

17 November, 2017

Ms Olga Romanov, Political Officer
US Consulate General Jerusalem

Re: Israeli restrictions on movement and access and residency status in the oPt

Dear Ms Romanov:

Thank you for agreeing to meet with us to exchange information and evaluate recent developments regarding Israel's restrictions on movement and access in the occupied Palestinian territory (oPt), including Jerusalem, and Israel's continued restriction and denials of residency status, particularly as it affects US citizens.

As you may know, the Right to Enter Campaign emerged in response to escalation of entry denials and restrictions in 2006. As a grassroots campaign we have concentrated our efforts on monitoring developments on these issues; documenting their impacts on directly affected persons, families, service institutions and businesses; clarifying their broader impacts on Palestinian social and economic rights; and assessing their lawfulness within international law. Throughout this time, we have met periodically with various representatives of the US State Department, based in Jerusalem, Tel Aviv, and the US.

For over ten years we have called for the implementation of the rights to family unity and family reunification and the establishment of clear and transparent procedures for foreign nationals seeking to maintain a presence in the oPt, in keeping with international law. We have emphasized that Israel's restrictions on movement and access to and within the oPt, in fact and law, must be distinguished from Israel's restrictions on foreign nationals' entry into Israel. We have also raised repeated concerns about the treatment to which those trying to enter or reside in the oPt have been subjected, asking third states to ensure that Israel grant safe and secure passage into the oPt to its citizens and that its citizens will be treated with dignity and respect and without discrimination. As you are probably aware and as is noted clearly on the Consulate website, most of the foreign nationals affected by access restrictions are of Palestinian or Arab origin and have close family and historical ties to the country. It is worthy to note that in the past (under Secretary Condoleezza Rice) the US State Department press briefings twice mentioned this ongoing Israeli discrimination against US citizens.

Over the years, concerted efforts of individuals and organizations, both locally and internationally, working with the US and various other third state governments have led to some steps to address these issues in the past. However, these steps have remained partial with the process unclear and too often inconsistent or temporary; Israel's commitment to a clear, transparent and lawful policy has never been secured.

Instead, over a decade later, the Israeli authorities have continued to address entry and residency in the oPt in an at best piecemeal, arbitrary manner, pursuing both policies and practices that significantly undermine the welfare of the Palestinian population and fail to comply with international humanitarian law.

Instead, **family unification remains frozen**, with rare exception, since 2000. Tens of thousands of applications have accumulated since then; many, if not most of these, are US citizens.

Instead, foreign nationals, seeking **visa renewals** are facing an alarming escalation in rejections as well as the frequency and range of arbitrary demands and conditions. Most of those being rejected are US citizens. Among the worrying developments reported by applicants are shifting documentation/requirements for processing visa renewals without prior or official notification; lengthy processing periods that force applicants to overstay valid visas or leave the country; shortened and arbitrary duration of visas; issuance of the “Judea and Samaria” only stamp; restrictions on ports of entry/exit; and demands for financial bonds of NIS 20,000 to 50,000. There also appears to be an escalation in demands for interviews with COGAT personnel, during which some applicants have been subjected to shouting and confusing and intimidating lines of questioning and asked to sign documents only produced in Hebrew as a condition for visa renewal.

The atmosphere of uncertainty, increased entry and visa renewal denials, and the unclear and shifting conditions and demands, has left US citizens feeling threatened as they fear separation from or dislocation of their families and/or disruption to their professional lives.

The Campaign is approaching you as a representative of the US State Department because we believe it is imperative to redouble our shared efforts to address critical humanitarian issues regarding movement, access, and residency in the occupied Palestinian territory. Third states maintaining friendly relations with Israel command the standing to challenge the arbitrary exclusion of their nationals from the oPt. Moreover, they have a clear obligation to scrutinize Israel’s exercise of authority as an occupying power and to oppose arbitrary denials of entry and residency that harm Palestinian family life, educational, religious and social service institutions, and businesses and socio-economic development more broadly. Once unlawful practices are brought to their attention, third states are obliged to object to that behavior. Failure to object implies acceptance and violates third states’ own obligations under international law. This is the case both in relation to Israel’s violation of the law of occupation and in relation to violations of rights against a state’s own nationals.

We believe that the time is ripe for third states to make a fresh assessment of their own relevant rights and responsibilities. The current conditions are unlawful and untenable: it is time to move from the current situation to the articulation and implementation of clear, consistent mechanisms for entry into, movement within and longer-term stay in the oPt, in keeping with international humanitarian law and administered without discrimination and according full dignity and respect.

We kindly seek the US State Department’s advice on how we should deal with this deteriorating situation.

Sincerely,

[INSERT SIGNATURE]

On behalf of The Right to Enter Campaign