

Demand Justice

Jerusalem Politicians Exiled by Israeli Occupation **Demand Justice**



Arab Organisation for Human Rights in UK
المنظمة العربية لحقوق الإنسان في بريطانيا

Demand Justice

2013

20 March

Jerusalem Politicians
Exiled by Israeli
Occupation

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Foreword

“At last, a comprehensive report into the continuing suffering of Palestinian parliamentarians from Jerusalem.

It would be hard to exaggerate the depth of the media’s ignorance over the systematic abuse of Jerusalemites.

The facts are plain; the Palestinian politicians in this report have been and continue to be abused by the Israeli authorities simply for their determination to remain in the city of their birth, of their heritage, Jerusalem.

International law and the Geneva Convention backs the right of Palestinians from the Holy City to remain within its boundaries, and to live their lives freely.

I visited these men when they were sheltering in the Red Cross in East Jerusalem. They could not go home to their families because that would mean re arrest, which is subsequently what happened.

My government and the Israeli government both boast about

our democracies, but will not give political and human rights to these men who were democratically elected to represent their people in East Jerusalem.

PLC members, from East Jerusalem; Mohammed Mahmoud Abu Teir, Ahmed Mohammed Atoun, Mohammad Imran Totah and the former Minister of Jerusalem Affairs, Khaled Ibrahim Abu Arafah should be released and returned immediately to their homes and constituents in Jerusalem.

I urge all the democratic peoples of Europe and the USA to call for justice for these men and to take steps to force the Israeli authorities to release and return the MP's, who it must be emphasised, have neither committed nor been charged with any criminal act.”

Baroness Jenny Tonge

“The following report, is an account of the escalating removal of the Palestinian people from, Jerusalem. Israeli authority attempts to Judaize the Palestinian capital, depend upon illegal policies aimed at the expulsion of civilians. Those, whose ancestry, homes, culture and society are all rooted in Al Quds.

It is our aim, to open the way for increased political understanding of, and international action against, all Israeli acts of depopulation in Jerusalem. Palestinians face a constant threat, at all levels (the men in this report are MP's), of having their Jerusalem ID's - documentation that ‘allows’ them to live in their home city - revoked. This threat constitutes; political blackmail, collective punishment and increasingly leads to illegal, deportation.

We ask you to read this report and to share it. Then, above all to act on the information given here, with determination.”

LAUREN BOOTH

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“This report highlights the suffering of four Palestinians, who represent the Palestinian people from the occupied city of Jerusalem. Israel stripped their identities, detained and expelled them from their city where they were born and bred. This is certainly not the first time that Israel has deported Jerusalemites from their city; there have been thousands of incidents like this in an effort to change the identity of the city. What's extremely strange is that the International Community refuge in silence and do nothing against these violations which are considered as crimes against humanity. Will the international community ever resolve over Israel?”

M Jamil

Deputy Chairman

Arab Organization for Human Rights in UK



EXECUTIVE SUMMARY

Since the Palestinian Legislative Council (PLC) elections in 2006, the following MP's, from Jerusalem; Mohammed Mahmoud Abu Teir, Ahmed Mohammed Atoun, Mohammad Imran Totah and the former Minister of Jerusalem Affairs, Khaled Ibrahim Abu Arafah have suffered harassment, arrest and forced deportation, by Israeli occupation forces.

When the Israeli security agencies began their aggressive campaign against the PLC candidates, the men refused to be intimidated. Declaring the start of their electoral campaign from inside Al-Aqsa Mosque. As a result, they earned the trust of Jerusalemites, leading to their election to the PLC.

As soon as the MP's were successfully elected, the Israeli occupation authority began seeking measures with which to imprison or remove the MP's permanently from their home city, Jerusalem.

This was not legally possible. The "Entry into Israel Law 1952", does not provide occupation authorities with the justification to deport the MP's from Jerusalem.

However, the Israeli Interior Minister, Ronnie Bar, sought to enforce the MP's deportation, under a new initiative. An illegal action, whereby the occupier expels Palestinians from Jerusalem, for «disloyalty» to the Israeli authority.

According to the rhetoric of Bar, the MP's resided in 'Israel' (not Palestine). Therefore, they must pledge their loyalty to the Israeli occupation authority, in order to remain. Furthermore, Bar put forward that the MP's membership of the Palestinian Legislative Council (a foreign parliament) proved their loyalty lay elsewhere, thus making them guilty of treachery to the Israeli authority, deserving permanent expulsion from Jerusalem.

But there is a problem with all of Bar's aggressive rhetoric;. A small thing known as; international law.

Under International law (Security Council resolution 242 and 338 and other resolutions), Jerusalem is an Occupied Palestinian city - not an Israeli city. Therefore, International laws and statues must apply and Israeli political legislation (or wishful thinking), does not.

Furthermore, it is clear that, as stated in Article 45 of the Hague Regulations, 1907:

‘An occupying power, is prohibited from compelling residents, of the territory occupied from pledging loyalty, to them’.

In addition to this, in the wake of WWII, Article 49 of the Fourth Geneva Convention, on the Protection of Civilian Persons in Time of occupation, states that:

‘Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country....’ is illegal.

Yet, from 1967 to 2011, an estimated 14,152 Jerusalemites were stripped of their right to residency in the city, by Israeli occupation forces, using a variety of methods. In 2008 alone, some 4,577 Palestinians from Jerusalem, had their legal right to live there, removed by the occupier.

It is clear that, since the occupation of Jerusalem in 1967, Israel has turned its back on international law, with ever greater impunity. This, despite constant international condemnation for its breaches. The problem lies then, not with the statutes, but with the UN’s unwillingness to follow up breaches against its own legislation - with practical measures. Measures which must seek to end further persecution of the Palestinians of Jerusalem. And, to reverse the harm already done to this community.

Instead, over decades of inaction, Israel has found it simple to create, it’s own illegitimate, ‘facts on the ground,’ relating to population change, in the Holy city.

The expulsion and persecution of the Jerusalem MP’s is a test of international legitimacy in relation to law making. The international community not only should, but **MUST** intervene in these cases. If only to remain relevant to the situation in any meaningful way. The Israeli occupation authorities transfer, of indigenous, Palestinian people, from Jerusalem, is illegal under international law. It is a crime against humanity.

Introduction

Occupied Jerusalem is the ultimate, strategic target of Israel's rulers. The political elite, seek to Judaize the city, using faked historical claims to pursue their ends. Land confiscation, settlement building, house demolitions and ID removal are tactics used deliberately to displace Palestinian residents. These constitute a deliberate methodology, with the aim, of changing Jerusalem's identity, in all respects.

The most serious of these Apartheid policies is the expulsion of Palestinians from the city.

The occupation authority, considers Palestinian Jerusalemites 'residents' of the city, not 'citizens'. Therefore, the criteria for permanent residency which applies to all those considered 'foreign entities' applies to Palestinians under the 'Entry into Israel Law 1952.'

In 1988, the occupation Supreme Court issued a decision in the case of "Awad against Prime Minister." The decision stated that; «annexation of East Jerusalem by Israel changed the status of its citizens to 'permanent residents' and that

such residency permits expire if the resident were to settle elsewhere»¹.

Subsequently, an Arab Jerusalemite, is regarded as a foreigner, to be stripped of residency rights, should the terms and conditions be breached. These conditions include; residing outside the municipal boundaries of Jerusalem for seven years. Or, obtaining permanent residency in another country, or acquiring the nationality of another country.

It is estimated, that between 1967 and 2011, Occupation authorities stripped some 14152 Jerusalemites of their right to residency, using these conditions. The highest record was In 2008, where approximately 4577 Palestinians from Jerusalem lost their residency, in this way².

On a day to day level, even happy occasions, such as weddings and family reunions have become difficult, to impossible, for indigenous Jerusalemites to negotiate. For example, if a Palestinian from Jerusalem chooses to marry a partner, from outside the municipal boundaries, they have had to submit an application for the couple to be reunited and live together in Jerusalem.

Before 2003 such applications were complicated routine. After the Knesset passed a law in 2003, there has been no application process at all for such marriages, to take place³.

1 <http://www.hamoked.org/Document.aspx?dID=1430,HCI 282/88Awad v Yitzhak Shamir, Prime Minister and Minister of Interior et al. Judgment 1988>.

2 http://www.btselem.org/jerusalem/revocation_statistics.

3 <http://www.ynetnews.com/articles/0,7340,L-3875431,00.html>.

In denying the unification of married couples, we see the Israeli government expressing its overwhelming fear of what it calls the 'demographic threat.' Namely, the Palestinian birth rate. The policy of the occupation authority against Jerusalemites has also infringed upon the right of a Palestinian child to automatically obtain residency of Jerusalem, from the parent(s). Thus, today, even the process of registering children has become a difficulty for Palestinians of the Holy city.

It is estimated, that right now, there are some 10,000 children who remain, unregistered for this reason. Unrecognized and without legal rights, within their ancestral city and homeland ⁴.

This is how The Occupation authorities continue to deal with indigenous people in the Palestinian capital Jerusalem; as foreigners. The people's heritage is disregarded, their rights trampled, their ancestry - erased.



4 United Nations Office for the Coordination of Humanitarian Affairs Occupied Palestinian territory, East Jerusalem: Key Humanitarian Concerns Special focus March 2011.

Conversely, the 'Law of Return,' allows all Jews, irrelevant of their nationality, the freedom to settle on Palestinian lands, not their own. This tool of invasion (and displacement) extends, ever increasingly, to the hijacking of private, Palestinian homes and properties.

Other foreigners, largely from the USA, France, Russia and Britain, are provided with high standard houses, newly built for them, by the occupation authorities.

Meanwhile, the majority of Palestinian families in Jerusalem are being forced to survive in increasingly poor standard, overcrowded housing, at best.

At worst, their homes may be taken over by violent Jewish extremists, or demolished by the occupation authority.

What happens then?





At this point, the Palestinian family is forced to live in tents outside their former home. Fighting the situation for weeks or months, seeking justice from the very authority responsible for their homelessness. When their battle ultimately fails, the family faces two choices;

Move into cramped accommodation with extended family members. Or, as is more usual;

Leave Jerusalem altogether and relocate to the West Bank.

This is population transfer by stealth.

Israeli governmental policy has ensured that today, some, 200,000 Jewish extremists, live in new build cities, aka 'settlements,' built on vast tracts of Palestinian-owned land. All of which falls within Jerusalem's 1967 borders. There are a further 2,000 settlers, living in 79 settlement 'outposts', on further land confiscated from Palestinians, within neighborhoods which include; Silwan, Sheikh Jarrah,



Almusarah, Mount Scopus and the Old City.

The settlements, have also negatively impacted on the Palestinian population of occupied Jerusalem.

In spite of the means of displacement, mentioned here, the indigenous population has reached 275,000 within Jerusalem's boundaries. Yet, families, desperately overcrowded, are routinely denied planning permission by the occupation authority. This increases overcrowding in homes and buildings, as the demands of 'natural growth' in Palestinian society are ignored.

According to the 'Greater Jerusalem Scheme,' and with the completion of the construction of the Apartheid wall, more Israeli settlements will be included within the municipal boundaries of Jerusalem. At the same time, the Apartheid wall will exclude cities and Palestinian villages from the borders of East Jerusalem⁵.

In order to establish Jerusalem's status as a united capital of a Jewish state, Israel adamantly refuses the involvement of any Palestinian political representatives in the city. Subsequently, many Palestinian institutions have been closed down by occupation authorities. The leaders of many legal and political institutions, all native to Jerusalem, are routinely denied entry to the city. Still others, have been detained and imprisoned.

Moreover, during the start of the PLC elections in 2006, Israel launched a broad campaign against candidates from

5 Ibid.

the city of Jerusalem. Palestinian elected representatives were detained more than 17 times. Each time, they were held in custody for a couple of days, under the pretext of violating election rules and publishing promotional materials within the city of Jerusalem; falsified accusations.

Palestinian candidates, did not succumb to this campaign of intimidation, led by the Israeli security agencies. Declaring a start to the election campaign from inside Al-Aqsa Mosque, this bold move, earned the trust and respect of voters from Jerusalem. This led to the election victory of MP's: Mohammed Abu Teir, Ahmed Attoun and Mohammed Totah.



The persecution of Jerusalem MP's

After winning the elections, the persecution of the democratically elected representatives increased.

What follows is the course of events, suffered by each MP at the hands of the occupation authority forces⁶ ;

1. In the wake of election results, Israeli Interior Minister threatened to revoke the residency status of the elected officials; Mohammed Mahmoud Abu Teir, Ahmed Mohammed Atoun, Mohammad Imran Totah and the former Minister of Jerusalem Affairs Khaled Ibrahim Abu Arafah. The Interior Minister made it clear, unless the officials resigned from the PLC and the PA, their Jerusalem residency permits would be revoked.
2. On 29th of June 2006, Israeli occupation authorities arrested a large number of MP's in the (OPT's) Occupied Palestinian Territories, including government ministers. Among them the MPs named in this report and former Minister Khaled Abu Arafah. All were arrested solely due to their roles as members of the PLC and PA. The elected officials, were charged and prosecuted as members of

⁶ Field research conducted by AOHR.



an 'illegal party' in Israeli military courts. Sentenced to prison terms of between two and four years. All those named completed their sentences.

3. Following their release all were summoned by the Israeli police , where they were officially stripped of; Jerusalem ID cards All documents related to city residency. The MP's were then given one month to leave the city permanently. MP Mohammed Abu Teir's warrant expired on 19/6/2010, while the others expired on 2/7/2010.
4. 15th of June 2010, the legal team for the MP's and the minister, requested an injunction from the Israeli Court of Justice, freezing the expulsion, until the specialist district court in Jerusalem could convene. The court rejected the petition on June 20, 2010.
5. 30th June 2010, Muhammed Abu Teir was arrested by the Israeli occupation authorities, near home. 1st July 2010,

MP Atoun, MP Totah and former minister Abu Arafah sought refuge at the International Red Cross (IRC) HQ, in Jerusalem.

6. Occupation authorities, pressurised MP Abu Teir, to sign deportation order. If not, he would remain in the prison. MP Abu Teir refused. 8/12/2010, MP Abu Teir was deported to the West Bank city of Ramallah. 6/9/2011, he was re-arrested in Ramallah by Israeli forces and subjected to administrative detention. He remained under administrative detention for one year. After which, he was released and deported, back to the city of Ramallah.
7. 26/09/2011, Israeli occupation forces stormed the headquarters of the IRC, Jerusalem, abducting MP Attoun. The MP was detained for 70 days, and pressurised to sign a deportation order. After refusing to sign, on 6/12/2011, he was deported to Ramallah.
8. 23/01/2012, Israeli occupation forces raided IRC HQ, for the second time, arresting MP Totah and former Minister Khaled Abu Arafah. The Red Cross offices were searched. Computers and mobile phones belonging to the MPs were seized. To this day, both the MP and the minister remain in Israeli prisons.
9. The IRC, issued a statement confirming the arrest of the MP's. But, crucially, did not take any legal action in the aftermath of the break-in. This inaction goes against the rules of immunity, enjoyed by the International Commission of the Red Cross.

10. The MP's and the former minister appeal against the decision to deport them, is still being reviewed by the Israeli Supreme Court of Justice. January 16, 2013, hearing adjourned. High Court judge, gives parties ninety days to reach an agreement.
11. 4th of February 2013, dawn, armed Israeli forces storm the Ramallah residence of MP Mohammed Atoun. He is arrested alongside Palestinian civilians and other MP's.
12. The situation currently for the MP's and the former minister remains either one of imprisonment in an Israeli jail or banishment in Ramallah. The safety of the exiled MP's in Ramallah is uncertain. They are liable to re-arrest and administrative detention by Israeli forces, at any time.



The Legal Framework:

The “Entry into Israel Law 1952,” does not provide occupation authorities with the legal justification to deport MP’s from Jerusalem. The Israeli Interior Minister has sought to justify the deportation under a new initiative to expel Palestinians for «disloyalty» to the Israeli state. According to the Interior Minister, since the «the MP’s and Minister reside in Israel, they are forced to pledge their loyalty to Israel, and that their membership of the Palestinian legislative Council (foreign parliament) proves that their loyalty lies with the Palestinian Authority» (see enclosed documents 1 and 2).

It is clear, that the three MP’s and the minister have been punished by Israel under the pretext of political affiliation and for ideological aims. In response to the petition filed by the Center for Justice against the expulsion decision, the Israeli government stated that: ‘Because the petitioners were elected to the Palestinian Legislative Council on behalf of Hamas, a terrorist and anti-Israel movement, they have seriously violated their minimum loyalty commitment to the State of Israel’. This report notes, that leading figures in the Palestinian Authority, eg. Prime Minister Salam Fayyad, (also a resident

of East Jerusalem), are not threatened with similar procedures due to a non Israeli 'political affiliation'.

The daily violations, committed by Israel in Jerusalem, always conflict with international law. Under International law, Jerusalem is an Occupied Palestinian city - NOT an Israeli city. Therefore, International laws and statues apply NOT Israeli laws. Furthermore, it is clear that as stated in Article 45 of the Hague Regulations of 1907; an occupying power, is prohibited from compelling residents, of the territory occupied from pledging loyalty, to them.

In addition, the Fourth Geneva Convention of 1949 on the Protection of Civilian Persons in Time of occupation, Article 49 states that « Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country....» are not legal.

Various resolutions of the Security Council and the General Assembly confirm, beyond any doubt, that Jerusalem is an occupied city and that different occupation practices against the population, particularly deportation are considered crimes against humanity, according to the following:

- Security Council resolutions 242 and 338; legal principles that identified Israel as an occupying power. Both resolutions called upon Israel to withdraw from territories occupied in 1967, including Jerusalem. They also demanded that Israel refrain from interventions that would lead to a change in the cities situation as it existed before the occupation. In addition, the Security Council

resolution No. 252 dated 21/05/1968 stated that; «the Board considers that all administrative and legislative procedures and all actions taken by Israel, including expropriation of land and property, that would lead to a change in the legal status of Jerusalem are null and void, and can not change the status of Jerusalem. »

- UN Security Council Resolution No. 476 dated June 30, 1980 states that; «all legislative and administrative measures and actions taken by Israel, the Occupying Power, which purport to alter the character and status of the Holy City of Jerusalem, have no legal validity and constitute a flagrant violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War ..»
- UN Security Council Resolution No. 478 dated August 20, 1980, states that the Security Council;
 1. Censures in the strongest terms the enactment by Israel of the «basic law» on Jerusalem and the refusal to comply with relevant Security Council resolutions;
 2. Affirms that the enactment of the «basic law» by Israel constitutes a violation of international law and does not affect the continued application of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in the Palestinian and other Arab territories occupied since June 1967, including Jerusalem;

3. Determines that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and in particular the recent «basic law» on Jerusalem, are null and void and must be rescinded forthwith;
4. Affirms also that this action constitutes a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;
5. Decides not to recognise the «basic law» and such other actions by Israel that, as a result of this law, seek to alter the character and status of Jerusalem and calls upon:

All Member States to accept this decision;

(b) Those States that have established diplomatic missions at Jerusalem to withdraw such missions from the Holy City;

6. Requests the Secretary-General to report to the Security Council on the implementation of the present resolution before 15 November 1980;

7. Decides to remain seized of this serious situation.”

- Moreover, the UN Security Council has affirmed through numerous resolutions: Decision 267 (1969), Resolution 271 (1969), Resolution 465 (1980), Resolution 1073 (1996) that the city of Jerusalem is an integral part of

the Palestinian territories occupied in 1967, and that all that applies to other Palestinian territories, should apply to Jerusalem as well. The mentioned resolutions, also state that, Israel should not take any action that would change the demographic and geographic situation and legal framework of the occupied city of Jerusalem.

The General Assembly of the United Nations, has further passed dozens of resolutions relating to Jerusalem. Confirming, that the city is occupied, like the rest of the Palestinian territories, and that all actions taken by the occupation forces in the city of Jerusalem are invalid. Among the most prominent of these decisions are resolution no. 2253 on July 4, 1967, resolution No. 2254 dated July 14, 1967, resolution No. 31/56 dated December 3, 2001. Up to the present day, resolutions addressing this matter are routinely issued by the UN general assembly.

CONCLUSIONS AND RECOMMENDATIONS

What has happened to the MP's from Jerusalem, has taken place under the nose of the international community.

Many examples of UN intervention for the flouting of international law exist. Yet Israel seems to be immune in this regard. This encourages Israel to carry on with ever greater infractions and abuses against the people of Jerusalem and beyond.

The removal of the indigenous people by forced exile, house demolition and persecution, proves that there is a deliberate effort, now in full swing, for the occupation authority to remove the Arabic and Islamic identity from this great city, forever.

Halting these violations, requires more than condemnation. It is site for a plan of action to be put in place. A plan which will bring to an end all of Israel's abuses of Jerusalem, both the living city and its uprooted people. Protecting Palestine's capital from this aggressive attempted Judaization is now urgent.

The expulsion of the Jerusalem MP's from their home city, feels like a death sentence to the men involved and their loved ones. For, what remains of a life, when family, relatives, home, geographical and social surroundings, have been stripped away from you?

The Arab Organisation for Human Rights in the UK, calls upon the international community to take up the deportation cases listed here. The MP's rightful, legal, return to their home city must be secured at once. In the absence of implemented international law, in occupied Jerusalem the capital of Palestine, these MP's are forced to seek legal recourse in the courtrooms of the occupation authority. The very body seeking to remove their rights. This is an absolute negation by international bodies of their stated duty.

The remedy to these expulsions is not through Israeli courts, but through the enforcement of international law, which applies to Jerusalem.

About the MP's

MP Mohammad Imran Saleh Totah

Wadi Al-joz - Jerusalem



PERSONAL INFORMATION:

Place of Residence	: Jerusalem
Date & Place of Birth	: 14 March 1969 - Jerusalem
Children	: 2 Female & 2 Male
Marital Status	: Married
Nationality	: Palestinian

EDUCATION :

1998 - 2000	Master in Business Administration Alquds University, Faculty of commerce and Economics - Jerusalem
1989 - 1993	Bachelor in Business Administration Eastern Mediterranean University, Faculty of Business Administration – Northern Cyprus

PERIODS OF DETENTION BY THE ISRAELI OCCUPATION AUTHORITIES :

Arrested for three and a half years.

2007 – 2010

MP Ahmad Mohammed Ahmad Attoun

Sour Baher - Jerusalem



PERSONAL INFORMATION:

Place of Residence : Jerusalem
Date & Place of Birth : 24 Jan 1968 - Jerusalem
Children : 2 Female & 3 Male Marital Status : Married
Nationality : Palestinian

EDUCATION :

2003 - 2006 **Master of Arts in Contemporary Islamic Studies**
 Alquds University, Faculty of Arts, Jerusalem
 2005 - 2006 **High Diploma in the Management of Modern Institutions**
 Hebrew University, College of Management, Jerusalem
 1986 - 2002 **Bachelor in Sharia Studies**
 Alquds University, Faculty of Arts, Jerusalem

PERIODS OF DETENTION BY THE ISRAELI OCCUPATION AUTHORITIES :

The First Arrest (four years)	1988 - 1992
The Second Arrest (three years)	1994 - 1997
The Third Arrest – Administrative (six months)	1998 - 1999
The Fourth Arrest (three and half years)	2006 - 2010
Sporadic Arrests (six months)	
An arrest for (two months and a half)	26-9-2011 to 6-12-2011
Total Periods of Detention	12 years

Former Minister Khaled Ibrahim Abu Arafeh

Ras Al-amud - Jerusalem



PERSONAL INFORMATION:

Place of Residence : Jerusalem
Date & Place of Birth : 3 Oct. 1961 - Jerusalem
Children : 2 Female & 3 Male Marital Status Married
Nationality : Palestinian

EDUCATION :

2009 till now Student of Master in Political Science / Israeli Studies
Alquds University, Faculty of the Regional Studies,
Jerusalem
1979 - 1983 BS in Mechanical Engineering
Technological University, Bagdad

PERIODS OF DETENTION BY THE ISRAELI OCCUPATION AUTHORITIES :

The First Arrest (one year)	1989 - 1990
The Second Arrest – Administrative (four months)	1994
The Third Arrest (two years and four months)	2006 - 2008
Subjected to investigate, for various periods in the years :	1981, 1987,
Total Periods of Detention 3 years and 8 months	1993, 2006

MP Mohammed Mahmud Hasan Abu Tier

Um Touba - Jerusalem



PERSONAL INFORMATION:

Place of Residence : Jerusalem
Date & Place of Birth : 16 April 1952 - Jerusalem
Children : 5 Female & 2 Male
Marital Status : married
Nationality : Palestinian

EDUCATION :

1973 **Joined the Faculty of Law and did not complete because of arrest**
Beirut University, Faculty of Law, Lebanon

PERIODS OF DETENTION BY THE ISRAELI OCCUPATION AUTHORITIES :

The First Arrest (sentenced to 13 years in prison; spent 11 years and released in the context of the prisoners exchange in 1985)	1974 - 1985
The Second Arrest (one year & month)	1989 - 1990
The Third Arrest – Administrative (six months)	1990
The Fourth Arrest (six years)	1992 - 1998
The Fifth Arrest (seven years)	1998 - 2005
The Sixth Arrest (four years)	2006 - 2010
The Seventh Arrest (5 months and a half)	30-6-2010 to 8-12-2010
The eighth Arrest (administrational Arrest for six months)	6-9-2011
Total Periods of Detention 30 years	

1



מדינת ישראל
שר הפנים

ד"ר חמור ורשימי
30 יוני 2006
2004-1590. 05

לכבוד
מר חסן מברוק, עו"ד
ארגון ערבלח
ת.ד. 510 שפרים
04-8663160. 05

חניון, תחלטה לפי סעיף 11א) לחוק המניסה לישראל -
מרשדו מר חאלד אבו ערסק ת.ד. 080199096

ביום 29 במאי 2006 חודשתי למרשדך כי אני שוקל לבטל את רשיון ישיבת הקבוצ שלו בישראל בהתאם לסמכותי לפי סעיף 11א) לחוק המניסה לישראל, תשי"ב-1952.

על יסוד כל המסקנות שפורסו בהודעותי האמורה, ולאחר ששוכנעתי כי ניתנת למרשדך תודמנות חזונה להשתמש טענותי נגד הכוונה לבטל את רשיון ישיבת הקבוצ שלו בישראל במשך 30 ימים ולא התקבל מסעמו כל מענה לטף הענין, מאי לא התקבלו הודעותי כי הוא התמסר כן הממשלון הפלסטינית, החלטתי לבטל את רשיון ישיבת הקבוצ של מרשדך בישראל מתוקף סמכותי דלעיל.

כפי שאניעמו במכתבי חקדט, ביסוד החלטה לבטול רשיון ישיבת טמדת חכרותו הטעלה של מרשדך בממשלתו המלטינית, חיושבת כרמאללה, מטעם ארגון החמאס והחיתו של מרשדך פזיל מרכזי במוסדות ארגון כרור החמאס.

חיות מרשדך חבר ממשלתו של רשות אתרת, ובנדואי של רשות המנייה פניענת עם ישראל, וזאת מטעם ארגון כרור אשר שם לו למטרה להילחם בישראל, מריות מנעשת שיש בו משום הכרת חיבת סמכותי למדינת ישראל כנושב חמדינה, וזאת לנוכח חרבת הנאמנות העליונה שהוא חב לרשות הכלטינית.

הניעבות אלה, טנת חפרת הנאמנות המוסת שברטת לעיל, החלטתי לשנות אינעו בשמכותי, ולבטל את רשיון ישיבת הקבוצ של מרשדך בישראל.


רוני כרמן

רוני קרמן 2, קרית בני מדיון, ירושלים 91950, טל. 02-6703400, פקס: 02-5666374

State of Israel

Interior Minister

To: Mr.(Adalah Corporation Solicitor) Date: 29th June 2006

Topic: Decision in accordance with Article 11(a) of the Law of Entry to Israel, regarding clients: Mr.(Mohammed Totah), identity number: 023472954, Mr. (Mohammad Abu Teir), identity number: 080393820 and Mr. (Ahmed Atoun) identity number: 023309552.

Date: 29th May 2006, I have informed the above-mentioned clients regarding the revoke of their return and residence in the State of Israel. This is according to the powers entrusted in Article 11(a) of the Entry Law to Israel 1952.

In the light of the arguments mentioned in my fore mentioned resolutions, and having reached the conviction that your clients have received an adequate opportunity to defend themselves against the decision to ban their stay in the State of Israel.

Including the 30 day appeal period which they did not appeal or challenge the decision in question. As well as not officially announcing their resignations from their work in the Palestinian Authority: I have therefore decided, using my legal powers, not to allow their return to and stay in Israel.

As I said in my previous letter, the reasons for this decision were due to the above-mentioned membership in the Palestinian Legislative Council based in the city of Ramallah as deputies for the terrorist group Hamas.

The fact that your clients are members of Parliament to another authority, and the fact that this power is in a state of hostility to the State of Israel, in addition to their activity in the organization which aims to fight the State of Israel, this means a breach of loyalty to the State of Israel, as they belong to the Palestinian Authority.

For all these reasons, especially clear breach of allegiance to the State of Israel, I decided to use my powers to cancel the residency in the State of Israel for the above- mentioned, and not allow them to return.

Interior Minister

Roni Bar-On

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מדינת ישראל
שר הפנים

ד"ר תמוז השישי
30 יוני 2006
2006-5539, טל.

לכבוד
מר חסן מברין, עו"ד
ארמון נדאלה
ה.ד. 510 שפרים
במסג. 04-9201160

**הנדון: החלטה לפי סעיף 4(א11) לחוק הכניסה לישראל -
מרישדו מר נחמנד שטוח ת.ז. 023472954, מר מאחמד אבו ניר ת.ז. 080392879,
מר מאחמד שטוח ת.ז. 023309932**

ביום 29 במאי 2006 תודעתי למרשיד כי אני שוקל לבטל את רישון הישיבה הקבע שלהם בישראל
בחתימה לסמכותי לפי סעיף 11(א) לחוק הכניסה לישראל, תשי"א-1951.
על יסוד כל הנימוקים שהנעו בהודעתו האמורה, וסאך שישמנעתי כי ניתנה למרשיד הודעת
חובת להעמיד טענותיהם נגד החלטה לבטל את רישון ישיבת הקבע שלהם בישראל במשך 30 ימים
ולא לתקבל טענותם כל טענה לגוף הענין, מפי לא החקירה תודעת כי הם התפטרו מן המועצה
הפלסטינית, והחלטתי לבטל את רישון ישיבת הקבע של מרשיד בישראל מנוקף טענותי ז'טניל.

כפי שציינתי במכתבי הודעם, ביסוד החלטה לביטול רישון הישיבה עומדת חברותם המיטלה של
מרשיד במעמדה הפלסטינית המתוקקת, הישיבה ברמאללה, מטעם ארגון החמאס, וזיהוים של
מרשיד פעילים מרכזיים במסודות ארמון טרור החמאס.
חיות מרשיד הברי פרלמנט של רשות אחרת, וכוחי של רשות המצויה בניסוח עם ישראל, והאת
מטעם ארגון טרור אשר יש לו למסדה להילחם בישראל, מתוחד מעשה איש בו מעשים הפרת חובת
טענותם לביטול ישראל בתושבי המדינה, והאת לביכה חובת המאמות העליונה שלהם תבוים
לרשות הפלסטינית.

בניכוח אלה, טיכה הפרת הטענות שנוקמה לעיל, החלטתי לעשות שימוש בסמכותי
ולבטל את רישון הישיבת הקבע של מרשיד בישראל.

ד"ר תמוז השישי

ד"ר קטל 2, קריית בן חורון, ירושלים 91950, טל: 02-4701400, מקסי: 02-5466376

12 210 192

State of Israel

Interior Minister

To: Mr.(.Adalah Corporation Solicitor) Date: 29th June 2006

Topic: Decision in accordance with Article 11(a) of the Law of Entry to Israel.

Your client:Mr Khaled Abu Arafa.

ID Number:080199094.

Date: 29th May 2006, I have informed the above-mentioned client regarding the revoke of his return and residence in the State of Israel. This is according to the powers entrusted in Article 11(a) of the Entry Law to Israel 1952.

In the light of the argument in my fore mentioned letter, and having reached the conviction that your client have received an adequate opportunity to defend himself against the decision to ban his stay in the State of Israel.

Including the 30 day appeal period in which he did not appeal or challenge the decision in question. As well as not officially announcing his resignations from the Palestinian government. I have therefore decided, using my legal powers, not to allow his return to and stay in Israel.

As I said in my previous letter, the reasons for this decision were due to the above-mentioned membership in the Palestinian government in the city of Ramallah as deputy for the terrorist group Hamas.

The fact that your client is member of government to another authority, and the fact that this power is in a state of hostility to the State of Israel, in addition to his activity in the organization which aims to fight the State of Israel, this means a breach of loyalty to the State of Israel, as they belong to the Palestinian Authority.

For all these reasons, especially clear breach of allegiance to the State of Israel, I decided to use my powers to cancel the residency in the State of Israel for the above- mentioned, and not allow him to return.

Interior Minister

Roni Bar-On



Arab Organisation for Human Rights In UK

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