

**RTE situation update
July 2019**

West Bank work permits, visa renewals and family unification still obstructed

Reports of maladministration and haphazard issuing of visas on part of the Coordinator of Government Activities in the Territories (COGAT) and Israel's Ministry of Interior continue. Family unification remains officially frozen. There have been reports of a foreign national who received a B2 visitor's visa, stamped "not permitted to work" on the basis of their employment with a local organization in the West Bank then being subsequently denied a visa extension due to "working" in the West Bank on that same visa. Visa processing times continue to be well over one month, with continued reports that people leaving the country in order to renew their visas are denied re-entry. Reports of other arbitrary entry denials continue, including reports of foreign nationals being refused entry on the basis that they had not secured prior "coordination" for entry into the West Bank from COGAT.

Relevant cases and petitions

Letter on behalf of Birzeit University sent to Israeli authorities

Birzeit University, together with Adalah and Al-Haq, challenged Israel's current and escalating policy aimed at preventing international academics from staying in the West Bank, and in which it refuses to issue work permits for those with teaching contracts. In a [letter sent on 30 April 2019](#) to Israeli Interior Minister Aryeh Deri, to Israeli Attorney General Avichai Mandelblit, to Israeli Chief Military Advocate General Sharon Afek, and to the Israeli military's Coordinator of Government Activities in the Territories (COGAT) Kamil Abu Rokon, Birzeit University, Al-Haq, and Adalah demanded that Israel:

- lift the restrictions preventing international academics employed by Birzeit University from staying and working in the West Bank;
- refrain from imposing arbitrary restrictions on the duration of stay or extension of stay for international academics;
- order the publication of a clear and lawful procedure for issuing entry visas and work permits for international academics in the West Bank, which will enable the university to manage and maintain its academic freedom.

To date, no answer to the letter has been received from the relevant authorities.

Link to press package: <https://www.adalah.org/en/content/view/9767>

High Court of Justice petition on family unification: Josefin Herbach and Abed Salaymah vs. the State of Israel

In a 28 March hearing, the Court refused to discuss the petition for family unification on its merits, since the State declared that it still did not have a new policy for granting family unifications (issuing "Hawiyahs") or issuing visas, and was working on putting a new policy in place. The Court gave the State until 1 September 2019 to present its new policy. The State will likely seek to obtain another extension in light of the upcoming elections.

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High Court of Justice petition challenges general West Bank visa policy

On 18 February 2019 a petition was submitted to the High Court demanding amendments to the general WB visa policies. On 15 May 2019 the State announced to the court that they are at present reviewing the current procedure for issuing visas to foreign nationals in the West Bank, but that this will take a few more months, and they therefore asked to update the court by 1 September 2019. A hearing on the petition was therefore postponed, and following the State's 1 September 2019 update, the court will schedule a new hearing.

Series of High Court petitions on family unification launched by Hamoked

On 16 May 2018 Hamoked submitted a request to the military to change its restrictive policy regarding family unification in the oPt and process hundreds of stalled requests for family unification that were transferred to it by the Palestinian Authority (PA). HaMoked emphasized that, excluding in the direst of humanitarian cases, the military refuses to receive any new family unification requests. In its response from 8 July 2018 the military avoided responding to HaMoked's principled claims, and even stated it has the authority, "in accordance with political, security and other considerations," to approve or refuse requests, and that there is no flaw in its restrictive policy on the matter.

Hamoked subsequently launched a series of family unification petitions to the court in November 2018, challenging Israel's policy of only granting family unification in exceptional humanitarian circumstances and Israel's failure to adequately document requests submitted for family unification. In two of those petitions that have appeared before the Court so far, the Court dismissed the petition, accepting the State's claim that the family unification request was never transferred to the Israeli side by the PA, or too much time had passed since the request had been transferred (case transferred in 2014); and advised that the petitioners should therefore submit a new request to the PA.

Israeli authorities continue to state that "the PA is sovereign in forwarding or not forwarding its own applications". The PA continues to insist family unification has been frozen by Israel, and that it cannot transfer family unification applications due to the refusal by Israeli authorities to receive them, except when they have an Israeli Court order to transfer.

For more information, see: <https://www.hamoked.org/Document.aspx?dID=Updates2040>

General observations re: third States

[The EU has requested clarification from Israeli authorities](#) on the rules and procedures applicable to the entry and presence of foreign nationals in the oPt, but Israeli authorities maintained that their inquiry did not reach the correct office up until one year after sending. There have also been reports of individual States working to obtain temporary visas for some of their nationals that have been affected. The Right to Enter encourages third States to intervene on behalf of individual citizens, their families, and the population at large, but stresses that any sustainable long-term solution requires the occupying power to administer migration into and out of the occupied territory in conformity with its obligations as an occupying power, and in the interest of the protected persons and civil life in the occupied territory. To that effect, States could inquire when, and scrutinize if, a *clear and lawful* policy and accompanying procedures for the entry and presence of foreign nationals into the oPt will be published and consistently applied.

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Selections from the media:

- 13 July 2019, Amira Hass, "Israel's academy for indifference," *Haaretz* (https://www.haaretz.com/israel-news/.premium-israel-s-academy-for-indifference-1.7500278?utm_term=20190715-01%3A16&utm_campaign=Amira+Hass&utm_medium=email&writerAlerts=true&utm_source=smartfocus&utm_content=www.haaretz.com%2Fisrael-news%2F.premium--1.7500278)
- 15 July 2019, Middle East Studies Association, "Letter Re: Limitations and restrictions to foreign nationals teaching at Palestinian universities" (<https://mesana.org/advocacy/committee-on-academic-freedom/2019/07/15/limitations-and-restrictions-to-foreign-nationals-teaching-at-palestinian-universities>)
- 13 July 2019, Amira Hass, "As Israel tightens entry rules, foreign lecturers at Palestinian universities forced to leave," *Haaretz* (<https://www.haaretz.com/israel-news/.premium-as-israel-tightens-entry-rules-foreign-profs-at-palestinian-universities-forced-out-1.7497044>)
- 12 July 2019, Tovah Lazaroff, "NGO: Israel restricting visas to academics at Palestinian universities," *The Jerusalem Post* (<https://www.jpost.com/Arab-Israeli-Conflict/NGO-Israel-restricting-visas-to-academics-at-Palestinian-universities-595337>)
- 11 July 2019, Brendan O'Malley, "Israel 'blocks international academics' in West Bank, Gaza," *University World News* (<https://www.universityworldnews.com/post.php?story=20190711141323945>)
- 11 July 2019, "Israel restricting visas for academics visiting Palestine universities," *The Middle East Monitor* (<https://www.middleeastmonitor.com/20190711-israel-restricting-visas-for-academics-visiting-palestine-universities/>)
- 10 June 2019, Amira Hass, "Europeans Seeking to Live With Palestinian Kin Must Face Long Arm of Israeli Bureaucracy," *Haaretz* (<https://www.haaretz.com/middle-east-news/palestinians/.premium-europeans-seeking-to-live-with-palestinian-kin-must-await-long-arm-of-bureaucracy-1.7343120?fbclid=IwAR1Sh2SPwpX5irHb3gq-pmm0IVNJQ2IG54JhAfro75bwrDjvyK1yYbsEyNk>)
- 1 June 2019, Amira Hass, "What a Palestinian Woman Has to Do to Visit Her Native West Bank Village", *Haaretz* (https://www.haaretz.com/israel-news/.premium-what-a-palestinian-woman-has-to-do-to-visit-her-native-w-bank-village-1.7304235?utm_term=20190529-18%3A55&utm_campaign=Amira+Hass&utm_medium=email&writerAlerts=true&utm_source=smartfocus&utm_content=www.haaretz.com%2Fisrael-news%2F1.7304235)
- 1 May 2019, Nir Hasson, "Israel Seeks to Block All East Jerusalem Family Reunification Hearings Over 'Workload'," *Haaretz* (https://www.haaretz.com/israel-news/.premium-israel-seeks-to-block-all-e-jerusalem-family-reunification-hearings-over-workload-1.7188984?utm_term=20190501-19%3A28&utm_campaign=Nir+Hasson&utm_medium=email&writerAlerts=true&utm_source=smartfocus&utm_content=www.haaretz.com%2Fisrael-news%2F1.7188984)
- 21 April 2019, Haaretz Editorial, "Deportation of American Living in West Bank Shows Israel's Obsessive Fear of Palestinian Population," *Haaretz* (<https://www.haaretz.com/opinion/editorial/you-married-a-palestinian-1.7144394>)
- 17 April 2019, Jack Khoury, "Hundreds of Gazans Asked to Celebrate Easter in Jerusalem - Israel Let 200 Go to Jordan," *Haaretz* (<https://www.haaretz.com/middle-east-news/palestinians/.premium-hundreds-of-gazans-asked-to-celebrate-easter-in-jerusalem-israel-let-200-travel-to-jordan-1.7133802>)

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- 16 March 2019, Amira Hass, "He's Palestinian, She's German, but Only an Israeli Stamp Lets Them Live Together in the West Bank", *Haaretz* (<https://www.haaretz.com/middle-east-news/palestinians/.premium-he-s-palestinian-she-s-german-but-only-an-israeli-stamp-lets-them-live-together-1.7023336>)
- 11 March 2019, Dan Williams, "Israeli deportation hearing focuses on Human Right Watch official's tweets," *Reuters* (https://www.reuters.com/article/us-israel-palestinians-rights/israeli-deportation-hearing-focuses-on-human-right-watch-officials-tweets-idUSKBN1QS1UT?il=0&fbclid=IwAR3xc0Yr0CahdgmsbaN_zowGOurF3Pt8_Qcsf6apyA8Sr2SNw4PINcYRm5E)
- 27 February 2019, Oren Ziv, "Israel trying to deport stateless Palestinian journalist from Jerusalem," *+972 Magazine* (https://972mag.com/israel-trying-deport-stateless-palestinian-journalist-jerusalem/140332/?fbclid=IwAR1v0c_mi1YzIRxYu1tI7eUEGDaz0VMSFAuczq39_zDpPN5ErZJPkj8f6Aw)
- 14 February 2019, Ahmed Abuznaid, "For Palestinians like my fiancée and me, falling in love means scaling walls and defying occupation," *The Nation* (<https://www.thenation.com/article/palestinian-love-story-apartheid-wedding/>)
- 14 February 2019, Yara Hawari, "Love in times of Israeli apartheid: Israeli restrictions on Palestinian entry, movement and settlement constitute deliberate community engineering," *Al Jazeera* (<https://www.aljazeera.com/indepth/opinion/love-times-israeli-apartheid-190213091046109.html>)

For more media, statements, press releases and other documentation see www.righttoenter.ps