

## Citizenship Law Amendment

### Yet Another Tier in Racist Policy to Ensure Jewish Majority

On 3 March 2025, the government published the draft of a bill to amend the Citizenship Law. This bill seeks to revoke the citizenship status of children of citizens who were born in countries defined as enemy states: Iran, Afghanistan, Lebanon, Libya, Sudan, Syria, Iraq, Pakistan, Yemen, and the Gaza Strip.<sup>1</sup>

The bill did not come into being in a vacuum. Similar to other legislative initiatives of the government and coalition parties submitted to the Knesset in recent months,<sup>2</sup> this bill also takes advantage of the atmosphere prevailing among the Jewish public in Israel since the massacre committed by Hamas on 7 October 2023 and the ensuing war raging since then to advance moves that deepen the discrimination against Palestinians and harm their rights.<sup>3</sup> The flimsy factual basis provided in the explanatory notes attached to the draft bill further makes it plain that there is no security justification for it and that it is rather intended to infringe on rights on a racist and discriminatory basis.

#### Background

Since its establishment, the State of Israel has acted in diverse ways to reduce the number of Palestinians living in the territories under its control. Among other things, the state

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\* English-language reference. All other references in this report are in Hebrew.

<sup>1</sup> [Draft Bill on Citizenship Law \(Amendment No...-2025\)](#), Ministry of Justice's Government Legislation Repository, 24 March 2025.

<sup>2</sup> See, for example, [Bill on Penal Code \(Amendment: Death Penalty for Terrorists-2023\)](#), Knesset National Legislation Repository, 16 January 2023; [Bill on Penal Code \(Amendment: Ban on Displaying Flag of Enemy State or Palestinian Authority by State-Funded Bodies-2024\)](#), Knesset National Legislation Repository, 22 July 2024; [Prevention of Foreign Broadcasting Entity Harm to State Security Law \(Temporary Provision, Iron Swords War-2024\)](#), Nevo, last updated 21 November 2024; [Proposed Bill on Basic Law: The Knesset \(Amendment: Expansion of Grounds for Disqualification From Elections-2023\)](#), Knesset National Legislation Repository, 2 January 2023.

<sup>3</sup> See, for example, Ronen Reingold and Ori Bassat, [\\*Bill To Shut Down Foreign Broadcaster Harms Democracy, Must Not Be Extended](#), Zulat, 8 July 2024; Eitay Mack, [\\*Deportations and Death Penalty: Normalization of Racist Cruel Punishments Disguised as Counterterrorism](#), Zulat, 7 November 2024; Tal Hilel, [\\*Criminal Prohibition of Flag Display: Serious Blow to Freedom of Protest](#), Zulat, 20 November 2024.

almost totally prevents anyone who is not Jewish from acquiring status in Israel, designates the vast majority of land for Jews only concurrently with strict restrictions on construction for the Palestinian population, and harms the political and civil rights of all Palestinians living on its soil. The new bill is yet another tier in this policy.

This bill is an expansion of the Citizenship and Entry into Israel Law, enacted in 2003 as a "temporary provision" and extended annually since then with slight amendments.<sup>4</sup> As it is, this law almost totally restricts the prospects of Palestinians in the territories who married Israelis to obtain status in Israel, unlike spouses of Israelis from other countries. It allows the Minister of Interior, at his sole discretion, to grant temporary stay permits to Palestinian spouses, but only to men over the age of 35 and women over the age of 25. These permits, which must be renewed unendingly, prevent the obtention of social rights and leave couples in constant uncertainty about their future. When the Palestinian spouses reach the age of 50, and provided they have been residing in Israel for at least 10 years, the Minister of Interior may, again at his sole discretion, grant them temporary residence status. These exceptions do not address the needs of the vast majority of couples.<sup>5</sup>

As a result of this legislation, many couples were left with no choice other than to move outside sovereign Israeli territory, mainly to the West Bank or the Gaza Strip. Now, after prohibiting them from living together legally in Israel, the government invokes the plight it inflicted on them and seeks to also prevent the children of some of these couples from living in Israel.

### **Bill Conducive to Severe Violation of Human Rights**

The proposed amendment to the Citizenship Law seeks to add a new tool to the toolbox already used by the state in its efforts to promote Jewish supremacy across all the territories under its control. As such, it would severely harm human rights and the principle of equality, given that it is based on the treatment of Palestinian Israelis as second-class citizens.

Citizenship status in Israel is granted based on the principle of right of blood, meaning that it is automatically passed from parents to children, unlike the principle of right of soil

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<sup>4</sup> [Citizenship and Entry into Israel Law \(Temporary Order-2022\)](#), Nevo, last updated 11 March 2025.

<sup>5</sup> Yossi Gurvitz, [\\*Citizenship and Entry Into Israel Law: Ban on Discrimination in Family Reunifications](#), Zulat, 14 February 2022.

where citizenship is determined according to the place of birth. Based on the right of blood, the existing Citizenship Law states that children of Israeli citizens are entitled to Israeli citizenship, regardless of their place of birth.<sup>6</sup> The bill seeks to change this principle, but only for the children of Israeli citizens born in countries defined by law as enemy states.

Contrary to the tone of the bill, citizenship is not a privilege that the state can grant or revoke at will. Every person is entitled to citizenship, enabling them to be full members of the community where they live and to enjoy its attendant rights. Like all other rights, this right cannot be arbitrarily revoked, and can certainly not be denied based on a person's character, political views, or geographic location.<sup>7</sup>

International law leaves countries a margin of discretion to determine the conditions for naturalization, but this discretion is not absolute. Thus, the law explicitly states that every child has the right to acquire citizenship at birth,<sup>8</sup> that citizenship laws must not discriminate between people based on their nationality,<sup>9</sup> and it imposes the obligation to reduce the number of stateless persons, including the duty to grant citizenship in certain circumstances, especially to children.<sup>10</sup> The draft bill in question violates all these prohibitions.

Moreover, it severely harms the rights of Israeli citizens to family life, to dignity, and to privacy. It infringes on their right to marry the partner of their choice, to jointly select their place of residence, and to grant their children the same citizenship they themselves hold. The bill also harms the right to equality, as it differentiates between citizens and grants them dissimilar rights, not based on relevant distinctions but solely according to their place of birth.

If passed, the law would also apply retroactively to children who have already been born but their citizenship status has yet to be arranged. These children (and their parents) have until now lived under the impression that they were entitled to receive status in Israel.

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<sup>6</sup> Article 4 of [Citizenship Law-1952](#), Nevo, last updated 18 September 2023.

<sup>7</sup> Among others, this right was recognized in Article 15 of [\\*Universal Declaration of Human Rights-1948](#), *United Nations*, 10 December 1948.

<sup>8</sup> Article 24 of [\\*International Covenant on Civil and Political Rights-1966](#), *United Nations*, 16 December 1966; Article 7 of [\\*Convention on the Rights of the Child-1989](#), *United Nations*, 20 November 1989.

<sup>9</sup> See, for example, [\\*CCPR General Comment No. 17: Article 24 \(Rights of the Child\)](#), *UN Human Rights Committee*, 7 April 1989.

<sup>10</sup> [\\*Convention Relating to the Status of Stateless Persons-1954](#), *United Nations*, 28 September 1954; [\\*Convention on the Reduction of Statelessness-1961](#), *United Nations*, 30 August 1961.

Thus, the bill also violates the principle of reliance and leaves them uncertain about their future.

### **There's No Justification for the Amendment**

According to the explanation attached to the draft bill, "there exists a phenomenon of Israeli citizens traveling to enemy states, marrying residents of those states, and having children there." The government claims there are "many cases" of such children seeking Israeli citizenship when they reach adulthood, at which point they have developed "identification and loyalty to the enemy state," yet the Israeli state has no options to refuse their applications, hence the need for the bill.

This claim attempts to provide a security justification for the bill. However, the assertion that everyone born in an enemy state develops "identification and loyalty to the enemy state" in adulthood is arbitrary and detached from reality. It creates an automatic link between place of birth and political and moral values, even though the diversity of opinions existing in almost every human society proves otherwise. Moreover, even if this argument were true, identification with an enemy state certainly cannot justify the preemptive denial of citizenship status in the absence of a concrete and certain threat on the part of the applicant.

Furthermore, the government does not bother to present even a single piece of factual data to support its claim. It is unclear how many children were born to Israeli citizens in "enemy states," how many have already been registered as citizens, how many requests are pending, how many applied for citizenship only as adults, and how many expressed "identification and loyalty" with their country of birth. In the absence of any factual basis for the proposed law, all that is left are unfounded generalities that can certainly not justify the sweeping harm to rights entailed in it.

As further justification for the bill, the government notes in the explanatory text that a person's citizenship status may already today be revoked due to "breach of allegiance to the State of Israel," as the existing law stipulates that "acquiring citizenship or the right to permanent residence" in one of the countries defined as enemy states is automatically considered a breach of allegiance.<sup>11</sup>

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<sup>11</sup> Article 11(b)(2) of [Citizenship Law-1952](#), Nevo, last updated 18 September 2023

However, the comparison between the existing Citizenship Law and the draft bill is baseless. First, revoking an individual's citizenship due to their conduct is not the same as preemptively denying citizenship status to an entire group, especially when it concerns minors, including newborns who are in the custody of their parents and who did not choose their place of residence. Second, revocation of citizenship due to breach of allegiance is not automatic for merely living in an "enemy state." Such a move must be done through the courts, in a judicial process where the person in question is given the chance to contest the legal presumption.

The government further argues in the explanatory notes that children of Israeli citizens born in "enemy states" presumably acquired citizenship or permanent residency there, and will thus not be left stateless. However, in those rare exceptions where this is not the case, "a request for status in Israel could be considered under the general authority and broad discretion granted to the Minister of Interior under the Entry into Israel Law-1952 and the stipulations in the Citizenship and Entry Into Israel Law-2022 (Temporary Provision)."

Again, the government's explanation is misleading. All that these two laws allow is acquiring temporary status in Israel, which must be renewed every few months. This status does not grant social rights and entraps applicants in red tape, leaving them in perpetual uncertainty about the future. This exposes them to statelessness in contravention of international law, which requires states to prevent such situations. Certainly, such an arrangement cannot be an adequate alternative to the current provisions of the law, which automatically grants citizenship to these minors.

### **Zulat's Position: Bill Must Be Shelved**

**Zulat's position is that the amendment to the Citizenship Law must be rejected out of hand, as it severely harms the rights to citizenship, family life, and the principle of equality.** The flimsy explanations accompanying the bill reveal not only the unprofessional and sloppy job done by the Ministry of Interior that drafted it, but also prove that it does not come to solve a real problem. Instead, it is yet another one in a long series of populist bills introduced in the Knesset in recent months, promoting an inciteful and racist discourse and competing with each other as to which can cause more harm to Palestinian rights.

The introduction of most of these legislative proposals, which in the past would have been summarily rejected due to their blatant illegality, is now possible only because the

coalition's MKs have chosen to take advantage of the situation to promote their agenda and anchor discriminatory and racist policies in law.

Even if most of these bills do not end up becoming law, at least for the moment, their introduction in the Knesset is dangerous. Their mere discussion legitimizes the positions they represent, gradually eroding the basic principles of the regime in Israel and endorsing severe harm to human rights and the rule of law.

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