

14 August 2003- Communiqué- ISRAEL

New Ban on Family Unification Law should be Revoked says the UN Committee on the Elimination of Racial Discrimination, following a petition by FIDH and Partners

The UN Committee on Elimination of Racial Discrimination, in a decision issued today, to call upon Israel to “revoke” the new ban on family unification law, and to “re-consider its policy with a view to facilitating family unification on a non-discriminatory basis.” The Committee also found that the new law, “The Nationality and Entry into Israel Law (Temporary Order),” passed on 31 July 2003 “raises serious issues under the International Convention on the Elimination of all Forms of Racial Discrimination [ICERD].” Israel is a state party to ICERD, which it ratified in 1979.

The Committee was asked to issue consider this issue in an urgent action petition submitted on 8 August 2003 by the International Federation for Human Rights (FIDH), together with its member and partner organizations in Israel, ACRI- The Association for Civil Rights in Israel, Adalah- The Legal Center for Arab Minority Rights in Israel, B'Tselem- The Israeli Information Center for Human Rights in the Occupied Territories, the Mossawa Center- The Advocacy Center for the Arab Palestinian Citizens in Israel and HaMoked- The Center for the Rights of the Individual.

The purpose of the new law is to prohibit Palestinians from the Occupied Territories from obtaining citizenship, permanent residency, and/or temporary residency status in Israel by marriage to an Israeli citizen (“family unification”). The law flagrantly discriminates against Arab citizens of Israel, the Israeli citizens who marry Palestinians from the Occupied Territories. Thousands of families will be affected, forcing them to separate or to leave the country, if the law remains in force.

The FIDH and its partners view the Committee’s decision, taken in an exceptional procedure, as very significant, and are pleased that the Committee considered the organizations’ legitimate concerns about the new law.

The Committee’s decision follows the concluding observations on Israel, issued by the UN Human Rights Committee (UN HRC) on 6 August 2003. The UN HRC also urged Israel to “revoke the Nationality and Entry into Israel Law ... and reconsider its policy with a view to facilitating family reunification of all citizens and permanent residents.” The UN HRC found that the law “raises serious issues under articles 17, 23 and 26 of the Covenant [International Covenant for Civil and Political Rights].”

The FIDH and its partners urge Israel to comply with the UN CERD Committee’s decision and the UN HRC’s concluding observations, and to revoke the law immediately.