

The system of Israeli apartheid laws

Israel racist system of laws is not limited to Israel’s internationally recognized territory, it is enforced in the entire territory under Israel’s jurisdiction or effective control, i.e. in Israel since 1948, and in the OPT since 1967.

It is extended into the OPT in several ways:

- Annexation *de jure* (e.g. East Jerusalem);
- Personal application of domestic law to Jewish settlers in the West Bank, and gradual extension to the settlements (‘creeping annexation *de facto*’);
- So-called “channeling”, i.e., incorporation of elements of Israel’s civil law into Israel’s military orders.

The table below shows the system of Israeli laws institutionalizing Israeli colonialism, Jewish-Israeli domination, and oppression of Palestinians, explaining the purpose and effect of Israeli laws and proving examples of relevant laws.

Purpose/effect of Israeli laws	Illustrative examples of relevant laws*
<p><i>Convey constitutional status to the system of laws presented below and the policies carried out on their basis (i.e., giving constitutional status to colonialism, racial domination and oppression) .</i></p>	<p><i>Basic Law: Israel – the Nation State of the Jewish People (2018):</i> providing, a.o., that ‘Eretz Israel’ (Israel and OPT) is the historic homeland of the Jewish people; that only the Jewish people can fulfill their right to self-determination in the State of Israel; that Jerusalem (including occupied East Jerusalem) is the capital of Israel; that Jewish settlements (in Israel and the OPT) are a national value and will be promoted and developed by the State. The law cancels the status of Arabic as an official language, and omits all mention of Israel as a democracy, of equality of its citizens, and of the existence of the Palestinian population.</p>
<p><i>Establish the claim of Israeli sovereignty in all of pre-1948 Palestine (Israel and OPT);</i></p> <p><i>Enable and regulate annexation of 1967 occupied Palestinian territory</i></p>	<p><i>Area of Jurisdiction and Powers Ordinance, No. 29 of 5708-1948;</i></p> <p><i>Law and Administration Ordinance, Section 11 B (27 June 1967) adopted for the annexation of occupied East Jerusalem;</i></p> <p><i>Legal and Administrative Matters (Regulation) Law (Consolidated Version) (1970), explaining how Israeli laws are to be applied in East Jerusalem; permitting claims for pre-1948 Jewish property in East Jerusalem but not claims for pre-1948 Palestinian property in West Jerusalem;</i></p>

	<p><i>Basic Law: United Jerusalem, Capital of Israel</i> (1980); <i>Law on the Regularization of Settlement in Judea and Samaria</i> 5777-2017 (6 February 2017).</p>
<p><i>Grant superior “Jewish nationality” to Israel’s Jewish population;</i></p> <p><i>Define Israel as the state of the” Jewish people”; protect the “Jewish character” of the state from political and legal challenges</i></p>	<p><i>Law of Return</i> (1950) and <i>Israeli Citizenship Law</i> (1952): granting every Jew in Israel, the OPT and abroad, the superior status and rights of Jewish nationals of Israel, including the rights to immigrate with their families and automatic citizenship;</p> <p><i>World Zionist Organization-Jewish Agency "Status" Law</i> (1952);</p> <p><i>Basic Law: The Knesset</i> (1958), Section 7A: providing, a.o., that Israel is a “Jewish state”, allowing exclusion from parliamentary elections of political parties that challenge this principle;</p> <p><i>Basic Law: Human Dignity and Liberty</i> (1992) limiting fundamental human rights, including the right to equality, with the proviso that these must be in conformity with the values of Israel as a “Jewish and democratic state”</p>
<p><i>Confer different, always inferior, status and rights in the country to Palestinian populations</i></p>	<p><i>Israeli Citizenship Law</i> (1952):</p> <ul style="list-style-type: none"> • Depriving (descendants of) Palestinian refugees of legal status, the right to return and all other rights in their country; • Defining Palestinians present in Israel as “Israeli citizens” without a nationality and group rights; <p><i>Entry into Israel Law</i> (1952) and <i>Entry into Israel Regulations</i> (1974): defining Palestinians in occupied East Jerusalem as “permanent residents” without a legal right to stay, return or unite with family members;</p> <p><i>Military orders</i> (since 1967): defining Palestinians elsewhere in the OPT as “residents of the Palestinian authority” or “residents of a hostile entity” (Gaza);</p> <p><i>Citizenship and Entry into Israel Law</i> (2003, as amended in 2007): prohibiting the grant of residency through family unification in Israel and occupied East Jerusalem to spouses and children from the West Bank, Gaza Strip and designated Arab countries.</p>

<p><i>Enable irreversible appropriation of Palestinian land and property by and for the “Jewish state” and the “Jewish people”</i></p>	<p><i>Absentees’ Property Law (1950),</i></p> <p><i>Development Authority (Transfer of Property) Law (1950);</i></p> <p><i>Land Acquisition for Public Purposes Ordinance (1943, incorporated British Mandate law);</i></p> <p><i>Land Acquisition (Validation of Acts and Compensation) Law (1953);</i></p> <p><i>Keren Kayemet Le-Israel/JNF Law (1953);</i></p> <p><i>Covenant with Zionist Executive (1954); Basic Law: Israel Lands (1960);</i></p> <p><i>Israel Land Administration Law (1960); Israel Land Administration (Land Reform) Law (2009)</i></p>
<p><i>Restrict development, enable destruction of Palestinian homes and communities</i></p>	<p><i>National Planning and Building Law (1965), and associated laws pertaining to planning, zoning and construction.</i></p>
<p><i>Enable persecution of those opposing colonialism, Jewish-Israeli domination and oppression of Palestinians (attacks against right to life and physical liberty, fair trial rights, freedoms of expression, association, assembly and movement)</i></p>	<p><i>State of Emergency (1948; still in force);</i></p> <p><i>Defense (Emergency) Regulations (1945);</i></p> <p><i>Prevention of Terrorism Ordinance (1948); Combatting Terrorism Law (2016);</i></p> <p><i>Nakba Law (2011);</i></p> <p><i>Anti-Boycott Law (2011);</i></p> <p><i>Foreign Government Funding Law (2011);</i></p> <p><i>NGO Transparency Law (2016);</i></p> <p><i>Entry into Israel Law - Amendment No. 27: Denying a Visa and Residency Permit for Advocates of Boycotting Israel (2017)</i></p>
<p>For more detail about these and other relevant Israeli laws, see: Adalah, “Discriminatory Laws Database”</p>	