

**Expansion of
Basic Law: Referendum -
Exclusion of Palestinians**

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SUMMARY

In the coming days, MK Zvi Hauser is expected to submit a proposal for the amendment of Basic Law: Referendum to henceforth state that a withdrawal from Israeli sovereignty will require approval in a referendum (or a majority of 80 MKs), in order to apply it to relinquishing territories in the West Bank. According to this law, only citizens eligible to vote in the general election will be able to participate in the referendum.

In addition to the constitutional problems inherent in it, this basic law represents a serious human rights violation in that it ***negates the fundamental right to vote from over 2.5 million Palestinians in the West Bank who will not be able to have a say on a crucial matter affecting their lives.*** This exacerbates the violation contained in the current version of the law, which denies the same right from the permanent Palestinian residents of East Jerusalem who are not eligible to vote in the general election and are therefore unable to participate in a referendum on transferring East Jerusalem to a different political entity.

In light of the many difficulties arising from Israel's use of the referendum tool, we at Zulat for Equality and Human Rights propose two legislative initiatives addressing constitutional and substantive aspects:

1. Repealing Basic Law: Referendum; or alternatively:
2. Amending the law to enable permanent residents of the area affected by it to participate and vote in the referendum.