

URGENT ACTION

JERUSALEMITE JOURNALIST AT RISK OF DEPORTATION

Since 22 January 2019, Palestinian photojournalist Mustafa al-Kharouf has been arbitrarily detained at Givon prison in Ramle, in central Israel. His arrest came after the Israeli Ministry of Interior Affairs denied his request for a family unification with his wife and child and, ordered his immediate deportation to Jordan. Mustafa al-Kharouf has been living in East Jerusalem, without legal status, since 1999. He is at risk of being forcibly deported at any time. Mustafa al-Kharouf is a photojournalist at Anadolu Agency and has been covering human rights violations by the Israeli forces in East Jerusalem.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Aryeh Makhoul Deri
Minister of Interior Affairs
2 Kaplan Street
PO Box 6158
Kiryat Ben-Gurion
Jerusalem, 91061, Israel
Fax: + 972 2 670 1628
Email: sar@moin.gov.il

Dear Minister Aryeh Deri,

On 22 January 2019, the Israeli Ministry of Interior Affairs ordered the expulsion to Jordan of Palestinian photojournalist Mustafa al-Kharouf, after denying his request for a family unification. Mustafa al-Kharouf, 32, was born in Algeria to a Palestinian father and has lived in East Jerusalem with his family since the age of 12. He is now married to Tamam al-Kharouf, a resident of East Jerusalem. Mustafa al-Kharouf has been held in detention at Givon prison, located in Ramle in central Israel, for over 70 days and risks being be forcibly deported.

Mustafa al-Kharouf works as a photojournalist for Anadolu Agency and has been reporting on human rights violations committed by Israeli forces. Amnesty International fears that Mustafa al-Kharouf's arbitrary detention and the decision to forcibly deport him are intended to stop him from carrying out his journalistic work. In any event, his deportation from East Jerusalem would violate the Fourth Geneva Convention, to which Israel has been a state party since 1951. We are extremely concerned that if Mustafa al-Kharouf is expelled to Jordan, where he has no legal status, he will remain stateless and be separated from his family. As a Palestinian Jerusalemite, Mustafa al-Kharouf has a temporary Jordanian travel document that does not entitle him to Jordanian citizenship or residency rights, but at most to a short stay in Jordan.

I urge you to immediately release Mustafa al-Kharouf from Givon prison, and, in line with Israel's obligations under the Fourth Geneva Convention, ensure that he can remain safely in his home by granting him permanent residency status in East Jerusalem.

Yours sincerely,

**AMNESTY
INTERNATIONAL**



ADDITIONAL INFORMATION

Mustafa al-Kharouf is a 32-year-old Palestinian photojournalist, who was born to an Algerian mother and a Palestinian Jerusalemite father. He lives in occupied East Jerusalem with his wife Tamam al-Kharouf and 18-months-old daughter Asia. He had moved to East Jerusalem with his family from Algeria when he was 12.

Soon after the family returned to East Jerusalem they applied for family unification requests with Israeli authorities that would give them a legal status to reside in the city. However, they were subjected to the “center of life” condition that the Israeli authorities have applied in a discriminatory manner to Palestinian Jerusalemites since 1988, which requires them to prove that they maintain a “centre of life” in the city in order to safeguard their legal status. Al-Kharouf’s family had to wait six years before meeting that condition. By the time they met the condition, Mustafa al-Kharouf had turned 18, and his family was unable to submit an application for child registration or family unification on his behalf, rendering him stateless.

Since then, Mustafa al-Kharouf started a long legal battle with the Israeli Ministry of Interior Affairs trying to validate his legal status in East Jerusalem without positive results. He has a temporary Jordanian travel document, which Jordan issues for stateless Palestinians living in East Jerusalem, and a B\1 work visa that was granted to him on humanitarian basis and was only valid from 27 October 2014 until 1 October 2015. In December 2015, Mustafa al-Kharouf was informed that the committee that grants visas on humanitarian grounds within the Ministry of Interior was considering rejecting the request for another visa extension based on secret information provided to them by the Israeli Security Agency.

In June 2016, Mustafa al-Kharouf received a response that the Ministry of Interior refused to renew his B\1 work visa for “security reasons.” His lawyer, Adi Lustigman, from the Israeli human rights organization Hamoked, believes the ministry’s rejections is related to his work as a photojournalist documenting human rights abuses committed by the Israeli authorities in East Jerusalem. In May 2017, Mustafa al-Kharouf’s lawyer filed an appeal to the Court of Appeals challenging the decision. After negotiations, the Ministry of Interior allowed him to submit an application for family unification and to stay at his home in East Jerusalem until a decision is made. However, the Ministry of Interior rejected his application for family unification on 23 December 2018. The decision, according to his lawyer, is based on an unsupported claim that Mustafa al-Kharouf is an activist with Hamas, a Palestinian political movement with an armed wing that is banned by Israel, and that he is engaged in illegal activity.

On 21 January 2019, Mustafa al-Kharouf’s lawyer appealed the decision rejecting the family unification request, but a few hours later, at approximately 1:00 am on 22 January 2019, Israeli police and immigration inspectors, acting on a Ministry of Interior Affairs order to deport Mustafa al-Kharouf, raided his home and arrested him. He has been held in Givon prison in the Naqab in southern Israel since. On 3 April, an Israeli District Court rejected Mustafa al-Kharouf’s appeal regarding the family unification request. The court gave an interim order not to deport him so he is able to take his case to Israel’s High Court. He has until 5 May to do so otherwise Mustafa al-Kharouf will be at an imminent risk of being forcibly deported to Jordan.

After the 1967 war, Israel illegally annexed East Jerusalem. Following the annexation, Israel conducted a census and granted permanent residency status to Palestinians living in the occupied areas but only if they were present at the time of the census. Since then, Israel has revoked the residency status of at least 14,600 Palestinians from East Jerusalem, according to Israel’s Ministry of Interior Affairs.

Under international law, East Jerusalem is considered an integral part of Occupied Palestinian Territories and therefore its Palestinian population is protected by the 1949 Fourth Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War. Israeli authorities are prohibited from forcibly transferring or deporting Palestinian residents of East Jerusalem. Israel’s decision to deport Mustafa al-Kharouf clearly violates Article 49 of the Fourth Geneva Convention, which prohibits the deportation of protected persons from an occupied territory. Under the Rome Statute of the International Criminal Court “the deportation or transfer [by the Occupying Power] of all or parts of the population of the occupied territory within or outside this territory” constitutes a war crime.

PREFERRED LANGUAGE TO ADDRESS TARGET: Hebrew, English, or Arabic.
You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 17 May 2019
Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Mustafa al-Kharouf (him\his)

ADDITIONAL TARGETS

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR MARK REGEV, Embassy of Israel, 2 Palace Green Kensington W8 4QB, 020 7957 9500, info@london.mfa.gov.il <https://embassies.gov.il/london/Pages/default.aspx> Please check with your section before sending appeals after the above date.

Please note that the automatic reply received from the Minister's email is a confirmation to let you know that your email will be shared with relevant bodies.