



HAMOKED

המוקד להגנת הפרט

Center for the Defence of the Individual

هموكيد - مركز الدفاع عن الفرد

Date: March 3, 2011

Please cite 68316 in response

To:
Ms. Mali Davidian
The Population, Immigration
and Border Authority
6 Mesilat Yesharim Street
Jerusalem 94584

**By registered mail with
delivery confirmation**

Dear Ms. Mali Davidian,

Re: **Revocation of Residency Status of Permanent Residents in Jerusalem**

I hereby apply to you on behalf of HaMoked: Center for the Defence of the Individual, which works, inter alia, on issues relating to the status of the East Jerusalem residents. The information requested below concerns data on the revocation of residency status of permanent residents in East Jerusalem in the year 2010.

We request the following data:

1. In the year 2010, how many East Jerusalem residents were deprived of their permanent residency status?
 - a. how many of them were women?
 - b. how many of them were minors?

2. In the year 2010, what were the causes for residency revocations, under Regulation 11a of the Entry into Israel Regulations, 5734-1974? And more specifically:

- a. In 2010, in how many cases was the revocation based on an absence from Israel for seven years at least? Of these, how many were cases of minors?
- b. In how many cases was the revocation based on the acquisition of a permanent residency permit in a foreign country? Of these, how many were cases of minors?
- c. In how many cases was status revocation based on the acquisition of foreign citizenship? Of these, how many were cases of minors?

If a breakdown for these questions is unobtainable, please explain the reason.

3. We request also the following breakdown data about the above causes for revocation:
 - a. How many residents were deprived of their status based on **one cause only** of the causes stated above, and what was the cause in each case?
 - b. How many residents were deprived of their status based on **more than one cause** of the causes stated above and what were the causes in each breakdown?
4. Regarding status revocation based on an absence from Israel for seven years at least:
 - a. Was status revoked based on absence from Israel for more than seven years, also if the person returned for visits in the country within the validity of the laissez passer or exit card during these years? If so, in how many cases?
 - b. According to you, does "an absence from Israel for over seven consecutive years" mean that the resident concerned **never entered Israel during those years**? To rephrase, does a single entry into Israel, however brief, suffice to stop the seven year count? If the answer to the last question is negative – **what is the duration of staying in Israel in result of which the seven year count is stopped and "the counting is restarted"**?
5. Regarding the revocation of status based on the reception of a permit of permanent residency in a foreign country:
 - a. Before revoking the residency status in Israel, does the Ministry of Interior ascertain whether the resident was deprived of his other residency status (in the foreign country)? For example, before revoking the Israeli status of a

resident who obtained a green card for the USA, does the Ministry of Interior ascertain whether his green card is still valid and was not revoked by the immigration authorities of the USA?

- b. If so, what is the process for inquiring the validity of the permit of permanent residency in the foreign country? Is this process established as a procedure?
 - c. Does the Ministry of Interior ascertain whether the resident acquired his foreign residency status while he was a minor?
6. Regarding the revocation of status based on the acquisition of foreign citizenship, does the Ministry of Interior ascertain whether the resident acquired his foreign citizenship while he was a minor? If so, by what process? Is this process established as a procedure?
7. Regarding the residency revocation process:
- a. The notice of the interior ministry to the person whose residency allegedly "expired", is it a **final notice** of the decision to revoke his status, or is it a **notice of the intent** to revoke status? To how many were such notices served? Please send an example of such a notice.
 - b. Regardless of whether the notice is **final** or of the **intent** to revoke the person's residency status, is the resident informed at any stage that he may file an objection against the decision? If so, at what stage is he so notified?
 - c. Does the notice inform the resident the reason or reasons on which the residency revocation was based, under the Entry into Israel Regulations?
 - d. Do you supply the resident with any information beyond the revocation grounds, such as, how you determined he should be deprived of residency?
 - e. Of the residents whose status was designated for revocation in 2010 (that is, the data requested in article 1 above): how many applied to the Ministry of Interior to appeal against the decision following the revocation notice?
 - f. Of the residents whose status was designated for revocation in 2010 (that is, the data requested in article 1 above): in how many cases was an oral hearing held in the interior ministry? Was the oral hearing held before or after the notification (this, regardless of whether the decision is final or a decision on the intent to revoke)?

- g. In the cases where no hearing was: what were the reasons for this?
 - h. Is it possible to appeal the decision accepted after the hearing?
 - i. In how many cases was the decision overturned following the **hearing**? In how many was the decision overturned following the **objection**? In how many was the decision overturned following a **petition to the court**?
 - j. According to the procedure of the Ministry of Interior: what date is entered in the population registry as the date of revocation (the entry date of the information leading to the revocation decision? The date on which the Ministry of Interior notified the resident of the intent to revoke his status? The date on which a final decision of revocation was made – that is, following an objection or the opportunity to object)?
8. Regarding residency reinstatement:
- a. In 2010, how many Jerusalem residents regained their status? In what year was each resident deprived of his status, and in what year did he apply to have his residency reinstated?
 - b. In each case, what were the grounds for reinstatement?
 - c. Is there a set process for reinstating residency? What is the process? Is it established as an interior ministry procedure? Does it involve the payment of a fee?
 - d. In how many of these cases was status reinstated following an oral hearing in the interior ministry?
 - e. In how many of these cases was status reinstated following the filing of an objection to the Ministry of Interior?
 - f. In how many of these cases was status reinstated following a petition to the court?
9. In 2010, how many East Jerusalem residents were deprived of their status while **they were outside Israel**? Regarding these residents, is there a set process under which they can appeal to the Ministry of Interior against the decision to revoke their status, while they are outside Israel? What is the process? Is the process established as a procedure? More specifically, is there a set process for holding hearings for these residents? We request a detailed explanation.

10. How many residents, whose status had been revoked, were denied entry due to the revocation while attempting to return to Israel?
11. In 2010, how many residents were deprived of status for residing in the seam zone (in between the separation wall and the green line)?
12. In 2010, how many residents were deprived of status for residing in the Occupied Palestinian Territories?
13. I would appreciate your prompt reply.
14. Attached is a check in sum of NIS 95 payable to the comptroller of the Ministry of Interior. **Please send a receipt of payment promptly.**

Respectfully,

Noa Diamond, Adv.

cc:

Ms. Hagit Weiss – Director, East Jerusalem Population Administration Bureau
Adv. Daniel Solomon, Legal Advisor, the Ministry of Interior