



COI QUERY

Country of Origin	ISRAEL
Main subject	Israel legislation regarding acquisition of citizenship/nationality, and permanent residency
Question(s)	<ol style="list-style-type: none">1. What is the national legislation regarding acquiring Israeli nationality for a person whose parents have Israeli nationality?2. What is the official national procedure for acquiring and/or re-acquiring permanent residence status in Israel, for a person whose parents have Israeli nationality?
Date of completion	27 May 2021
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The target audience is caseworkers, COI researchers, policymakers, and decision-making authorities. The answer was finalised on 27 May 2021. Any event taking place after this date is not included in this answer.

COI QUERY RESPONSE - Israel

National legislation regarding acquisition of Israeli citizenship, and of permanent residence status

1. Acquisition of Israeli nationality by a person whose parents have Israeli nationality

Provisions relevant to the acquisition of Israeli nationality can be found in the Nationality Law 5712-1952. According to Section 1, Israel nationality can be acquired by return, by residence in Israel (applying to Palestinian citizens), by birth, or by naturalisation.¹

Regarding gaining **Israel nationality by naturalisation**, according to section 5 of the Nationality Law 5712-1952:

“5.

(a) A person of full age, not being an Israel national, may obtain Israel nationality by naturalisation if -

(1) he is in Israel; and

(2) he has been in Israel for three years out of five years proceeding the day of the submission of his application; and

(3) he is entitled to reside in Israel permanently; and

(4) he has settled, or intends to settle, in Israel, and

(5) he has some knowledge of the Hebrew language, and

(6) he has renounced his prior nationality or has proved that he will cease to be a foreign national upon becoming an Israel national.

(b) Where a person has applied for naturalisation, and he meets the requirements of subsection (a), the Minister of the Interior, if he thinks fit to do so, shall grant him Israel nationality by the issue of a certificate of naturalisation.

(c) Prior to the grant of nationality, the applicant shall make the following declaration:

"I declare that I will be a loyal national of the State of Israel."

(d) Nationality is acquired on the day of the declaration.”²

Regarding **Exemptions from conditions of naturalisation**, according to section 6 of the Nationality Law 5712-1952:

“6.

(a)

(1) A person who has served in the regular service of the Defence Army of Israel or who, after the 16th Kislev, 5708 (29th November 1947) has served in some other service which

¹ Israel, Nationality Law 5712-1952, 1952, [url](#), p. 1

² Israel, Nationality Law 5712-1952, 1952, [url](#), p. 2

the Minister of Defence, by declaration published in Reshumot, has declared to be military service for the purpose of this section, and who has been duly discharged from such service; and

(2) a person who has lost a son or daughter in such service, are exempt from the requirements of section 5 (a), except the requirement of section 5 (a) (4).

(b) A person applying for naturalisation after having made a declaration under section 2 (c) (2) is exempt from the requirement of section 5 (a) (2).

(c) A person who immediately before the establishment of the State was a Palestinian citizen is exempt from the requirement of section 5 (a) (5).

(d) The Minister of the Interior may exempt an applicant from all or any of the requirements of section 5 (a) (1), (2), (5) and (6) if there exists in his opinion a special reason justifying such exemption.”³

Regarding **Naturalisation of husband and wife**, according to Section 7 of the Nationality Law 5712-1952:

“7. The spouse of a person who is an Israel national or who has applied for Israel nationality and meets or is exempt from the requirements of section 5 (a) may obtain Israel nationality by naturalisation even if she or he is a minor or does not meet the requirements of section (5) (a).”⁴

Regarding **Naturalisation of Minors**, according to Section 8 of the Nationality Law 5712-1952:

“8. Naturalisation confers Israel nationality also upon the minor children of the naturalised person.”⁵

Regarding the **Grant of Nationality to Minors**, according to Section 9 of the Nationality Law 5712-1952:

“9.

(a) Where a minor, not being an Israel national, is an inhabitant of Israel, and his parents are not in Israel or have died or are unknown, the Minister of the Interior, on such conditions and with effect from such day as he may think fit, may grant him Israel nationality by the issue of a certificate of naturalisation.

(b) Nationality may be granted as aforesaid upon the application of the father or mother of the minor or, if they have died or are unable to apply, upon the application of the guardian or person in charge of the minor.”⁶

2. Acquisition and extension of permanent residency by a person whose parents have Israeli nationality

Information regarding the official national procedure for acquiring and/or re-acquiring permanent residence status, specifically for persons whose parents are citizens of Israel, could not be found

³ Israel, Nationality Law 5712-1952, 1952, [url](#), pp. 2-3

⁴ Israel, Nationality Law 5712-1952, 1952, [url](#), p. 3

⁵ Israel, Nationality Law 5712-1952, 1952, [url](#), p. 3

⁶ Israel, Nationality Law 5712-1952, 1952, [url](#), p. 3

within the time constraints for researching and drafting this COI Query Response. Nonetheless, the following information could be relevant for the purpose of this query.

General provisions regarding residence in Israel can be found in the Entry into Israel Law 5712-1952.

According to section 2(a)(4) of the Entry into Israel Law 5712-1952, ‘the Minister of the Interior may grant [...] a visa and permit of permanent residence.’⁷

According to section 4 of the Entry into Israel Law 5712-1952, the ‘Minister of the Interior may substitute for a permit of residence of a shorter-term category a permit of residence of a longer-term category or a permit of permanent residence.’⁸

The exact criteria that a person must meet to gain a permanent residence permit are not stated in the Entry into Israel Law 5712-1952. According to the website of the Government of Israel, in order to apply for, or to extend a permanent residence permit, a person must submit documents ‘from a local authority proving that Israel’ is that person’s ‘main place of living’.⁹

According to a report by Human Rights Watch, permanent residence status derives from a foreigner’s presence in Israel, and ‘can be revoked at the Interior Ministry’s discretion’.¹⁰

According to the website of Cohen, Decker, Pex & Brosh, an Israel-based law firm,

“the conditions for Israeli permanent resident status expiration / Israeli permanent residence cancellation – which are specified in the law – include settling permanently outside of Israel for a period of seven years, receiving permanent status in another country, or receiving citizenship in another country after going through a naturalization process.”¹¹

According to the website of Dotan Cohen, an Israel-based law firm,

“the Law of Entry to Israel, which determines the entry and stay of foreigners, details rare cases of eligibility for permanent residence. In fact, in most cases persons who are eligible for permanent residency are spouses and partners of Israeli citizens, or single elderly parents of Israeli citizens. At times, permanent residence is given for humanitarian reasons, yet it is rare.”¹²

⁷ Israel, Entry into Israel Law 5712-1952, 1952, [url](#), p. 1

⁸ Israel, Entry into Israel Law 5712-1952, 1952, [url](#), p. 2

⁹ Israel, Government of Israel, Extend a temporary or permanent residence permit or change a visa category, last updated 14 April 2021, [url](#)

¹⁰ Human Rights Watch, A Threshold Crossed Israeli Authorities and the Crimes of Apartheid and Persecution, 27 April 2021, [url](#)

¹¹ Joshua Pex, Israeli Permanent Residence Cancellation – When Is the Ministry of Interior Entitled to Cancel Permanent Resident Status for an Israeli?, n.d., [url](#)

¹² Dotan Cohen Law Offices, Immigration to Israel and Israeli Citizenship, n.d., [url](#)

SOURCES USED

Dotan Cohen Law Offices, Immigration to Israel and Israeli Citizenship, n.d., <https://www.visa-law.co.il/en/immigration-to-israel-and-israeli-citizenship/>, accessed 21 May 2021

Human Rights Watch, A Threshold Crossed Israeli Authorities and the Crimes of Apartheid and Persecution, 27 April 2021, https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution#_ftn370, accessed 21 May 2021

Israel, Government of Israel, Extend a temporary or permanent residence permit or change a visa category, last updated 14 April 2021, https://www.gov.il/en/service/request_for_permanent_residency, accessed 21 May 2021

Israel, Entry into Israel Law 5712-1952, 1952, https://sherloc.unodc.org/cld/uploads/res/document/law-no--5712-1952--entry-into-israel-law_html/Entry_Into_Israel_1952.pdf, accessed 21 May 2021

Israel, Nationality Law 5712-1952, 1952, [https://data.globalcit.eu/NationalDB/docs/Isreal%20Nationality%20Law%20\(amended\).pdf](https://data.globalcit.eu/NationalDB/docs/Isreal%20Nationality%20Law%20(amended).pdf), accessed 21 May 2021

Joshua Pex, Israeli Permanent Residence Cancellation – When Is the Ministry of Interior Entitled to Cancel Permanent Resident Status for an Israeli?, n.d., <https://lawoffice.org.il/en/israeli-permanent-residence-cancellation/>, accessed 21 May 2021

SOURCES CONSULTED

Israel, Ministry of Foreign Affairs, Acquisition of Israeli Nationality, 1 January 2010, <https://mfa.gov.il/MFA/AboutIsrael/State/Pages/Acquisition%20of%20Israeli%20Nationality.aspx>, accessed 21 May 2021

Refugee Documentation Centre of Ireland, Israel - Citizenship laws and residency rights, 16 August 2010, <https://coi.easo.europa.eu/administration/ireland/PLib/94654.pdf>, accessed 21 May 2021

Refugee Documentation Centre of Ireland, Israel – Information on Israeli citizenship, 27 May 2009, <https://coi.easo.europa.eu/administration/ireland/PLib/94641.pdf>, accessed 21 May 2021

Yossi Harpaz, Ben Herzog, Report on Citizenship Law: Israel, June 2018, https://cadmus.eui.eu/bitstream/handle/1814/56024/RSCAS_GLOBALCIT_CR_2018_02.pdf?sequence=1, accessed 21 May 2021