

The Twentieth Knesset

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P/20/3994

Bill for the Entry into Israel Law (Amendment – Cancellation of Visa and Permanent Residence Permits of Terrorists and their Families after their Participation in Terrorist Activities) – 2017 [5777]

Amendment of Article 11 1. In Article 11 of the Entry into Israel Law of 1952¹ [5712], the following should be stipulated after sub-section (b):

“(c) Without undermining what was mentioned in sub-section (a), the Minister of Interior is entitled to cancel the visa and permanent residence permit of any person who commits a terrorist act (as defined by this law) against the State of Israel and its citizens; provided that he would not cancel any visa or permanent residence permit before giving the person the chance to plead and state his/her claims before him.

(d) Without undermining what was mentioned in sub-section (a), the Minister of Interior is entitled to cancel the visa or permanent residence permit of the relatives of a person who commits a terrorist act or contributes to it (whether through an act or by knowledge) before, during or after the undertaking of that act, provided that the Minister would not cancel the aforementioned visa or permanent residence permit before giving the terrorist’s relative the chance to plead and state his/her claims before him.

¹ Statutes Book of the [Hebrew] year 5712 [extends from 1 October 1951 until 19 September 1952], Page 146.

Unofficial Translation

(e) In this article:

“A terrorist act” is an act which was committed or was planned to be committed in order to influence a political, ideological or religious matter and in which the following elements exist:

- (1) The act was implemented or planned for in order to cause public fear or panic or to force a government or another authority – including the government or authority of a foreign country – to do a certain act or refrain from doing something. In this context, it is very likely that such acts or threats which cause public fear and panic will also cause fear and panic in similar societies as well.
- (2) That the committed or planned act was characterized as such:
 - (a) Physically injuring a person or restricting his/her freedom, or to threaten a person’s life or seriously traumatizing him/her;
 - (b) To pose a serious threat to the health and safety of the public.

“Relative” means any of the following: [the offender’s] spouse, parents and all children (minors) who are looked after by their parents.

Explanations

This bill was designed to give the government the necessary tools to confront the waves of terrorism and violence and to prevent the holders of Israeli visas and permanent residence permits from participating in or supporting terrorist activities against the State of Israel and its residents.

As of today, the Minister of the Interior has the general authority to revoke residence visas and permanent residence permits.

However, the purpose of this bill is to clarify that Article 11 of the Entry into Israel Law of 1952 [5712] gives the Minister of Interior the relevant right to exercise discretion with regard to the committing of terrorist acts.

Additionally, we propose to legally stipulate that the Minister of the Interior can also exercise his discretion regarding the family members of a person who commits a terrorist act and has contributed to committing that act through knowledge, help, encouragement and support before, during or after committing the terrorist act.

We propose that, before taking any steps to revoke a visa or permit, the Minister of the Interior must enable the holder of the visa or permit to plead and state his/her claims.

It should also be clear that if one’s visa or permit is revoked, the person whose rights were revoked immediately becomes an illegal resident, and Article 13 of the law will apply to him/her and will require his/her deportation as soon as possible.

Unofficial Translation

Very similar bills have been presented to the table of the 17th Knesset by Knesset member Nissan Slomiansky (P/17/3589); Knesset member Avraham Michaeli (P/17/3948); Knesset member Sofa Landver and a group of Knesset members (P/17/4021). Also, a similar bill was submitted to the table of the 18th Knesset by Knesset member Sofa Landver and a group of Knesset members (P/18/66); and also by Knesset member Avraham Michaeli and a group of Knesset members (P/18/301); as well as the table of the 19th Knesset by Knesset members Avraham Michaeli and Ya'akov Margi (P/19/1932).

This bill was presented to the table of the 20th Knesset by Knesset member David Bitan and a group of Knesset members (P/20/2808).

**Submitted to the Knesset Chairman and deputies and presented to the Knesset table on the date of
14.3.2017 [16 Adar 5777]**