

Law for Revocation of Citizenship or Residency of a Terrorist who Receives Compensation for Carrying out a Terrorist Act (Amendment to Legislation) 2023-5783

- Purpose
1. The purpose of this law is to establish a designated procedure for revoking citizenship or permanent residency in Israel and deporting those who have been sentenced to actual imprisonment following a conviction for a terrorist act, and have been proven to have received compensation for the act from the Palestinian Authority or on its behalf; The aforementioned circumstances indicate [that the individual is] affiliated with the Palestinian Authority, and its actions [of the Palestinian Authority] suggest that the person is a part of it, and justify the severance of their connection to Israel and their deportation to the territories of the Palestinian Authority.
- Amendment to the Citizenship Law (No. 14)
2. In the Citizenship Law, 5712-1952,¹ in article 11 -
 - (1) In the first part of subarticle (b)(2), after “such person shall not be left without citizenship”, the following shall be added, “or a fixed status in the territories of the Palestinian Authority”, after “and if left without citizenship” the following shall be added, “or a fixed status” and after “outside of Israel” the following shall be added, “or if he or someone acting on his behalf, and with his knowledge, received payment or compensation from the Palestinian Authority, directly or indirectly, for breach of loyalty to the State of Israel (hereinafter - money in connection with terrorism)”, and after “that he will not be left without citizenship” it says, “or status as stated, as the case may be.”^[2]
 - (2) After subarticle (b), the following shall be added:
 - (b1)
 - (1) If all of these [following circumstances] apply to a person, the Interior Minister shall inform them, within seven working days,

¹ Book of Laws 5782 (2022), page 164; 5777 (2017), page 4.

² [The amended Article 11 (b), subarticle (2) of the Citizenship Law reads as follows: The Administrative Court (referred to in this section as “the Court”) may, at the request of the Interior Minister, revoke the Israeli citizenship of a person if any of the following conditions apply:

(2) The person has committed an act that constitutes a breach of loyalty to the State of Israel, provided that the revocation of Israeli citizenship does not leave the person without citizenship or a fixed status in the territories of the Palestinian Authority. If the person would be left without citizenship or a fixed status as a result of the revocation, a permit to reside in Israel will be granted to the person, as determined by the Interior Minister. There is a presumption that applies to those who reside on a permanent basis outside of Israel, or if he or someone acting on his behalf, and with his knowledge received payment or compensation from the Palestinian Authority, directly or indirectly, for breach of loyalty to the State of Israel (hereinafter - money in connection with terrorism), that they will not be left without citizenship or status as stated, as the case may be.]* The footnote is not included in the original Hebrew text.

of his intention to request that the court revoke his Israeli citizenship:

- (a) [That person] was convicted of an offense and the court that convicted him determined that the offense is an act of terror, and if the offense was committed prior to the entry into force of the [2016] Counter-Terrorism Law - it is a terrorist act based on the facts determined in the court's verdict in the matter, or he was convicted of an offense under sections 97 to 99 of the Penal Law, 5737-1977, and if he was sentenced to actual imprisonment;
 - (b) It has been proven, to the satisfaction of the Interior Minister, after giving that person an opportunity to present his arguments within seven working days, that he or someone acting on his behalf, and with his knowledge, received money in connection with terrorism.
- (2) The court, at the request of the Interior Minister as stated in paragraph (1), shall revoke the citizenship unless it is convinced, due to special circumstances that shall be detailed, that the revocation of the citizenship is not justified under the circumstances; the court shall decide on the request within 30 days of the date on which it was submitted.
- (3) The court revoked the citizenship of a person as stated in this subarticle [paragraph (b1)], and the presumption cited in subarticle (b)(2) was not refuted, the person shall be deported from Israel at the end of their sentence, in accordance with section 13 of the Entry into Israel Law, to the territories of the Palestinian Authority, and will no longer be allowed to enter Israel.
- (4) The provisions of subarticle (b)(2) shall apply to the revocation of the citizenship of those who, as a result of the revocation, are left without any citizenship.
- (5) In this section -
“The Palestinian Authority” - as defined in the Freezing Tax Revenues Transferred to the Palestinian Authority Law, 2018;³

³ Law book 5778 (2018), page 732.

“Territories of the Palestinian Authority” - as defined in Article 131 of the Entry into Israel Law, and all of the territory of the Gaza Strip.

(3) In subarticle (c), referred to therein as paragraph (1) will follow by:
“(2) A request pursuant to subarticle (b)(1) may not be submitted except with the written consent of the Justice Minister; if the Justice Minister has not given his consent within seven workdays, it shall be deemed as if he has given his consent.”

(4) After subarticle (c), will follow:

(h1) The Interior Minister shall report to the Knesset’s Interior and Environment Committee, once a year, on the following:

- (1) Cases in which the circumstances cited in subarticle (b1)(1)(a) and (b) have been fulfilled and no request for revocation of citizenship has been filed to the court, and the reasons for this;
- (2) Court decisions regarding requests under subarticle (b1).”

Amendment
to the Entry
into Israel Law
(No. 35)

3. In the Entry into Israel Law, 5712-1952, in article 11 –

(1) After subarticle (b), the following shall be added:
“(a1)

1. Notwithstanding the provisions of subarticle (a), if all of the [following conditions] apply to a person, the Interior Minister shall inform them, within seven working days, of his intention to revoke their permit, and shall give him an opportunity to present his arguments within seven working days:

- a. [That person] was convicted of an offense and the court that convicted him and determined that the offense is an act of terror, and if the offense was committed prior to the entry into force of the [2016] Counter-Terrorism Law - it is a terrorist act based on the facts determined in the court's verdict in the matter, or he was convicted of an offense under articles 97 to 99 of the Penal Law, 5737-1977, and if he was sentenced to actual imprisonment;

b. It has been proven, to the satisfaction of the Interior Minister, after giving that person an opportunity to present his arguments within seven working days, that he or someone acting on his behalf, and with his knowledge, received money for breach of loyalty to the State of Israel (hereinafter - money in connection with terrorism).

2. For the purpose of this article, if the Justice Minister has not provided his approval as stated in article 1 within seven working days, it shall be deemed as if he has given his consent.

3. Should the Interior Minister revoke a person's permit, as stated in this article, and the presumption stated in subarticle (b) is not refuted, the person shall be deported from Israel at the end of their sentence, in accordance with 13 of the Entry into Israel Law, to the territories of the Palestinian Authority, and will no longer be allowed to enter Israel."

(2) In subarticle (b), after "[reside] on a permanent basis outside Israel", it shall state: "or he or someone acting on his behalf, and with his knowledge, received money in connection with terrorism";

(3) After subarticle (c) the following shall be added:

"(c1) The Interior Minister shall report to the Knesset's Interior and Environment Committee, once a year, on the cases in which the circumstances cited in subarticle (a1)(1)(a) and (b) have been fulfilled and the permit was not revoked, and the reasons for it."

(4) In subarticle (d), after the definition of "breach of loyalty to the State of Israel", it shall state:

"The Palestinian Authority" - as defined in the Freezing Tax Revenues Transferred to the Palestinian Authority Law, 2018;⁴

"Territories of the Palestinian Authority" - as defined in Article 13l of the Entry into Israel Law, and all of the territory of the Gaza Strip.

⁴ Law book 5782 (2022), page 354; 5782 (2022) page 1156.

Benjamin Netanyahu
Prime Minister

Michael Malcheli
Acting Interior Minister

Isaac Herzog
President

Amir Ohana
Knesset Speaker