirements of the acquisition of nationality. All of them target a certain group within the State, different from the desired national majority. Among them, number two, three, six, and seven emanate from discriminatory nationality bills.

To ensure “equal opportunities, and reduce inequalities of outcome”, as target 10.3 claims, it is of the utmost importance to warrant equality before the law, especially to members of disadvantaged groups within a given society (Jefferis, 2012, p. 206). Generally, this decision is taken to pursue the political domination of one group over the rest; what I refer to as “discriminatory nationality laws” on the grounds of ethnicity, socioeconomic or religious reasons. As explained in further detail in Section 3 in the case of Israel, due to its Jewish character and its political strategy of the “demographic balance” in favour of the Jewish population, this religious group receives a clear better treatment than non-Jewish native Palestinians. The annexation of East Jerusalem entailed a profound discussion on how to add territory without compromising the Jewish character of the State by incorporating more

Palestinians (see more on the HaMoked interview, p. 39-40). As a consequence, Palestinian Jerusalemites were systematically registered as residents rather than citizens.

To prove that the Israeli case is not isolated and that it follows a trend in which countries are tightening the requirements to pursue their national demographic desire –in this case under ethno-religious grounds –two outstanding contemporary cases are described: Myanmar and India. Followed by a narrowing vision of the religious-state countries in the geographic region where Israel is located, the Middle East and North African [MENA].

Globally, approximately ten million people are stateless according to the UN Refugee Agency (UNHCR, 2018, pp. 51-55). This is a figure which remains unchanged from previous years' statistical reports because measuring the true scale of statelessness remains a challenge (Institute on Statelessness and Inclusion, 2018). According to the registered data, Figure 1 shows the territories where statelessness predominates the most.

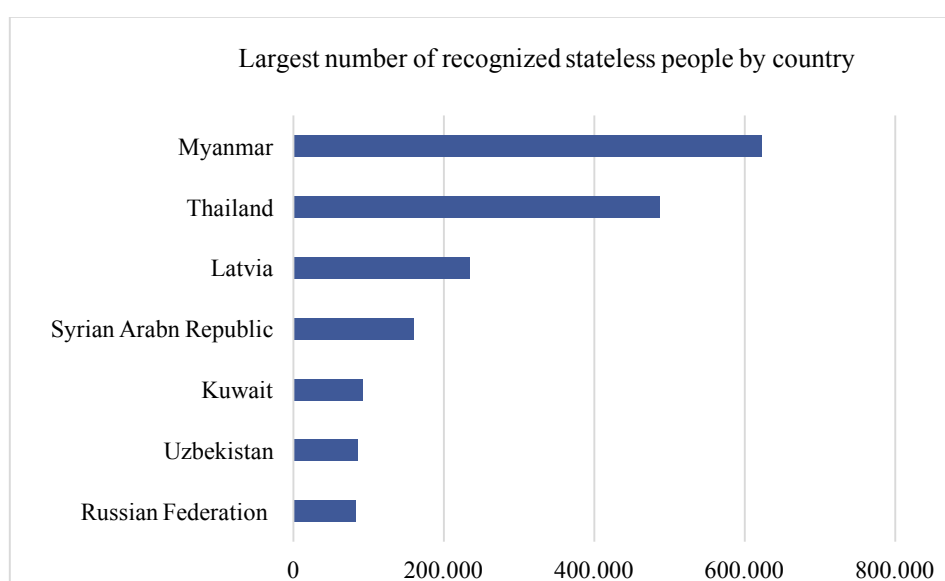


Figure 1: **Largest number of recognized stateless people by country.** Elaborated by author, based on data collected from statelessness statistics from 2017, as part of the UNHRC 2018 “Global Trends” report (see data on Table 1)

The first country of the list, Myanmar, is an example of the immediacy to implement target 10.3 of the UNSDG. Rohingya Muslims are stateless due to Myanmar 1982 ethno-based citizenship law (UNHCR, 2018, p. 52). De Chickera (2018) notes that Rohingya Muslims' privation of full citizenship, and subsequent statelessness, is a “direct consequence of decades of systemic discrimination, persecution and exclusion by Myanmar law, policy and practice”. The case of Rohingya evidences that “because of the absence of nationality, the group suffers

entrenched discrimination, marginalization, and denial of a wide range of human rights” (UNHCR, 2018, p. 52).

Unlike Myanmar, India is not a country with a remarkable stateless population. The country does not even appear in Figure 1. Nonetheless, it is a worth mentioning example for this dissertation owing to its recent political plan that denotes a certain degree of Hindu favouritism. At the end of 2019, the Indian lawmaker’s approval of the Citizenship Amendment Bill [CAB], granted citizenship by naturalization to Hindus and other non-Muslims illegal migrants from three Islamic neighbouring countries –Pakistan, Bangladesh and Afghanistan. Critics like the historian Mukul Kesavan (2019) claim that the CAB main purpose is the “de-legitimization of Muslim citizenship” as part of the Hindu nationalist Bharatiya Janata Party [BJP] agenda. Consequentially, the secular principles enshrined in the Indian constitution are threaten if faith is considered a condition for citizenship. Comparative political analysts, like Sumatra Bose (2019), examine the affinity between India’s Hindu nationalist models and the Israeli political right, for being both “ethno democracies” stablishing clear distinctions between “who are desired as citizens and who are viewed as undesirable”.

Discriminatory legal systems and severe social disparities between ethno-religious communities within countries are to be found on the national rules of belonging. These two examples embody the fact that early national-law making and the detailed parameters to conduct the census are primary components for the future development of the State. This is why it is important that the UNSDG commitment with reducing inequalities, and specially Goal 10, enhances the visibility of vulnerable groups which are not represented by any state. In order to ensure that “no-one is left behind”, the Agenda 2030 has to encourage governments to develop inclusive national legislation in which every individual will exercise their human rights without discrimination and in full equality before the law.

## **2.2. Regional trend. The Middle East and North Africa region.**

Deepen into the geographic region where Israel belongs, the Middle East-North Africa [MENA] region, we encounter countries with strict rules of nationality. Figure 2 shows graphically the findings of the study conducted by the Pew Research Center (2017, p. 16) that lists countries with determine religion favouritism. According to the study, the MENA region has the “highest share of countries with an official state religion”. Seventeen out of the twenty countries are confessional –and in all of them, except for Israel, the state religion is Islam. This fact denotes that religion is the main body of the countries’ identity and their nationality laws –which are enacted on this foundation –create new cases of statelessness that affects the region.

This evidence stresses the importance of the regional comprise with target 10.3 to reduce statelessness and bridge social gaps for religious motives. Countries with official religion reward members who practice the same faith, but usually, non-members are deprived of the State’s citizenship. To mention one example, article six of the Saudi Arabia Constitution stipulates that citizens must pledge allegiance to Islam and the King (“Constitute”, 2013).

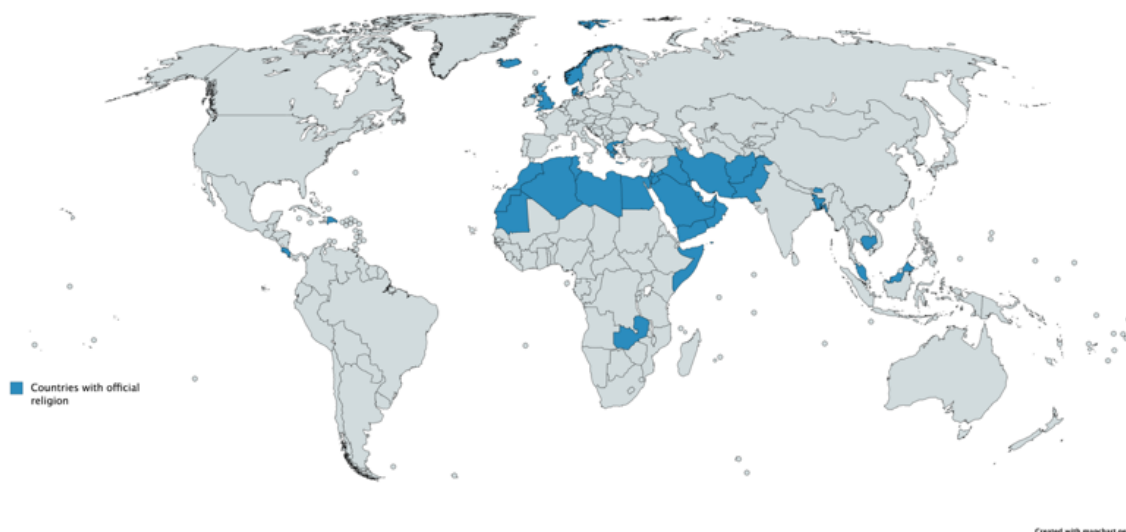


Figure 2. **Countries with official religion are the most common in Middle East-North Africa region.** Figure by author, based on data collected from Pew Research Center analysis, 2017 (see countries and official religion on Table 2)

While the current global trend is not encouraging, it is still possible to halt and reverse national discrimination and growing statelessness. As Van Waas (2014, p. 11) rightly points out, “statelessness, like nationality, is a man-made creation and can be solved”. The reform of discriminatory legislations should have a holistic, community-based approach. Examining the underlying causes of discrimination becomes an imperative in a world system in which segregation within countries escalates. Human Rights Council (2014, p. 14) alleviates to strengthen international efforts to “foster a global dialogue” for the promotion of a culture of tolerance and peace at all levels, based on respect for human rights and diversity of religions and beliefs.

The next session deepens into the case-study of Jerusalem, where exclusion on national grounds leaves a group under vulnerability and constant threat to render stateless in the city they were born.

### **3. Perpetuating inequalities: permanent residency in Jerusalem**

After being mapped in the wider context of statelessness and discriminatory laws, this section presents a clear example of an exclusionary piece of legislation that favours Judaism and constitutes a system of inequalities that perpetuates the inferior legal status Palestinian native population from the annexed East Jerusalem. This section addresses the historical overview of nationality laws prior and after the foundation of Israel, to consider afterwards the current context and appoint the benefits and restrictions the special status of residency confers to East Jerusalem Palestinians.

As it has been assessed and exemplified in Section 2, the establishment of nationality laws and the bases to conduct a census are crucial for the later inclusion of the most disadvantaged groups in the sovereign State. The way Israel conducted the census over East Jerusalem after its annexation in 1967 unveils the unequal system that remains marginalizing Palestinians until today: it applied its law, jurisdiction and administration to the territory, but it did not provide universal citizenship to the residents of that area; instead, they were granted permanent residency, that differs a lot from citizenship.

Jefferis (2012, p. 23) outlines that this group of people is trapped in a fine limbo between permanent residency, “whereby they exercise only a limited set of rights”, and statelessness, “whereby their permanent residency is confiscated, their limited rights revoked, and they are forced to leave the city in which they and their families were born”.

According to HaMoked (2018), since Israel unilaterally annexed East Jerusalem in 1967, it successfully aimed to reduce the number of Palestinians living in Jerusalem. In the conducted interview for this research, the worker of HaMoked argued that Israel does so by shrinking the number of residents and preventing the addition of more Palestinians to the city’s population. In this sense, the decision of granting permanent residency –and not citizenship – was founded in trying to avoid a new wave of Palestinian citizens to preserve a ‘demographic balance’ to secure a Jewish majority and thwart any future attempt to challenge Israeli sovereignty there (HaMoked interview p. 42-43). Hence, in the light of Target 10.3 of the SDG, Israel is working through its laws to systematically marginalize and expel Palestinian residents as a means to pursue this religious sectarian goal (Jefferis, 2012). Bearing this in mind, Figure 3 provides visual evidence of the progress of the demographic balance since Israel started exercising control over the city until 2017.

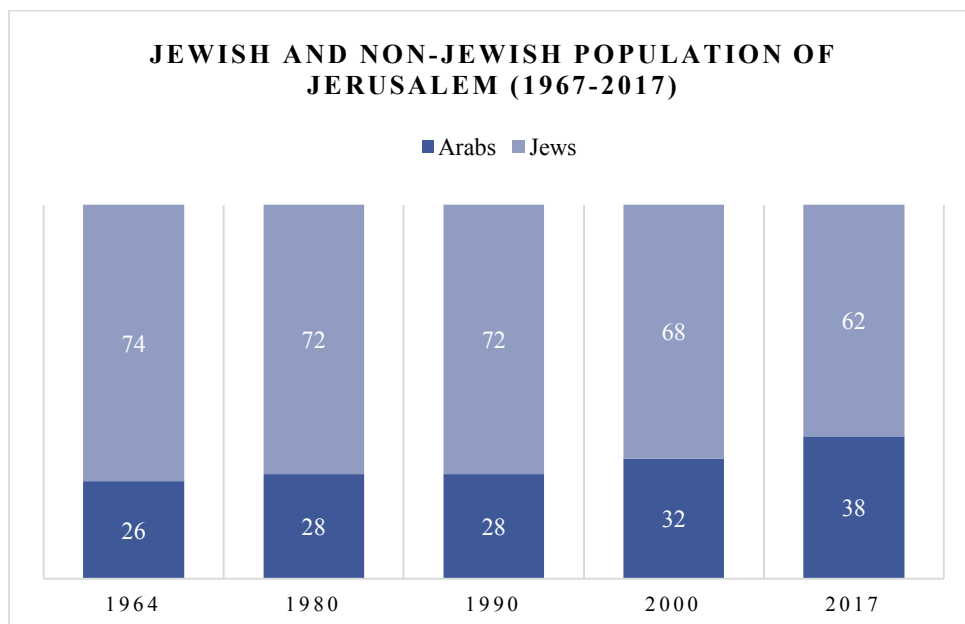


Figure 3. **Jewish and non-Jewish population of Jerusalem from 1967 to 2017, by percent.** Elaborated by author, based on data collected from Jerusalem: Facts and Trends Report (Korach & Choshen, 2019). (See data on Table 3)

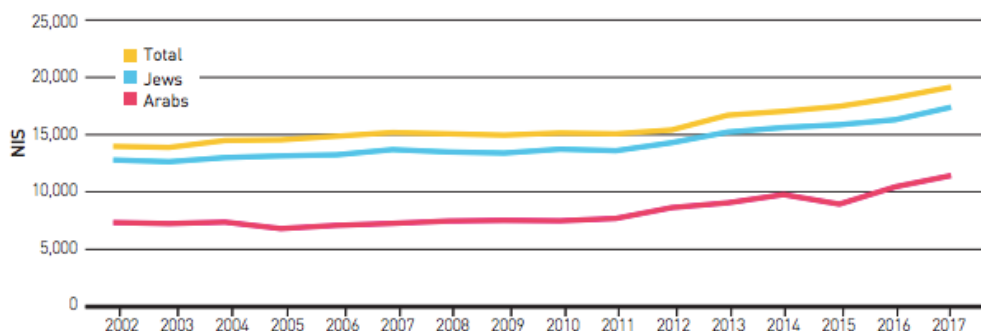
Gaps between the Jewish community in West Jerusalem and Palestinians in East Jerusalem are widening in all possible ways, but this paper endeavours to illustrate the first sign of discrimination: the systematic assignment of residential status towards East Jerusalem Palestinians. As Figure 4 describes, the indicator Israel provides on the national voluntary report for the Sustainable Development, shows the outcomes of inequalities in economic terms. Despite the progressive improvement in gross median income in both groups, the gap between communities remains a great challenge. Indeed, disparities increase if the scope of the analysis is narrowed to the city of Jerusalem: the poverty rate among the city's Jewish population (25%) contrast to the rate among its Arab population (78%) (Korach & Choshen, 2019, p. 58).

Considering the economic indicator as the visual tip of the iceberg, this section illustrates the discriminatory legislation against East Jerusalem residents starting from the historical framework of nationality laws to afterwards exemplify the current situation.



Figure 10.4

Gross median income of all households from work, by population group at constant prices (2017), 2002-2017



Source: Israel Well-being, Sustainability, and National Resilience Indicators, 2017

Figure 4. Gross median income of all households from work, by population group at constant prices, 2002-2017. Retrieved from National Review Israel (2019, p.187)

### 3.1. Historical analysis

Preceding events are vital to foresee contemporary understandings. With this in mind, the current legal framework is the result of a history of controversial practices and policies aiming at limiting the Palestinian population to maintain a demography dominated by the Jewish majority (see HaMoked interview, pp. 42-44).

The notions of ‘citizenship’ and belonging have defined this territory through the years and depending on who possessed the control of the land, the criteria have applied varying degrees of inclusivity towards the inhabitants of the city (Jefferis, 2011). This section conducts a review of citizenship legislation classified into three groups depending on what power controlled Jerusalem. First, “Pre-1948” under Ottoman imperial power and the British Mandate; followed by the firsts decades of the partition of the land and the creation of the State of Israel “1948-1967” in which Jerusalem was divided; and, finally, the “post-1967” unilateral annexation of Jerusalem and the Israeli administrative control of the city, which prevails to this day.

#### 3.1.1. Pre-1948

Previous to the partition plan and the subsequent creation of two states -Israel and Palestine-, historic Palestine was under Ottoman and British rule. Early nationality laws that defined who was a Palestinian citizen –the 1869 Ottoman Nationality Law and the 1925 Palestinian Citizenship Order –were secular pieces of legislation. This means that inhabitants of Palestine, regardless of their religion, received equal treatment under the law.

In a review of the Ottoman Nationality Law enacted in 1869, Qafisheh (2007, pp. 33-35) considers that this piece of legislation was liberal, as it “turned citizenship into a secular concept by abandoning religious affiliation as the basis for nationality”. The author further notes that the 1869 Law adopted the acquisition of nationality by *jus sanguinis* and *jus soli*, so everyone residing in Ottoman territory was considered an Ottoman subject.

Following the defeat of the Ottoman Empire after the First World War, the Levant region was placed under the League of Nations under French and British mandates, falling Palestine under the second, from 1922 to 1948. Engin F. Isin (2012) describes that, in the light of this new scenario, the Ottoman legal system in the Levant was officially nullified by 1924 and the British Mandate System in Palestine was responsible for enacting a nationality project, formalized as the Palestinian Citizenship Order passed in 1925. In a revision of the legislation, Hurewitz (1958) claims that no person was excluded from Palestine on the sole ground of his religious belief. At that time, Arabs and Jews claimed to have different nationalities but both groups were equally Palestinian citizens. (Bentwich, 1939, pp. 230-232). The citizenship laws were particularly beneficial for Jewish immigration, which steadily rose as a direct consequence of anti-Semitic European policies, as they were assimilated under naturalization.

Ravndal (2010) denotes that at the end of the Second World War, the British administration of the Mandate became an impossible task for several reasons, ranging from the increasing number of Jewish refugees who saw Palestine as their only “safe haven” after the enormous suffering of the Holocaust, to the growing tensions between Arabs and Jews, and a deep economic crisis as a consequence of the war. As a result, Britain referred the question of Palestine to the United Nations to investigate a proper course of action.

### 3.1.2. 1948-1967

The United Nations Resolution 181 passed by the General Assembly on 1947 called for the partition of Palestine in two independent Arab and Jewish states, with the city of Jerusalem as *corpus separatum* to be governed by a Special International Regime (A/RES/181(II)). As a consequence, the internationally-recognized Palestinian citizenship law above-named came to an end (Isin, 2012). At this time, after the first Arab-Israeli War of 1948, Jerusalem fell under Jordanian control until 1967.

But these years were critical for the construction of the Israeli uneven legal system. As it has been previously mentioned, the elaboration of the first nationality law is a key concern to understand the future progress of the state and its inhabitants. Israel’s first law was the “Citizenship Act” of 1952, in which the religious preponderance of the statute formally

established the discriminatory system against the indigenous Palestinian population that practiced other faiths rather than Judaism. On a revision of this first nationality law, Salhab (2015, p. 158) distinguishes the four legal procedures to obtain Israeli citizenship: by return, residence, birth, and naturalization.

The first one, “by return”, was regulated by the “Law of Return” enacted in 1950 that grants “every Jew in the world the right to settle in Israel” (*The Law of Return 5710*, 1950). This Basic Law remains an ongoing subject of discussion and has been criticized for marginalising non-Jewish population and for being particularly offensive towards native Palestinians that were displaced in the 1948 War of Independence and the 1967 Six-Day War, who are still waiting to return to their former homes. Even today, Jewish immigrants, born in another continent have a better status in Israel than a Palestinian child born in East Jerusalem (Shachar, 1999; Salhab, 2015).

The second case, “by residence” was the most controversial back then because of the complications it entailed. The law did not recognize all the nationals from the predecessor State as residents, and while Jews received the nationality through the “Law of Return”, Arabs had to fulfil a complex series of requirements, as many fled the territories that were not under Arab occupation, so they did not register as residents and did not receive the nationality. The two remaining clauses “by birth” and “by naturalization” are explained in Section 3.2.2.

### 3.1.3. Post-1967

After the “Six-day-war” or “1967 War” between Israel and its Arab neighbouring countries –Egypt, Jordan, and Syria –Israel included to its territories the Sinai Peninsula, the Gaza Strip, East Jerusalem and the Golan Heights. Among them, only East Jerusalem and the Golan Heights prevail under Israeli nowadays.

Focusing on the capture of Jerusalem, Israel annexed the territory to its administrative boundaries. As the blue line in Figure 5 shows, after the annexation, the city tripled its size by adding 70 square kilometres of territory located north, east, and south of Jerusalem. Depicting the early steps of the Israeli control over Jerusalem, the representative of HaMoked underlined that immediately after, the Ministry of Interior conducted a census in East Jerusalem considering the desired demographical and political majority on the city.

As the report published by the Norwegian Refugee Council/Internal Displacement Monitoring Center [NRC/IDMC] (2015) underlines, only Palestinians who were present during the census were registered in the Israeli population registry and received Israeli identity cards providing them the status of permanent residents, but not citizens. Meanwhile, residents of the

annexed territory who were outside during the census, lost their right to receive Israeli documentation.

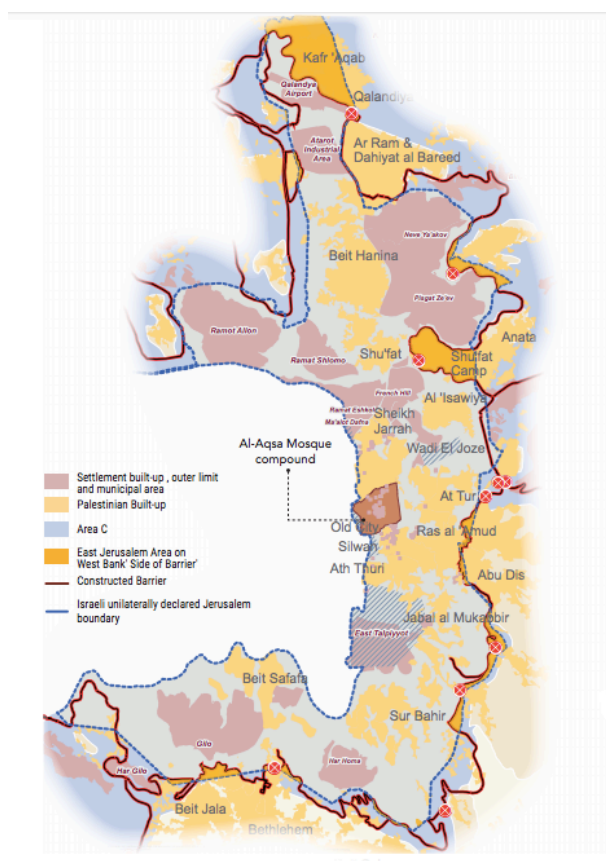


Figure 5. **East Jerusalem expansion towards north, east and south and unilateral annexation.** Source: United Nations Office for the Coordination of Humanitarian Affairs [OCHA], 2019.

Together with the 1952 Nationality Law, the “Entry into Israel Law” (1952) conforms the two pieces of legislation that currently govern citizenship and residency in Israel. The report also describes the law as the regulator of “the entry of individuals as tourists and their stay as immigrants” (NRC/IDMC, 2015, p. 37). The most salient concern about the Entry into Israel Law is that it gives “the Minister of Interior almost complete discretion to terminate permanent residency status”, which means that Israel applies the same arrangements to residents of East Jerusalem –despite having been born in the city –than to immigrants from foreign countries (NRC/IDMC, 2015, p. 37). This perspective evidences the inferior status of East Jerusalemite residents compared to citizens.

In 2003, the Knesset passes the “Citizenship and Entry into Israel Law” as a Temporary Order that could be renewed every year. Since then, it has been repeatedly approved and is still in force. The broking out of the First Intifada (1987) is regarded as the reason why this law was

established, and it stipulates the rules regarding family-based immigration from the West Bank and Gaza. It is important to highlight that as a consequence of the cultural and familiar links, East Jerusalem residents are the most affected by this law that violates the right to family life. On top of that, this Order bars thousands of people from holding residency status, including the children of East Jerusalem residents.

Most recently, in 2018, the Knesset adopted the “Basic Law: Israel as The Nation-State of the Jewish People” (also known as the Nation-State Bill or Nationality Bill). According to Adalah (2018), the law reinforces the “ethnic-religious character of Israel as exclusively Jewish” while anchoring discrimination against minorities and “legitimizing exclusion, racism and systemic inequality”. The Committee on the Elimination of Racial Discrimination (CERD19.024E) is concerned as well about the discriminatory effects of this Law on non-Jewish people in the State, as it stipulates that the right to exercise self-determination in Israel is “unique to the Jewish people” and establishes Hebrew as Israel’s official language, downgrading Arabic to a “special status” (CERD19.024E). It declares united Jerusalem as the capital of the state.

### **3.2. Current situation: living with limited rights**

The systematic assignment of permanent residency rights to a person born on a State is rare. Despite this, as a general rule, native East Jerusalem Palestinians are permanent residents; with few exceptions of those individuals who applied for citizenship and whose applications were approved (Jefferis, 2011, p. 204; Ir-Amim, 2012).

The Israeli Blue Identity Card confers fewer legal and civil status to its Arab East Jerusalemites holders, compared to their fellow Jewish citizens. In this sense, Palestinian residents of Jerusalem enjoy certain benefits, especially compared to West Bankers, still, its scope is considerably limited in comparison to the rights of Israeli citizens. The major downside of the residential status is that, unlike citizenship, it requires constant verification and it is subjected to expiration and revocation; likewise, the Ministry of Interior has discrete power to cancel that residency, and hence, its holders are in constant threat of rendering stateless (Ir-Amim, 2012, p. 37).

This dichotomy on the civil status entails an evident unequal treatment and a source of tension in Jerusalem. Overall, the permanent residency provides the “right to some rights”, but also restrictions that are explained thereupon. This section is supported by Al-Ashhab testimony gathered in the interview conducted for this research (Al-Ashhab, pp. 52-58).

### 3.2.1. Benefits

The most significant benefits of the residential status, in comparison to the rights of Palestinians from the West Bank and Gaza, is the right to live and work inside Israel (Jefferis, 2011). Moreover, Palestinian holding Israeli residency are able to travel to and from the West Bank, while West Bankers cannot get through the checkpoints to the other side of the Green Line. Residency also entitles them to social benefits by Israel's National Insurance Institute, as well as health insurance (B-Tselem, 2019).

Despite not being able to participate in national elections –either as voters or as candidates –East Jerusalem Palestinians are entitled to vote in municipal elections and to run for city council (B-Tselem, 2019). Nevertheless, although permitted, the vast majority of Palestinians of East Jerusalem do not do so for their conviction that voting grants legitimacy to a regime that consistently denies their fundamental rights (Badil-AIC, 2009). In the Figure below it is evidenced the declining voting trend from 1969 to 2013.

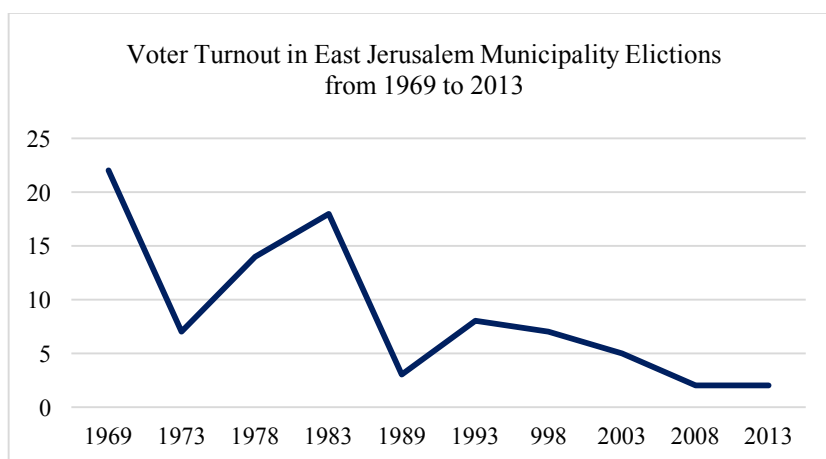


Figure 6. **Palestinian Voter Turnout in Municipal Elections in East Jerusalem, 1969-2013.** Figure by author, based on data collected from Badil-AIC, 2009. (See data on Table 4)

### 3.2.2. Restrictions

The existence of legal restrictions that are present from birth, inevitably results in vulnerable groups treated like migrants in the land in which they were born. Considering Target 10.3 of the SDG, identifying the most problematic laws and procedures is essential to reformulate them and imagine a renewed inclusive legislation. As B-Tselem (2019) firmly argues:

“Yet unlike immigrants who freely choose to live in Israel, and can return to their country of origin, the Palestinian residents of East Jerusalem have no other home, no legal status in any other country”.

As residence holders, they are condemned to be afraid of losing this already inferior legal condition and render stateless due to the possibility being deprived of this status. When East Jerusalemites' residency is revoked, they are expelled to the West Bank "trapped in an area under military occupation where every entry and exit point is controlled by the regime that forced them there" (Jefferis, 2011, p. 203). Another important point to note is the divergence between temporary and permanent residency. The former is less stable, subject to periodic renewals, it does not allow them to work or drive, and neither does it include entitlements to social security and public health insurance. As examined in the upcoming section of "family unification", this is the status that spouses of residents and couple's children over the age of 14 receive. In contrast, permanent residency does not have to be renewed but remains under constant revision and updating. The divergent features of each status and the effect it has on the wellbeing of their holders is exemplified by Al-Ashhab family, whose members possessed different status and went through complex administrative processes to get their legal condition in order (see Al-Ashhab interview, pp. 53).

Figure 7 identifies the annual revocation of Palestinian residencies since 1990 until 2018 (B-Tselem, 2019). Among the common legal stipulations used by the Minister of Interior to strip Jerusalem residents of their residency, explained below, are (1) the center of life policy, (2) the inability to automatically pass the status to the children, (3) breach of allegiance and loyalty oath, and (4) family unification.

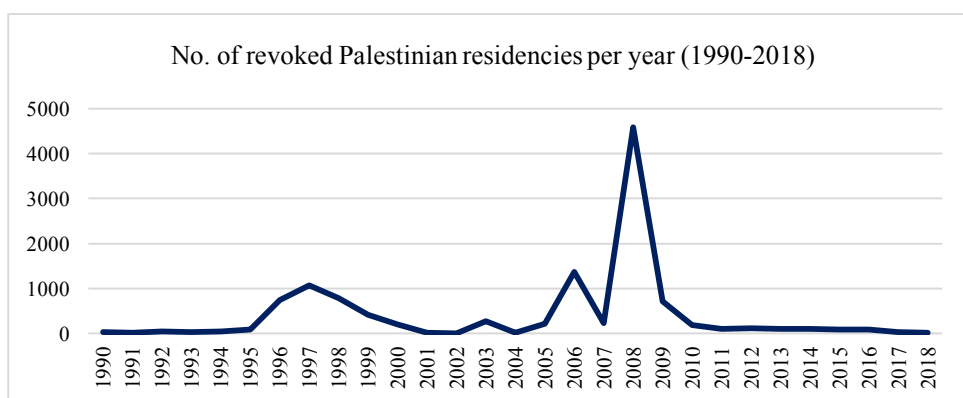


Figure 7. **Statistics on revocation of residency in East Jerusalem from 1990 to 2018.** Figure by author, data collected from B-Tselem (2019) which is retrieved from the Minister of Interior of Israel. (See data on Table 5)

### Center of life policy

While citizenship is secure and Israeli nationals can hold more than one nationality, Israel allows the revocation of the residency rights of any Palestinian Jerusalemite whose

“center of life” has not been in Jerusalem for seven consecutive years (Isaac & Khalilieh, 2011, p. 2). In this sense, Palestinian residents who have moved out to study abroad, or live with their spouses elsewhere, are in risk of having their residency rights revoked (Allabadi & Hardan, 2016).

The biggest number of revocations are made under this premise, and this is a dangerous policy that leads to statelessness due to two reasons. On the one hand, because East Jerusalemites could have moved to another city for any reason, but did not get a status in any other country; therefore, when their Jerusalemite residency is revoked, they lose their only legal connection to any State. On the other hand, children of Palestinians living abroad are subject to this threat. The latter was the foundation of the controversial case of Mustafa Al-Haruf, born in Algeria from an Algerian woman and an East Jerusalem resident who until the date remains stateless (for further details of the case see HaMoked interview, p. 43, or Haas, 2019).

For many years, revocations under this premise were unnoticed and received the name of “quiet deportation”. As it is explained in the section 4, local NGOs working on residency status in East Jerusalem have improved the situation substantially in this regard.

### **Pass the status to children**

Children born to Israeli nationals are automatically citizens based on *jus sanguinis*, whether born in Israel or not (*Nationality Law 5712-1952*, 1953). However, when a resident has a child, their child is not automatically registered as a resident (HaMoked p. 48). And again, this basic right rests under the absolute discretion of the Minister of Interior (Jefferis, 2011).

A report on Statelessness from UNHCR (2011) singles out birth registration as one problem that has allowed statelessness to develop trans-generationally. In this vein, children of residents are at a significant risk of statelessness from their birth, and have limited opportunities to regularize their status later on.

### **Breach of allegiance and loyalty oath**

The Jerusalem Legal Aid and Human Rights Center (JLAC) reported that residency revocation is employed as a “measure to punish Palestinian Jerusalemites accused of carrying out attacks against Israeli targets” (JLAC, 2017). Perhaps, more disturbing is the fact that the family of alleged attackers could also be targeted and suffer the consequences of punitive residency revocation as Al-Ashhab evidences with an example (see pp. 54-55). As described in the HaMoked interview (see p. 49) the mere existence of this condition is a violation of International Humanitarian Law, as the 4<sup>th</sup> Geneva Convention stipulates that “no State can



enforce an oath of allegiance on residents of the occupied territory on the occupying power” (75 UNTS 31).

In the same way, the process of naturalization to obtain citizenship, includes an amendment that calls for “non-Jewish seeking to become citizen to pledge loyalty to Israel as a Jewish and a democratic state” (Salhab, 2015, p. 158). This discriminatory condition holds many East Jerusalemites back to apply for citizenship, as Sanders & Sobelman (2010) argue, the message it sends to the Arab minority is that they are second-, third- and fourth-class citizens. This is a clear example of a discriminatory policy toward non-Jewish inhabitants of the country that denies the core argumentation of Goal 10 of the Agenda 2030.

### **Family unification**

The right to family life is a universally-recognized human right that entails families to live under the same roof. In 2000, the Israeli government decided to suspend the naturalization procedures of Palestinian couples; beginning a process that led to the violation of the family life of tens of thousands of Israeli citizens as well as residents of East Jerusalem.

The major damage was caused to the Arab minority in Jerusalem for their family and marriage ties with the Palestinian community in the Occupied Palestinian Territories (OPT) (Ir-Amim, 2012, Chapter 4). At this juncture, the “family unification” process became the legal procedure for many citizens and permanent residents in Jerusalem to unite with their spouses from the OPT or Gaza (Masri, 2013). In this context, the Citizenship and Entry into Israel Law (Temporary Order) above-named, “restricted the ability of Palestinian residents of East Jerusalem to legalize the status of their Palestinian spouses (...) and to live with them and their children in East Jerusalem” (Ir-Amim, 2012, p. 40). The examination takes several years, and what they usually get is a temporary permit that only protects them against deportation without granting them any civil status, social or economic rights (JLAC, 2017, pp. 4-5).

As a result of the Temporary Order, Al-Ashhab sincerely declared her desire for her daughter’s groom; despite having been asked to marry by men from the West Bank, she pledges her to marry someone with residency in Jerusalem and not to repeat her mistake (see p. 56).

Critics of the law and the family unification decision are twofold: first for its racial discrimination towards Palestinians, and second, for being especially dangerous for children of the couple whose legal status is determined by this process.

The four described policies, endorsed by a historical set of nationality laws and the “Temporary Order”, are major pillars of Israeli policy to control every aspect of Palestinian life in Jerusalem. JLAC (2017, p. 7) notes that these invasive procedures are present in daily lives

of the residents and constitute a “huge stress” on Palestinian families. Accordingly, Al-Ashhab and HaMoked testimonies show that the efficiency of these policies turns Palestinian population transfer into an easy process, obtaining the desired demographic control over the ‘Holy City’ (see pp. 41 and 57-58).

Overall, Israel’s performance with Goal 10 and Target 10.3 of the UNSDG needs to be strengthened. Some conceptions of Israel as a Jewish state compete tragically with democratic values, as it does not treat all the people living under its jurisdiction in equal terms (Mazie, 2013). In sum, the presence of religious segregation on its legislation is a hindrance to any attempt to sustainable development in the country, and against the alleged “multiculturalism”.

The commitment with bridging gaps between communities in Jerusalem and promote an appropriate legislation and policies to reduce inequalities will be undertaken by the interaction of diverse actors. The following section examines the nature of these actors, evaluates their performance, and identifies expectations for the incoming 10 years.

#### **4. Main actors involved: Israel, the international community and the civil society**

Israel’s unilateral annexation of East Jerusalem as illegal under international law falls into the legal category of occupation (Jefferis, 2012, p. 204). For that reason, there is a cluster of national, international, public and civic actors that influence on the legal status of East Jerusalem Palestinians. These actors are essential to defend the fulfilment of Goal 10 and Target 10.3 of the UNSDG in Jerusalem. This section recognises the most significant players, – sovereign power, the international community and civil society organizations –, evaluates their performance, and afterwards presents the forecast for the incoming 10 years.

While citizenship has historically been seen as an issue of state sovereignty, and states still retain considerable power in determining who its nationals are, states are simultaneously bound by international human rights standards and principles to protect individuals from arbitrary and harmful state action (Batchelor, 2006).

Because Israel applied its civilian laws over East Jerusalem, the State must assume the responsibility to protect the inhabitants of the city. In the absence of a written Constitution, Basic Laws are envisioned to have the highest legal status in Israel. However, Veldhorst (2012, p. 47) regrets that none of these laws “contains a provision for equality of all citizens or a non-discriminatory provision”.

As presented in section three, the Minister of Interior has broad discretion to confer and revoke permanent residency permits from Palestinians living in East Jerusalem. Moreover, since the establishment of the State, Israel boasts to be the ‘Jewish homeland’, and, for this

reason it has never hidden its willingness to embrace an exclusive land for the Jewish people. Jefferis (2012, p. 203) offers an interesting perspective by designing Jerusalem as the most notable example where Israel is working through its laws to “systematically marginalize and expel” those who obstruct the religious national goal.

Conversely, the international community is still strongly present in Jerusalem affairs. Due to the unilateral annexation, international humanitarian law and the Fourth Geneva Convention are applied in the alleged occupied territories, including East Jerusalem (Jefferis, 2012, p. 204). Article 15 of the Universal Declaration of Human Rights recognizes that “everyone has the right to a nationality”. In this sense, James A. Goldston (2006), notes that state sovereignty is limited by three fundamental principles –the right against arbitrary deprivation; the universal prohibition against racial, ethnic and religious discrimination; and the prohibition of statelessness. Hence, international human right standards and principles protect individuals from harmful state practices –in the case of this dissertation –the rights of residents of East Jerusalem.

Cortell and Davis (2000, p. 65) indicate that ideally, international norms should have important effects on the behaviour of a State on the domestic level. Although in this case, international and national norms do not correspond with each other and the discriminatory national norms prevail over the international ones (Veldhorst, 2012). Target 10.3 of the Sustainable Development Goals “ensuring equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard” requires national commitment with the international objective. Nevertheless, in this last respect, Salhab (2015, p. 167) describes the world frustration with Israel’s refusal to comply with international law. In the same line of thoughts, Veldhorst (2012) describes the Israeli tradition to violate Resolutions adopted by the international community. Therefore, the international pressure provided from international Protocols and Conventions in terms of statelessness and civil rights protection, creates a framework for action, but does not entail obligations to the State of Israel.

The enrolment of civil society organizations, local non-governmental organizations, and human rights civil groups are fundamental to assist Palestinians from East Jerusalem and to the compromise with Goal 10, more precisely with target 10.3 to ensure equality before the law. Apart from HaMoked –whose work has been the most relevant for this dissertation, for its expertise and dedication in the legal status of East Jerusalemites –there are more organizations safeguarding equality in the annexed territory and guaranteeing the wellbeing of its current

residents, like B-Tselem, Ir-Amim, Adalah, Jerusalem Legal Aid and Human Rights Center (JLAC), or the Association for Civil Rights in Israel (ACRI).

It is also relevant to note that the different solutions proposed by civil groups are taken from the international law perspective. HaMoked and the Association for Civil Rights in Israel (ACRI) articulated and submitted a petition claiming that, as residents of the occupied territories, the Palestinian residents of East Jerusalem should be recognized as “protected” persons entitled to protection under humanitarian international law. In doing so, Article 49 of the Fourth Geneva Convention forbids any kind of “forced transfer” of protected persons (Ir-Amim, 2012, p. 32).

#### **4.1.Evaluation: levels of success and limitations**

The figure of the sovereign state as the sole decision maker has encountered two relevant limitations: the emergence of new actors, and the progressive challenge to the city’s status quo. Nevertheless, plenty of work remains to be done in order to reduce the unequal and insecure legal status of Palestinian residents’ new-born babies, and to guarantee a secure status in which they are not threatened to render stateless. The evaluation consists on displaying the levels of success and failure of the three main actors –Israel, the international community, and civil society organizations –concluding with the revision of indicator 10.3.1 of the SDG.

Beginning with the levels of success, the sovereign power acknowledges that multiculturalism is beneficial for sustainable development. Israel is committed to the 2030 Agenda and was part of the 2019 Voluntary National Review of the high-level political forum on sustainable development, in which there is a compromise to search for “creative and culturally sensitive ways to provide equal opportunities for all” to mitigate the differences among cultural, ethnic and religious groups (National Review Israel, 2020, p. 17). While this is a decent start, if Israel really seeks to achieve sustainable growth, it should address the root causes of inequalities coming from the institutionalized discrimination perpetrated in its legal system.

The international community has a historical commitment with statelessness expressed in existing Conventions and Protocols intended to protect individuals. Israel signed and ratified the 1954 Convention on the Status of Statelessness but did not ratify the 1961 Convention of the Reduction of Statelessness. This fact proves that the State of Israel is committed to the fulfilment of the 1954 Convention on the territories under its effective control –including East Jerusalem –but it is not bounded by the enforcement of the 1961 Convention.

According to the worker of HaMoked interviewed for this research, organized civil groups working in the city have substantially improved the situation of Palestinian residents of Jerusalem through the employment of paralegal and legal assistance towards East Jerusalemites, as well as by the submission of several petitions to the Ministry of Interior. The representative of the organization mentioned some cases through the interview and one of the most significant upturn was the successful petition in which the Minister of Interior alleged that the West Bank and Gaza were not longer considered moving abroad, and thus, the center of life policy would not apply in these cases (see HaMoked pp. 45-46). HaMoked's annual report (2019, p.3) notes that the non-governmental organization conducts strategic litigation to change Israeli government and military policy to increase respect for basic rights. More specifically, during 2019 alone, the organization has challenged the discriminatory "Citizenship and Entry into Israel Law" and they "have assisted 324 families to register their children, reinstate revoked residencies or obtain family unification status".

These actors nonetheless still have limited capacity for action resulting from the weak multilateral engagement with Goal 10 in Jerusalem. Furthermore, the persistence of the broader tension affects local people's lives and impedes effective modifications of the legislation that could benefit Palestinian Jerusalemites. Assuring the legal status of East Jerusalem Palestinians, in this sense, becomes an obligation that Israel, as the city's occupying power, has the responsibility to ensure. It is also worth noting that, even though the work of civil society organizations provides a lot of support, there are clear limitations established by the Ministry of Interior that they cannot surpass.

Indicators shared by Israel in its 2019 National Review measuring the distance from the targets, denote that the country addresses Goal 10 exclusively through economic disparities. Which on the first place, questions the effectiveness of the UN appointed indicators of Goal 10 to comprehend and mitigate the underlying causes of inequalities. As Figure 8 demonstrates, the problem with indicators measuring the distance to the SDG targets is an overall trend among OECD countries. From the available data significant to each of them, Goal 10 "Reduce inequalities" and Goal 16 "Promote peaceful and sustainable societies for sustainable development" register the highest score of "no identified trend or not enough data". This fact evokes a profound need to review existing indicators to enhance their efficiency as analytical tools (OECD, 2019).

Indicator 10.3.1 that evaluates the country performance in achieving target 10.3 as part of Goal 10 is quantified by "the proportion of population reporting having personally felt discriminated against or harassed in the previous 12 months on the basis of a ground

discrimination prohibited under international human rights law”. Under this definition, one could easily note the broad and vague nature of this indicator, and from this point, outline its revision to explicitly evaluate discriminatory rules of attribution of nationality. In doing so, the degree of legal inclusivity of each country would be better assessed, and more importantly, this would ultimately contribute to the reduction of statelessness.

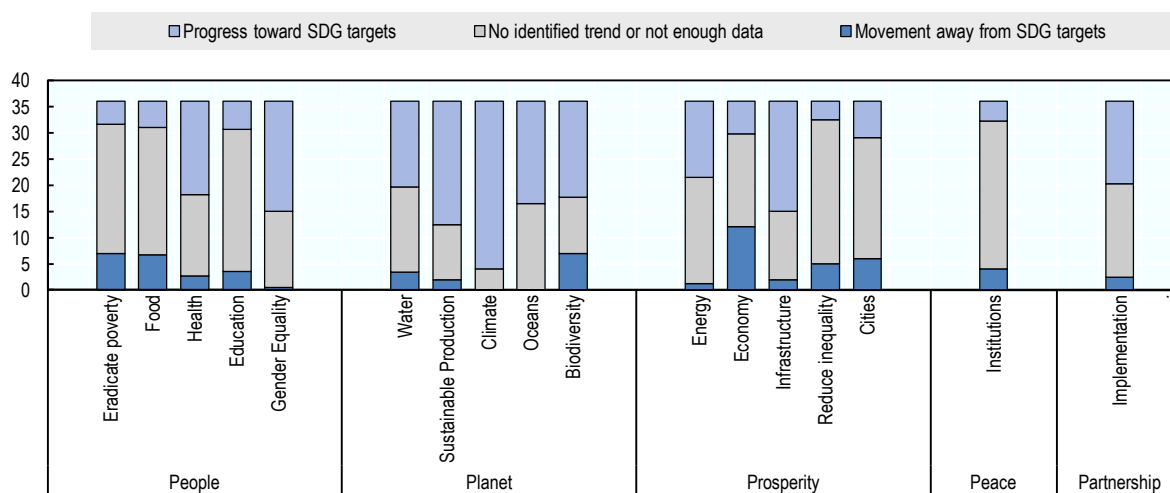


Figure 8. **Progressing towards or moving away from SDG targets classified by class of trends and by goals.**  
Source: OECD, 2019. (See data on Table 6)

## 4.2. Expectations for the coming 10 years

Bearing in mind the city’s historical background and the evaluation of the main actors involved, predicting the future of legal disparities in Jerusalem is a tedious job. Previous Peace Treaties have failed to resolve the question of the possession of Jerusalem between Israel and the Palestinian Authority. The incoming 10 years will be paramount to formalize a residential status for Palestinians from East Jerusalem that would secure its legal connection to the city regardless of who exerts *de facto* control over it. Either status quo remains in place and East Jerusalem continues to be annexed under Israeli jurisdiction, without being recognized under internal law; or the city is recognized as the ‘undivided capital’ of Israel, as the Trump Deal of the Century proposes (Trew & Bennett, 2020); or, finally, Jerusalem is formally divided into West Jerusalem as the capital of Israel, and East Jerusalem as the capital of Palestine. In either way, the residents of East Jerusalem will remain in the city –unless Israel’s demographic balance and removals efforts exacerbate –and so, the question of the civil status of East Jerusalemites needs to be stressed.

The most convenient situation would be the willingness of safeguarding the legal integrity of individuals under Israel's effective control regardless of their religion or ethnicity. This venturesome idea could lead to give up the demographic balance in the city and compromise the basic principles of the Jewish state that discriminates on religious grounds. Nonetheless, it would endorse the democratic values of the State. Given the uncertainty of the future political control of the city, assuring a legal status for every person born in East Jerusalem becomes an unavoidable imperative. Whether united Jerusalem or divided, its residents do not deserve to simply be forgotten and feel discriminated under the law.

Predictions of Jerusalem for the coming ten years generally revolve around the geopolitical control of the precious land, neglecting the opinion or the effects it generates on its residents. But in reality, any change, however small it might be, reverts in the lives of East Jerusalemites and their legal status. Granting universal citizenship, as Eduard Said (1999) argued, is not the solution unless the question of Jerusalem is agreed upon and resolved between the two sides. If this is not the case, Ir-amim (2012, p. 27) presupposes that, probably, no Palestinian "would dare to take a stand and accept Israeli citizenship before a political agreement is reached on the question of Jerusalem".

Neither Al-Ashhab nor the representative of HaMoked interviewed for the elaboration of the thesis, had a clear image of the upcoming future of the city. The former, born and raised in Jerusalem, wishes that things will get better, despite not having a clear image of how could this happen (p. 58). While the later, expert in the legal status of Jerusalemites, notes that "these are issues that underline the core of the question of the future of this land" (p. 51-52).

The Agenda for Sustainable Development faces a challenge in this city that either compromises its effectiveness or proves its efficiency. If target 10.3 "ensure equal opportunity and reduce inequalities of outcome" is reinforced and actors cooperate to integrate its premise on Israeli domestic legislation, the wish of safeguarding a special status for East Jerusalemites, traditionally perceived as unwanted individuals, will be accomplished.

The next section identifies a set of specific recommendations to promote fair legislation to face the contemporary legal conundrum and guarantee a sustainable and inclusive future in Jerusalem.

## **5. Recommendations for promoting an appropriate legislation**

Once the insecure and volatile aspects of the East Jerusalem residential status have been examined and contrasted with citizenship, this section provides several specific recommendations to accomplish the commitment with target 10.3 and promote appropriate

legislation, policies, and action to dignify the legal status of Palestinians from East Jerusalem. The objective is to protect this status and warrant it regardless of whom exercises control over the city. Recommendations are geared towards each of the exposed actors –Israel, the international community, and civil society organizations. This part concludes by putting forward a plan to strengthen the indicator 10.3.1 to better encounter discriminatory clauses of nationality laws either in Israel or elsewhere in the world.

As nationality legislation is an integral part of the country’s domestic law, the highest burden of responsibility to make the legal standards more inclusive devolves upon the sovereign state –in this case, Israel. Accordingly, the Committee on the Elimination of Racial Discrimination [CERD], referring to Israel, alleges that it remains concerned at the maintenance of several laws that discriminate against Arab citizens of Israel and of the Occupied Palestinian Territories –including East Jerusalem –and recommends that the State party “ensures equal treatment for all persons in the territories under its effective control and to its jurisdiction” (CERD19.024E). It is worth noting that among all of the Committee’s recommendations, access to citizenship and legal protection remains a priority. Therefore, to ensure the legal condition of residents of occupied East Jerusalem, Israel must:

1. Recognize the distress of persons in constant fear statelessness or stateless persons, and develop appropriate solutions within the national legal framework and repeal any legislation that does not comply with the principle of non-discrimination (Feller, 2009).
2. Acknowledge that East Jerusalemites are not just permanent residents like immigrants who moved to the city, but they were born in Jerusalem, and this is their home. Similarly, as they do not possess legal status in any other country, when their residency is confiscated, they become stateless. In this light, the HaMoked representative suggested in our interview that the upgraded status must allow children of Palestinian Jerusalemites to be registered automatically and forbid the revocation unless they are legally recognized in another country (see p. 51).
3. Revise the controversial “Quite Deportation” policy and soften the “Temporary Order”, as these two processes result in the highest number of statelessness.
4. Develop appropriate solutions with transparent and public guidelines (Feller, 2009).
5. Limit the complete discretion of the Ministry of Interior in citizenship and residential processes and promoting the dialogue with local civil organizations that offer legal assistance and challenge discriminatory practices.
6. Reconsider the ratification of the 1961 Convention of the Reduction of Statelessness and comply with its clauses.



7. Above all, Israel must recognize that inequalities and discrimination of all kinds are often the root causes of violent conflict and the rise of extremism (Human Rights Council, 2016). And, in this regard, it must promote inclusive legislation that will provide a safer and more peaceful environment in the historical contested city.

The international community, for its part, must uphold a leading position and determine the roadmap to address the urgency of statelessness that keeps growing in the world. To effectively respond to the causes of statelessness, it must:

1. Shift the focus from the solution to the emergency –repatriation and naturalization –to examine the root causes of the problem, which are strict nationality laws and censuses that deliberately discriminate towards unwanted groups.
2. Reformulate and strengthen the statelessness protection framework into a preventative model to ensure that vulnerable groups in a given State –like East Jerusalemites in Israel – always maintain a legal connection to at least one State (Jefferis, 2012).

Civil society organizations have proved to substantially improved the situation in the city in two ways: by challenging the discriminatory practices of the state by petitions to the Minister of interior and Courts, and by providing effective legal and administrative assistance. Despite not being considered as traditional actors, their work is indispensable to comply with the aspirations of SDG 10. To acquire greater significance, civil society organizations must:

1. Cooperate to effectively question existing laws and coordinate their areas of expertise to eradicate the ethno-religious discriminatory components of the national legislation.
2. Find national and international support through partnerships with public and private organizations willing to improve the legal status of Palestinian Jerusalemites.
3. Continue petitioning the Minister of Interior to uplift the situation of residents of the occupied territory –including East Jerusalem – and contest discriminatory policies in the High Court of Justice.
4. Encourage the political participation of Palestinian residents on the city to ensure the multicultural and multi-religious character of the State.

If Target 10.3 is entrusted to effectively contest the foundation of inequalities within states in order to secure equality of outcome, indicator 10.3.1 that evaluates the performance of member states with this target, must be revised. In this sense, the indicator –that has been previously introduced as broad and vague –could be narrowed to citizenship discrimination, by

identifying the proportion of people engaged in a tedious bureaucratic process to acquire the residency or are under threat of statelessness.

All these recommendations should be addressed to ensure the legal status of non-citizens of the state, provided that the naturalization process is still not an appealing option among many Palestinian families, and a complicated process with a low rate of accepted cases. Hence, this lack of willingness in becoming nationals of the State of Israel from both sides, should be regarded as the standpoint to make residency a dignified safe legal status that could be equated with citizenship. Meanwhile in the long-run, sustainable strategies must contemplate the gradual secularization of nationality rules.

## **6. Conclusion**

This dissertation evidences that exclusive citizenship laws lie at the core of a system characterized by inequalities and perpetuate it. By examining the case of legal inequalities in Jerusalem, it is acknowledged that the systematic attribution of residential legal status, instead of citizenship, to the Palestinian population, is part of an Israeli policy to ensure the Jewish character of the contested city, and thus, discriminates against its ‘unwanted’ residents. It is contemplated that Sustainable Development Goal 10 “reduced inequalities” proposes a commitment through Target 10.3 to “ensure equal opportunities and reduce inequalities of outcome, including through eliminating discriminatory laws, policies and practices in this regard”, to guarantee that “no-one is left behind” and protect the individuals by granting them legal status in at least one country.

This research makes several important contributions. First, it looks into the case of Jerusalem, home of disparities between Arab Palestinians and Jews, from the underlying legal perspective. Second, the connection of the local analysis vis-à-vis Sustainable Development Goal 10 -and specifically Target 10.3 -has a positive double impact. On the one hand, it provides a reason to revise and consider the explicit inclusion of discriminatory nationality laws as drivers of inequality and discrimination within countries as part of the UNSDG Agenda. On the other hand, the UNSDGs establish a new framework to consider sustainability and inclusion in Israel. Illustrating a case example thus provides mutual theoretical learning that could translate into inclusive legislation and policies.

The scope of the analysis moves from general to specific approaches. It begins by illustrating the global tendency of rising national prejudices and discrimination on ethno-religious grounds reflected in stricter rules of attribution of nationality. As a direct consequence, the UNHCR warns about the high numbers of stateless individuals worldwide. The scope is

then narrowed to the Middle-East and North Africa region, where Israel belongs, which has the highest number of states with official religions. The global and regional frameworks prove that legal inequalities in Jerusalem are not an isolated case and that Target 10.3 needs to be considered to reverse statelessness.

The specific case of East Jerusalem illustrates the different legal status that wanted and unwanted groups receive in Jerusalem, a territory where Israel exercises control since 1967. To promote the Jewish character on the contested city and maintain the “demographic balance”, the non-Jewish Palestinian native population was granted permanent residency rather than citizenship. This designation grants its holders a special legal condition different from that of Palestinians from Gaza and the West Bank, but it is volatile and subject to the Minister of Interior revocation.

The historical analysis of citizenship bills enacted by those who had been in control of the city at each moment of modern history is paramount to foresee contemporary understandings of the religious discriminatory character of the Israeli nationality legislation. Currently, Palestinian Jerusalemites holders of the Blue Identity Cards, which grant them permanent residency, enjoy solely a limited set of rights. This thesis identified the problematic laws and procedures used as a pretext to expel and prevent Palestinians from residing in Jerusalem –such as the “center of life” policy, the existing process of child registration, the breach of allegiance, and family unification procedures. In line with Target 10.3, these should be eliminated, or at least be more permissive, to promote appropriate, inclusive legislation.

A key focus of the thesis concentrates on the interplay between a plethora of existing actors in Jerusalem’s territory for being considered an “occupied territory” under international law, clustered in three groups: the sovereign power, the international community, and civil society organizations. Israel exerts control over the territory, and traditionally, the State was regarded as the sole determinant of nationality laws. Nonetheless, the control and pressure practiced by the international community and local civil organizations must be acknowledged and fostered.

Finally, the dissertation provides a set of recommendations to grant Palestinian Jerusalemites a secure residential status which equals citizenship and would protect East Jerusalem residents, regardless of who exercises the control over the city. This status should be one that can be automatically passed to children and never be revoked, which would be important as the city’s residents keep suffering from the unpredictability and the persistent contestation of the precious city by both, the Palestinian Authorities, and the State of Israel. Therefore, it is of the utmost importance that inhabitants enjoy a decent legal status, irrespective of which hands the city falls in.

In sum, this work suggests that if states fail to ensure inclusive rules of attribution of citizenship, vulnerable groups will never enjoy equality of opportunity and outcome. As the case-example of Jerusalem attempts to demonstrate, addressing the underlying legal causes of inequalities is the most convenient and effective way of ensuring that “no-one is left behind”.

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## 8. Annexes

### 8.1. Annex A: Tables

All the tables have been elaborated by the author and they correspond to some of the employed figures in the text. The source of the data is named on the description.

Country of residence	Total number of stateless people including displaced Rohingya population from Myanmar
<b>Russian Federation</b>	82,148
<b>Uzbekistan</b>	85,555
<b>Kuwait</b>	92,000
<b>Syrian Arabn Republic</b>	160,000
<b>Latvia</b>	233,393
<b>Thailand</b>	486,440
<b>Myanmar</b>	621,793

Table 1 corresponds to Figure 1. **Largest number of recognized stateless people by country.** Based on data collected from statelessness statistics from 2017, as part of the UNHRC 2018 “Global Trends” report (table 7)

Official state religion	Religion
<b>Afghanistan</b>	Islam
<b>Algeria</b>	Islam
<b>Armenia</b>	Christianity
<b>Bahrain</b>	Islam
<b>Bangladesh</b>	Islam
<b>Bhutan</b>	Buddhism
<b>Brunei</b>	Islam
<b>Cambodia</b>	Buddhism
<b>Comoros</b>	Islam
<b>Costa Rica</b>	Christianity
<b>Denmark</b>	Christianity
<b>Djibouti</b>	Islam
<b>Dominican Republic</b>	Christianity
<b>Egypt</b>	Islam

<b>Greece</b>	Christianity
<b>Iceland</b>	Christianity
<b>Iran</b>	Islam
<b>Iraq</b>	Islam
<b>Israel</b>	Judaism
<b>Jordan</b>	Islam
<b>Kuwait</b>	Islam
<b>Libya</b>	Islam
<b>Liechtenstein</b>	Christianity
<b>Malaysia</b>	Islam
<b>Maldives</b>	Islam
<b>Malta</b>	Christianity
<b>Mauritania</b>	Islam
<b>Monaco</b>	Christianity
<b>Norway</b>	Christianity
<b>Oman</b>	Islam
<b>Pakistan</b>	Islam
<b>Palestinian Territories</b>	Islam
<b>Qatar</b>	Islam
<b>Saudi Arabia</b>	Islam
<b>Somalia</b>	Islam
<b>Tunisia</b>	Islam
<b>Tuvalu</b>	Christianity
<b>United Arab Emirates</b>	Islam
<b>United Kingdom</b>	Christianity
<b>Western Sahara</b>	Islam
<b>Yemen</b>	Islam
<b>Zambia</b>	Christianity

Table 2 corresponds to Figure 2. **Countries with official religion. Countries from the MENA region are highlighted.** Based on data collected from Pew Research Center, 2017.

	1967	1980	1990	2000	2017
<b>Arabs</b>	24	28	28	32	38
<b>Jews</b>	74	72	72	68	62

Table 3 corresponds to Figure 3. **Jewish and non-Jewish population of Jerusalem from 1967 to 2017, by percent.** Based on data collected from Jerusalem: Facts and Trends Report (Korach & Choshen, 2019, p. 15)

<b>Election</b>	<b>Voter Turnout (percentage of Eligible Palestinian Voters)</b>	<b>Number of Palestinian Voters</b>
<b>1969</b>	21-22	7,500-8,000
<b>1973</b>	7	3,150
<b>1978</b>	14	7,000-8,000
<b>1983</b>	18	10,000-11,600
<b>1989</b>	3	3,000-4,000
<b>1993</b>	5-8	8,000
<b>1998</b>	3-7	2,000-6,500
<b>2003</b>	5	6,400
<b>2008</b>	2	2,600
<b>2013</b>	0.7-1.6	1,100

Table 4 corresponds to Figure 6. **Palestinian Voter Turnout in Municipal Elections in East Jerusalem, 1969-2013.** Data collected from Badil-AIC, 2009.

<b>Year</b>	<b>No. of Palestinnians whose residency was revoked</b>
<b>2018</b>	13
<b>2017</b>	35
<b>2016</b>	95
<b>2015</b>	84
<b>2014</b>	107
<b>2013</b>	106
<b>2012</b>	116
<b>2011</b>	101
<b>2010</b>	191
<b>2009</b>	720
<b>2008</b>	4,577
<b>2007</b>	229
<b>2006</b>	1,363

2005	222
2004	16
2003	272
2002	No Data
<b>Till End of April 2001</b>	15
2000	207
1999	411
1998	788
1997	1,067
1996	739
1995	91
1994	45
1993	32
1992	41
1991	20
1990	36

Table 5 corresponds to Figure 7. **Statistics on revocation of residency in East Jerusalem from 1990 to 2018.** Figure by author, data collected from B-Tselem (2019) which is retrieved from the Minister of Interior of Israel.

	<b>Movement away from SDG targets</b>	<b>No identified trend or not enough data</b>	<b>Progress towards SDG targets</b>
<b>Eradicate poverty</b>	7,00	24,67	4,33
<b>Food</b>	6,75	24,25	5,00
<b>Health</b>	2,68	15,47	17,84
<b>Education</b>	3,60	27,00	5,40
<b>Gender Equality</b>	0,50	14,50	21,00
<b>Water</b>	2,40	16,20	16,40
<b>Sustainable Production</b>	2,00	10,50	23,50
<b>Climate</b>	0,00	4,00	32,00
<b>Oceans</b>	0,00	16,50	19,50
<b>Biodiversity</b>	7,00	10,75	18,25
<b>Energy</b>	1,25	20,25	14,50
<b>Economy</b>	12,11	17,67	6,22
<b>Infrastructure</b>	2,00	13,00	21,00

<b>Reduce inequality</b>	5,00	27,50	3,50
<b>Cities</b>	6,00	23,00	7,00
<b>Institutions</b>	4,00	28,25	3,75
<b>Implementation</b>	2,40	17,80	15,80

Table 6. corresponds with Figure 8. **Progressing towards or moving away from SDG targets classified by class of trends and by goals.** Figure by author, based on data collected from OECD, 2019.

## 8.2. Annex B: Transcript of the interviews.

### 8.2.1. HaMoked

*The interview was conducted with the Development Director of HaMoked: Center for the Defence of the Individual. The worker asked to remain anonymous and speak on behalf of the organization. HaMoked is a human rights NGO that assists Palestinians living under Israeli occupation. It promotes the enforcement of the standards and values of international humanitarian and human rights law.*

**Q: To have a better understanding of the institutionalized discrimination present in Jerusalem towards its East Jerusalemite population, who are residents but citizens of no state, would you like to begin with a brief overview of remarkable past events?**

I am sure you already know some of this, but I will just give a quick overview.

In 1967, during the 6-day-war, Israel conquered the West Bank –including East Jerusalem –and the Gaza Strip. And in the entire occupied territories, Israel applied military law which is regulated by international humanitarian law. But, as you might know, they decided to one-sidedly annex East Jerusalem and apply Israeli law to this territory.

What counted as East Jerusalem was a question that Israel decided to approach by annexing as much territory in East Jerusalem and the surrounding neighbourhoods, with as few Palestinian residents as possible. So the territory that was annexed was not just the Old City, Isawiya and the neighbourhoods directly considered with what Jerusalem was at that time; but also several other villages and territories that were not considered part of Jerusalem until that moment.

And once Israel applied Israeli law to these territories there was the question of “what do we do with the people on this land?” because you have to provide some kind of legal status for them to be able to continue living in their homes. Israel conducted a census of the territories they had annexed in East Jerusalem and found that there were about 70,000 Palestinians living there at the time. And then, there were debates within the Jerusalem municipality, and public records of these discussions, where the Israeli authorities were saying clearly “we don’t want to grant citizenship to another massive amount of Palestinians. But we have to grant them with some kind of legal solution.”

So the solution that still exist until today was to grant them Israeli ID cards without granting them citizenship. So these ID cards were in essence permanent residency. The exact meaning of this residency was discovered only many years later, in 1988, with a man who was a Palestinian Jerusalemite born here from a Jerusalemite family. The family moved to the United states for many years and then, they returned to Jerusalem. When he went to renew his identity card, he discovered that it had been revoked by the Ministry of Interior without him being notified. He then began legal proceeding and ended up in the High Court of Justice. This was not our case, but it set the tone for a lot of our work since then.

And in his petition to the High Court he said “yes we are permanent residents, not citizens. And yes, permanent residency can be revoked; but us, an indigenous population of the city who was born here, we should have a status like citizenship that cannot be revoked if we move abroad”. Because a citizen could not loose his citizenship. I can leave Israel for 30 years and come back whenever I want.

The High Court actually rejected this man’s claims and said that it was legal for the ministry of interior to revoke his residency status because the high court doesn’t have the authority to invent new kinds of legal status, it is not a legislative body; it is a judicial body, and it has to work within the existence legal framework. And the legal framework regulating Palestinian residency in East Jerusalem is actually an immigration law. This is the law by which residency status is issued and by which it can be revoked.

This judgement was really important because as soon as the High Court of Justice said “no, it is not a citizenship-like status, it is permanent residency”, the Ministry of Interior realized that they could revoke residencies of other thousands of Palestinians from East Jerusalem. And then, they started a wave that we called the “Quiet Deportation” of Palestinians from East Jerusalem

which with we worked substantially in the 90s. Basically, the “Entry into Israel law” stipulates that permanent residency can be revoked on the following grounds: (1) if a permanent resident moves abroad for seven years or longer, they lose their residency in Israel. (2) If they gain citizenship or residency somewhere else in the world.

So in the 1990s, after this judgement, the Ministry of Interior began going through the population registry of East Jerusalem and looking for people who had indications that they had not been living in East Jerusalem for seven years or longer. And just began administratively revoking people’s residency without notifying them. So a lot of people came to the Ministry of Interior to renew their IDs and discovered that they were no longer residents but no one notified them of that, and there was no procedure of appeals that could bring them the opportunity of arguing against the revocation.

And most dramatically, people who moved to the West Bank or Gaza –for a period of 7 years or longer –also lost their residency. So at that time, the West Bank and Gaza was considered abroad, for the purpose of residency revocation. But, there are thousands of people that live in Jerusalem, work in Ramallah, moved to Bethlehem... because the division between East Jerusalem and the West Bank is an artificial one. And thus, there are a lot of families that are divided between the Palestinian Territories and Jerusalem. So, thousands of people that were born in Jerusalem with the residency status, found out that because they moved few kilometres away from the municipal boundaries of East Jerusalem, they removed their residencies from their cities of birth.

And one thing that I personally find very infuriating is that at that time this policy particularly harmed the woman because if an East Jerusalem man married a woman from the West Bank, he could bring her to live here within an immigration process called “Family Unification”. But back then, if a woman from Jerusalem married a man from the West Bank, they were not allowed to begin family unification in East Jerusalem because the Ministry of Interior had the official policy that “the Palestinian custom is for the woman to move to the place where the man is from, so they wouldn’t even allow them to apply to live together in Jerusalem. And thousands of women were forced to move to the West Bank and then discovered years later that they lost their residency in Jerusalem because of that.

So we began receiving hundreds of thousands of requests from East Jerusalemites who discovered that their residency had been revoked, and wanted to challenge this revocation. And there was no clear path for them to get the residency back. We submitted hundreds of petitions to the High Court of Justice throughout the 90s.

And then the next kind of major event was that in the year 2000, when the Ministry of Interior, in response to one of our petitions, issued a declaration that we call the *Sharansky Declaration* –because that was the name of the Ministry of Interior at the time –that substantially softened the residency revocation policy and improved the situation. The declaration stated first of all that the West Bank and Gaza no longer were considered as “moving abroad” for the purpose of residency revocation. So now, if somebody from East Jerusalem moves to Ramallah for seven years, they theoretically should still maintain their Jerusalem residency.

The other major development was that they state that minors would not have their residency revoked anymore. And the 7 years would only be counted from the moment of adulthood.

A third important thing was that they established the procedure for reinstating residency status that was revoked. So even if a person leaves and loses their residency, they still can come back and have their residency reinstated. It is a long, unpleasant bureaucratic procedure, but our cases have quite high successful rates in this type of cases. It takes at least two years. The person that comes back, submits its documentation to the Ministry of Interior showing that they are living here again. They have to show they have a rental contract for an apartment, bills... and then for two years they get temporary residency. And if at the end of the two years they prove they are still living here, they can get the permanent residency back.

We monitor how many East Jerusalem Palestinians lose their residency each year. So from our data, gathered from the Ministry of Interior, 2008 was the worst year –almost 5,000 people had their residency removed. But since then, it has been a very dramatic improvement. We continue submitting thousands of individual cases. Now, in 2018 only 13 people lost their residency in East Jerusalem. It is a major improvement but there are still cases of children who have their residency revoked.

Until today, we provide assistance to people who had their residency revoked and want to apply to have it reinstated.



**Q: Thanks for this thorough response aligning the historical background with the organization's work. Looking now at the present, would you consider that East Jerusalem residents are stateless?**

Theoretically, they should not be because the residency should only be revoked if somebody moves abroad for long enough to get status elsewhere. But, it can happen. And what it can definitely happen –and we have cases like this –is that their children could end up being stateless.

We have one case that was quite profiled. A man called Mr. Mustafa who is 32 now. He was born in Algeria, his dad is from east Jerusalem and his mum is Algerian. At the time, an Algerian woman couldn't transfer citizenship to her children, only a man could. And his father lost his residency status while they were there [in Algeria]. Then the family came back in 1997, when Mustafa was 12. This happened three years before the residency procedure was established, so his father found out that he lost his residency and he wanted to have it back so he could register his child's residency as well. He began contacting the Ministry of Interior but there was not yet the two-year procedure. It took him seven years to get his residency back. And by the time he completed that process, Mustafa was 18 and was no longer eligible to be registered as the child of a resident because you can only do that while the child is a minor. So he is still stateless until today. Therefore, it can be cases when people can end up being stateless because of this policy.

**Q: Is HaMoked the only organization that works with residential status? Are there more relevant actors involved?**

There are private lawyers who work on residency restatement. There is also another organization called Jerusalem Legal Aid Center (JLAC). They definitely work on family unification cases but I am not sure if they also do residency revocations. But there are other organizations that work on residency status in East Jerusalem.

**Q: How easy is for the organization to get official information from the government?**

Depends what and how. We submit freedom of information requests to the Ministry of Interior. We are specially concerned with the issue of how many people had their residency revoked. The first few times that we tried to get that information it was tricky. But it has become very

routine and now every year in January we submit a new freedom of information request for data on the previous year. That has become quite easy but on more complex questions it can take a long time. Sometimes they claim they do not have the information, or they ignore us for months and then we have to submit a petition to Court.

But specifically the residency revocation issue, yes, each year we submit a request for the template of the previous year and they give us the data.

**Q: What other straits differentiate residency from citizenship?**

A very important issue between residents and citizens is that residents can lose their residency and citizens can't. But also, when a resident has a child, their child is not automatically registered as a resident. If I have a baby, I leave the hospital with a baby already registered as a citizen with an ID number. Whereas if an East Jerusalemite woman has a baby, she has to go to the Ministry of Interior and apply to have her baby registered as a resident. It sounds like it is not a big deal, but the Ministry of Interior tends to take every request from an East Jerusalemite as an opportunity to investigate their life. Making sure that they really live in Jerusalem, or that the child is really eligible to be registered. And for the lower-income families, or the family less educated, these issues can be really hard to navigate. So we also help families doing the registration process.

And there is another issue that very much impacts East Jerusalemites, which is the issue of Family Unification. So I said earlier that a woman marrying someone from the West Bank, back at the day could not apply to live in Jerusalem. Family unification is a term from the immigration world. It exists all over the world and it regulates what happens if people with two different nationalities get married and want to live together in one of their countries. I personally am in a family unification process. My husband is British; he is not Jewish so he is not entitled to automatically immigrate to Israel.

Because Israel applies Israeli law to Palestinians from East Jerusalem, but Palestinians from the West Bank and Gaza are not residents of Israel, they have to go through Family Unification in order to be able to live together in East Jerusalem. Like I said, there are thousands of families that are separated in between East Jerusalem and the West Bank, and a lot of people have to go through this procedure in order to be able to live together here. Until 2002, they had the option of doing what me and my husband are doing: they submit all the documents for a few years in a

row, and then theoretically at the end, the West Banker could get permanent residency himself or herself.

Then, the second intifada broke out and Israel implemented a few measures to restrict the ability of West Bank and Gaza Palestinians to come into Israel. They introduced the policy that completely broke all family unification between citizens or residents of Israel and Palestinians from the Occupied Territories. This could also theoretically apply to me. If I want to marry a Palestinian man from Hebron, we would also be affected by the policy, but by the nature of things, the population that is most affected by this policy are Palestinians from East Jerusalem. So if you married someone from the West Bank, your only option to live legally was moving to the West Bank. And then of course, people were afraid that they would lose their residency if they moved to the West Bank, because of the deportation policy, so it created a lot of problems in people's lives. Then we alleged a lot against the policy and there were other changes on the ground and in 2007, Israel slightly softened it. So it is no longer completely impossible for people to live together in Jerusalem. So the most that a couple like that can get now is that the West Bank spouses can get a permit that is valid either for one or two years and only allows them to live in East Jerusalem or elsewhere in Israel, but is not residency status, it doesn't grant them access to social rights. And in the beginning it also didn't allow them to work at all in Israel, nor drive in Israel and they had to go through this process of applying for the permit every year for the rest of their lives. Spouses from Gaza cannot move here at all. So the only option for them to live together is in Gaza.

We accompany families through this process and help them apply every year to renew the permit and we have also done a lot of strategic litigation on this policy and have managed to improve this situation substantially, although it is still far from perfect. Now, because of our allegations, the West bank spouse can work in Israel, which is a massive improvement as they can have a job and contribute to the family. They still can't drive unless there is a humanitarian circumstance in the family.

**Q: What do you consider the reason behind employed to justify the family restriction you mentioned, and violates the universally-recognized human rights that entails families to live under the same roof?**

Security. It is always security. And the law that this policy is based on is called “Citizenship and Entry into Israel Law” or “Temporary Order”. My executive director always says that in the occupation anything that is called temporary is going to be permanent, and anything that is permanent is temporary.

It is a temporary order because the Knesset vote to renew the law every year, and they had renewed it every year since it was passed. Now it has been almost 20 years since the policy began. There are couples that have been married over 20 years, maybe they have four kids, and they still have to go every year to the Ministry of Interior and prove that they are a genuine couple, and submit all their bills. It is quite an invasive process that entails a security background check each time.

**Q: Do you recognize a difference in rights and public services between a citizen and a resident?**

For understanding the situation that East Jerusalemites live in, it is very important to have all of this background information because the resulting situation is that they require Ministry of Interior services much more frequently than citizens of the country do. Citizens of Israel do not need to go to the Ministry of Interior often. East Jerusalem residents, anything they want to do, including such basic things as registering a child, changing their registry address, they have to go to the ministry of interior and, each time, the Ministry of Interior does investigation about their lives, makes sure that they are really living here, because it is all an opportunity to remove the residency of someone that might not live here. And they are only allowed to use one bureau of the Ministry of Interior in East Jerusalem in Wadi Joz. The official reason why they only can use one bureau is that they have a unique status, that is unlike anybody else in Israel, so the Ministry of Interior staff needs to have some kind of expertise in their situation in order to be able to provide them with the services they need. But the resulting situation is insanely long lines outside the bureau, which make it very difficult for people to live their basic lives. For example, when they travel internationally, they travel *laissez passer*, which you needed to renew it once every two years (now it is once every four years), but a passport is good for ten years. So let's say you have a trip coming up, you have to renew your *laissez passer* and usually the available appointments at the bureau are between 3 and 6 months from now.

So what end up happening is that people spend long hours waiting in the queue and it used to be that the queue was outside of the bureau, so rain, sun... there was nowhere for people to sit

and wait. Every week day you could see hundreds of people waiting to have access to the most basic services you need in life. Because the situation there was so bad and people were struggling so much to get the services they needed, we submitted a petition specifically about the situation at the bureau, together with another organization called Ma'an –which is a workers' rights organization –we submitted it in 2016 or 2017 and we just had final judgement in the case: the situation improved substantially because now they wait inside the building, rather than outside, which means that if you are an elderly person you can sit on, you have access to a toilet... But they still have to wait for a long time to get the services. So in that front it is not a massive improvement. But the ministry of interior also stated that they are planning on opening another sub-bureau, so hopefully that will improve the situation.

In terms of other services, if you are a resident of Israel, you have access to the same healthcare system of any citizen of Israel. The people who struggle more with this issue are the family unification applicants for examples, there are 10,000 couple where one is a West Banker with a temporary permit and the other is an East Jerusalemite, so they didn't use to have any access to healthcare. And we petitioned on that tissue, and now they can join the same Israeli healthcare system as Israeli permanent residents and citizens but they have to pay more to enter the system. But what it is worthy to mention is that there are far less medical centres in the East Jerusalem neighbourhoods that there are in West Jerusalem.

Education in Israel has a system that it is supposed to grant education even to stateless children. So theoretically they can go to school.

**Q: What effect has the separation barrier in the status and lives of East Jerusalemites?**

Right, it is interesting to look at the neighbourhoods that are inside the separation barrier. Anytime they want to leave their neighbourhoods, they have to go through a checkpoint, in the Shu'afat Refugee Camp for example. And regarding the garbage collection, the Jerusalem municipality does not go there to clear away garbage because historically any contact with Israeli authorities was an opportunity for clashes. And you can see with your own eyes that East Jerusalem's streets are full of trash compared to the West.

**Q: The intrusion into their private lives when families go to the Ministry of Interior to apply for a residency or reinstate one, is an excuse for the Israeli government for security controls?**

Yes. The family unification applicants have to go through a security clearance every year, which means that the Ministry of Interior refers their applications to the security authorities, and they can reject it on the grounds that they themselves are a security threat, or someone in their families. It can be that your brother committed a terrorist attack and therefore, you are not allowed to live in Israel. We had cases in which this was used for collective punishment. We had a major judgement last year in the case of a woman whose son was suspected of trying to stab a border police officer. He was 17 and killed in the process. She was from the West Bank originally, her husband is a Jerusalemite, and she was notified that her family reunification request was not going to be renewed because of her son's alleged acts. We contested this in two different courts. We actually won, and the court stated that you cannot kick somebody of their home by crimes committed by others. Since then, what we have seen is that the Ministry of Interior looks for smarter ways to reject these requests and rather than saying directly "you are being punished for something that your son did", they would say "you have made statements that support terrorism". So yes, security definitely comes into it, and also interestingly, in the last few years, the Ministry of Interior has began revoking the residency of attackers who are themselves Jerusalemites. So, we have four pending cases of people who committed attacks against Israelis and are in prison for very long sentences- some of them life sentences. And received a notification from the ministry of interior stating they were going to have their residency revoked due to bridges of allegiances to the state of Israel. In some cases, this leaves people stateless.

Interesting story. In 2006 it was the last time that there were elections in the Palestinian Authority and there were 3 or 4 East Jerusalemites who were elected to the Palestinian parliament. Then, the Ministry of Interior issued them with a letter that notified their residencies were going to be revoked in Jerusalem based on the fact that as these people were serving in the parliament like an "enemy entity", they had committed a bridge of allegiance against Israel and were no longer eligible for residency in the country.

These people brought a case to the high court claiming "you cannot revoke our residency. There is no law that gives the ministry of interior the authority to revoke residency on the grounds of

bridges of allegiance”. And also, it is a violation of international humanitarian law because the 4<sup>th</sup> Geneva Convention states that you can’t force an oath of allegiance on residents of the occupied territory on the occupying power.

The high court issued the final judgement and said, it is true that the Ministry of Interior did not have the authority to revoke residency on the grounds of bridges of allegiance. But we will let the Knesset pass a law to give them the authority. So the Knesset passed a law which now defined a violation of alliance to Israel as grounds for revoking residency and since then applied also to people who committed attacks.

**Q: In line with the SDG 10 “reduce inequalities”, do you consider that the reduction of inequalities between the two main ethno-religious groups “Arabs and Jews” is necessary for Israel to pursue a sustainable growth? Could Israel claim its commitment to the UN Sustainable Development Goals without addressing this point?**

I don’t know how Israel responds to the SDGs in general, but I think it is obviously an ethnic discrimination policy. It is a declared policy of discrimination on ethnic grounds, there are documents from 2000 where Israel, at the Jerusalem municipality, was looking at the population of the city and declared it wanted to maintain a demographic balance between Jews and Arabs in the city. Which means, maintaining the Palestinian population under 40%. Balance is a very nice way of saying “we want to make sure that there are more Jews here than Arabs”. How can that not be ethnic discrimination if you are deliberately increasing the size of one group while reducing the size of another? They are failing on it by the way. The proportion of Palestinian population in Jerusalem is 38% and it is growing every year.

I think in general Israel is not truly committed to international. The very fact of applying Israeli law to residents of East Jerusalem is a violation of international law.

**Q: How difficult is for HaMoked to work on the grounds of Human Rights and International Law in a country like Israel?**

We use the argumentation of International Law but the truth is that it is not the thing that gets us to win in court. Specifically, in East Jerusalem, we work within the frame of Israeli Law because Israel has applied its law to East Jerusalem. So although we don’t recognize that

annexation as legal, that is the legal system we have to work with. And those are the laws we have to work with: Israeli domestic laws. In other areas there is a little more room for international law, because still for now, the West Bank is regulated by International Humanitarian Law, that is why there is a military court system there.

**Q: We have been addressing the residential status. But is there any possibility that these residents could get citizenship?**

Yes. They automatically have the right to apply for citizenship, they don't automatically have the right to have it approved. In the last few years, there has been a growth of East Jerusalemites who applied for citizenship. Since the construction of the wall, they have been much more cut off from the West Bank than ever before. East Jerusalemites live much more within Israel than they do with the West Bank. It is now 7% of East Jerusalemites are citizens, they have to prove sufficient knowledge of Hebrew and they have to swear an oath of allegiance to the state of Israel, which some people understandably have hard time with. But gradually, more people are taking this choice. The trend of growth began 10 years ago and we don't work with citizenship but we do have colleges and private lawyer who work on these cases. There were a lot of cases that were taken to the Ministry of Interior that took from three to five years to reply people's requests. So a Human Rights lawyer we work with submitted a petition to the High Court on behalf of one person but also demanding they began taking decisions more quickly.

There was a big article in Haaretz about how the ministry is deciding on these request more quickly, I think they reject about half of them. And, if somebody have a criminal background, or security related background, they automatically rejected.

**Q: Could you briefly explain your course of action to assist East Jerusalemite residents?**

Every case we receive, if we decide to adopt it. We start by doing paralegal or administrative work. We try to resolve the case by just speaking directly to the Ministry of Interior, helping people submitting their applications, before we have to go through the court. And a lot of our cases get result at that level. We help people collecting all the documents they need, submit them to the Ministry of Interior, undergo an interview... and if the issue is result at that level we don't go to the courts.



When we fail at that level, we then petition the court. We also do international advocacy but our approach as an organization in general is to maintain a low profile, we are not a campaigning organization, we are not trying to change public opinion. We are trying to resolve the issues of individuals and challenge policies that are harmful and discriminatory. We do a lot of low level of behind close doors briefing for diplomats, a lot of connections with embassies. Our European representatives and UN agencies and in recent years, we have a little bit increased our public profile because we have been under attack more from the right-wing ultranationalist organizations, so they didn't leave us other option that to try to communicate a more positive impression and in 2018 we started a project called "know your rights". Actually focuses on Palestinian residents themselves because we came to the conclusion that a lot of people actually don't know about major legal changes that have positive impact on their lives. For example, people still think that if they move to the West Bank they have their residency revoked even though that hasn't been the case for years now. We realized we have to make that information more accessible to the people who live in Jerusalem and throughout the West Bank so we launch a Facebook page in Arabic where we regularly post like updates to law and regulation that might be relevant to residents. We sometimes have community meetings where somebody from our stuff goes to a neighbourhood in East Jerusalem speaks to people and answers their questions about their situation. We also have our website where we put research materials and updates on important judgements.

**Q: In your opinion, what type of assistance is necessary to find a feasible solution to the problem? Would you recommend an adjustment in the Israeli government?**

An agreed solution to the Israeli-Palestinian conflict? If they were to agree that East Jerusalem Palestinians have a unique status, they are not just permanent residents, because the 1998 judgement defined them as permanent residents similarly to an immigrant that moves here, like my husband, from Europe. It didn't acknowledge that these are people were born here and this is their home. If they had a status that was more like citizenship than residency. So if they were to define some kind of unique status for East Jerusalemites that allows their children to be registered automatically, and that will not allow their status to be revoked, that would be an enormous improvement.

But I think, honestly, these are issues that underline the core of the question of the future of this land, even those changes, they would be important changes but they wouldn't solve the wider

issues because from both sides, this is my personal opinion not HaMoked policy, fro both sides it is unclear where they belong to. Are they Palestinians or Israelis? They are residents of Israel but they are not citizens. A lot of them still live very much on the West Bank but also in Israel. They are still taught the Palestinian curriculum at schools in East Jerusalem, rather than Israeli.

**Q: What weaknesses can HaMoked internally improved for the future?**

It is not my authority to decide these things, but I think it would be good to increase our communication with the community around us. It is really good that we started this “Now your rights” project, and I think we need to work more on that. Specially, meeting more with people from the community and understanding what they know and what they don’t.

To be honest, I think we are doing a really good job. I think we have high success rates and we manage to change policies substantially and make people’s lives easier. It is never going to be the full solution to the problem because the issue here is enormous. It is away bigger than just us, but at least in the meantime, we make it easier for people to live their lives until there is a longer-term solution.

**8.2.2. Al-Ashhab**

*Ms. Al-Ashhab is a Palestinian Jerusalemite resident who lives in the Shu’afat Refugee Camp. She is a Human Rights activist who has contributed to previous studies by sharing her testimony as a reflection of the effects of Israeli occupation in East Jerusalem. The interview took place inside the camp, and because of the language barrier, the man that put us in contact, Tareq, acted as translator. As a Palestinian resident of Jerusalem, he clarified some concepts and provided further information, notifying beforehand that it was his view and not Ms. Al-Ashhab testimony*

**Q: Could you start by introducing yourself and briefly explaining how has your legal status as a Jerusalem resident determine your life?**

I am a Jerusalemite. I have been living here most of my life: I was born here, I attended school here, and I am permanent Jerusalemite resident. It has always been like that for me. Then, I got

married in Hebron and I had to move back to Jerusalem because of the terrible living conditions. And ever since I have been here.

Since the very beginning, I faced legal problems because some of my children were born in Jerusalem and others in Hebron, so not all of them had Jerusalem residency ID. Since 1994, I was trying to apply for an Israeli Identity Card (ID) to make them permanent residents in Jerusalem. But with the assassination of Rabin (1995), some of the files got postponed. In the year 2000, I took it seriously. I remember it was hell going to the Ministry of Interior. And I have to admit that the opening of an office in the East just for Arabs made things easier, but still I had such a difficult time with the insurance and the Ministry of Interior. But it was worthy, today all of my kids have residency, and my husband has got his temporary residency in Jerusalem renewed for the 13<sup>th</sup> time. The temporary residency is renewed every two years.

The story of Joseph's residency, my husband, was the most painful. The year 2000, when I tried to apply the residency for him, the Ministry of Interior officer claimed that in 1998, they sent a paper stating that my husband was approved for the residency, but as he did not go to the Minister of Interior to claim it, he lost his chance. The truth is that we never receive that notification. So in the year 2000 I went to court. I paid 6000ils to the lawyer, court expenses, etc. and at the end, he got the residency.

All of my kids had the residency since the year 2003. Well, all of them except the oldest. The oldest was born in Jerusalem but since he was already 14 years old when we came back from Hebron, he did not get the residency. Ironically, the one that was born in Jerusalem is the one that could not get the residency, whereas the ones born in the West Bank, they all got the residency. How come? How could this be possible?

The procedure to get my oldest son's Israeli passport was exhaustive, an entire decade of paper work and courts. He had to leave Jerusalem first. So we went to Ramallah (West Bank) and there, they were asking for evidence of where he has been living, what his status was, where did he study... But they did not give him the Palestinian passport neither. So I went to court again, this time for him. After the whole exhausted process, in 2011 my son got finally got the Jerusalem permanent residency.

So currently, all of us have permanent residency except Joseph. He has temporary residency, and a Palestinian ID.

**Q: Does your status as permanent resident pass automatically to your children?**

For my kids, even the ones born in Hebron, I just had to present their birth certificates and they got the residency. But the eldest one, the one born in Jerusalem, did not get it immediately and we faced a lot of problems that I have already mentioned. I think it is worth mentioning that applying for and renewing the residency possess an economic sacrifice. We had to pay 140il per year for renewing the temporary residency. For getting the permanent residency we paid 700ils for each, and they were three.

**Q: You have mentioned the economic costs of the residential status. Can everyone afford going through the bureaucratic process you mention?**

Of course no. Just so you can have an idea. In the case of my husband, the only time I had to go to court, we paid thousands of shekels for that case. But he was a good lawyer that knows the system.

**Q: Do you consider that is more difficult to get the residency when you live outside the wall –as in the case of the Shu’afat Refugee Camp –than inside it?**

It is the same suffering; it doesn’t matter where you live. I had better chances than other people because I had a Jewish lawyer and he used to come with me to interviews in the Ministry of Interior. Life here is difficult for workers coming to Israel from the Occupied Palestinian Territories, they don’t have papers, nor permanent residency.

**Q: Regarding the process of Family Unification cases and taking your experience as an example. If we just turn things around and your husband is the Jerusalemite resident, while you come form another city in the West Bank, would it be easier for you to get the permanent residency that it was for him?**

It is the same process. There are some remarkable cases in which residency has been rejected or revoked for security purposes. I have a friend whose permanent residency was revoked due to this reason. Her brother –not her husband, not her kids –was inside this big box of *security*

*files*<sup>2</sup> and the Israelis asked her to leave Jerusalem and move to the West Bank. She went to the Minister of Interior to comply arguing that she has been living in Jerusalem all her life and that she is a peaceful resident. Even her kids went to a Jerusalem school, so the woman wondered why they didn't want her to continue to live here, in Jerusalem.

**Q: And what happened at the end with this case?**

They still live here in the Refugee Camp. The problem is that they cannot leave it. Have you seen the huge checkpoint at the entrance of the Camp? This woman cannot go to Jerusalem because she does not have proper papers. If you do not get to Jerusalem, if you just remained inside the wall, it might be fine. But if she tries to get outside, they will catch her irregularity.

If you don't have papers, you cannot cross to Jerusalem. The son of my neighbour, he could not attend school for two months because his temporary residency expired and until her mum did not renew his residency – and I already mentioned how *hard* are the lines to renew the residencies in the offices –his son could not attend school in Jerusalem. So no, you cannot cross the checkpoint without papers.

**Q: How easy is to renew the residency?**

Temporary residency has to be renewed every year. In that process they ask you to complete a security check to see if you are clean. But permanent residency does not have to be renewed. Still, our center of life is controlled by the Minister of Interior, which means that if we move outside Jerusalem for a considerable period of time, our residency is revoked.

**Q: Would you say that the reason why Israel gives the residential legal status, rather than citizenship, is linked to the political purpose of maintaining a demographic balance?**

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<sup>2</sup> The translator clarifies the difference between civil and security cases. Security cases are the ones related to the resistance, the Israeli-Palestinian conflict, the political conflict. And are usually targeted as terrorists or involved in terrorist acts, and thus considered a reason to revoke the residency as a “bridge of allegiance”.

Yes, of course. The way they give the residencies is obviously a state policy. It has always been the purpose of the Israelis to reduce Arabs in Jerusalem as much as they can. Specially people that suffer the most from their socio-economic status.

It is a humiliation. It is a humiliating process –spending long hours in the Ministry of Interior, most of the times without result. It is a chaos. The line is always long and people ahead on the line sell their spots for an amount from 200 to 400ils. This is the system that it has been imposed for many years, and it is a humiliating system.

My daughter has been asked to get married by grooms from the West Bank. I always tell her “please don’t repeat my mistake. Take someone stable. With permanent residency in Jerusalem. Let life be easy, no more humiliation for us, *halas*. It might seem hard. But it is not. It is just hard for fragile hearts; we take it easy. We are inside this game, the game of the occupation.

**Q: In the eyes of a possible two states solution in which both –Israel and Palestine –would provide citizenship, would you accept the recognition of being a Palestinian [West Banker] citizen, or would you rather keep being part of Israel?**

If I am honest with you, I haven’t think about it yet because I feel it as a far event. Anyways, to take such a determined decision I would study both situations. And I’m glad to say that today we are in a good situation.

**Q: Despite lacking citizenship, and being legally recognized under the status of permanent resident, do you consider you have your fundamental rights safeguarded?**

Not all. The existence of the discrimination undermines most of the citizenship rights we should have but still we are lacking. I have never been a citizen of any state. People in Jerusalem have the temporary passport, *laissez passer*, which is basically a travel document. So we have the Jordanian travel document and the Israeli travel document. But still, it is a travel document, not a formal citizenship.

(Translator adds): And the funny thing is that on the Israeli travel document you have “nationality: Jordanian”. And on the Jordanian travel document it is written “place of residence: Jerusalem” So both of them denies the citizenship, you are a stateless basically. They treat us

as Jordanian when it is in their interest, and they treat us as residents when it is in their interest. There is always this duality. It is very grey.

Basic public services like health and education are provided with the permanent residency. However, my husband, with his temporary residency that keeps renewing, has to pay a lot of money for these two services. Yes, they get the service, but they pay a lot of money for them.

(Translator adds): I know her husband; he is my patient. He has to pay 12,000ils per year for the Israeli health insurance. And this insurance has a limited coverage: emergencies, health consultancies...

**Q: In your opinion, granting Arab Jerusalemites citizenship –either Israeli or Palestinian -is a feasible solution?**

It is difficult in both ways. Getting the Israeli citizenship while being rejected socially and religiously its not accepted. And getting Palestinian citizenship entails accepting a set of circumstances that are not very much favourable yet. So it is hard in either way.

I'm in Jerusalem and I will remain in Jerusalem. I have to endure and be patient in facing the Israeli voice. And as I am here, I don't want to leave and go to the West Bank and live under the Palestinian Authority.

**Q: Do you feel you are becoming gradually more connected to the Israeli side?**

Of course I don't feel connected to the Israeli side. And this is the story. We are residents of Jerusalem; we have always been in this city. And this is a place with different histories and different people. The way we handle our own paperwork and living conditions is something. We acknowledge and recognize that there is an occupation and we live it as such: as living connected socially and religiously at the same time that we are not. We have to accept the rules: the rule of law in the city, which is Israeli.

And we have done it through history. Form our great gran parents to our great grand children, we have our own history and culture that is not Israeli. It is Palestinian, it's Arab, Christian, Muslim... it is local, regardless of who is governing or who controls the papers.

**Q: To conclude, how do you imagine the ideal situation in Jerusalem for your grand children, or even your children?**

I only wish that things will get better, but I do not have a picture of how that could happen. We all wish it gets better.

### **8.3. Annex C: selection of 5 local/national news**

Israeli Law Declares the Country the ‘Nation-State of the Jewish People’. By David M. Halbfinger and Isabel Kershner in The New York times. July 19, 2018. Available at: <https://www.nytimes.com/2018/07/19/world/middleeast/israel-law-jews-arabic.html>

Israel Seeks to Deport East Jerusalem Photographer to Jordan, Where He Can't Stay. By Amira Haas in Haaretz. March 17, 2019. Available at: <https://www.haaretz.com/israel-news/premium-e-jerusalem-photographer-facing-deportation-to-jordan-where-he-cannot-stay-1.7025216>

The Greatest Threat to Indian Democracy Today. By Mukul Kesavan in The Telegraph. July 28, 2019. Available at: <https://www.telegraphindia.com/opinion/nrc-and-the-citizenship-bill-are-the-greatest-threat-to-indian-democracy-today/cid/1695315>

Trump says Jerusalem will be Israel’s ‘undivided capital’ under Middle East peace plan. By Bel Trew and John T. Bennett in the Independent. Available at: <https://www.independent.co.uk/news/world/middle-east/trump-netanyahu-peace-plan-speech-middle-east-israel-palestine-us-latest-a9306731.html>

Why India’s Hindu Nationalists Worship Israel’s Nation-State Model. By Sumantra Bose in The Conversation. February 14, 2019. Available at: <https://theconversation.com/why-indias-hindu-nationalists-worship-israels-nation-state-model-111450>