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Director General

State of Israel

Population and Immigration
Authority

**Decision of the Inter-ministerial Committee on the Grant of
Status for Humanitarian Reasons**

Name: _____ S and the Minor _____ G

Committee's File No.: 27

Bureau: East Jerusalem

Date: March 25, 2015

Nature of Application: Grant of status for humanitarian reasons

Appeal 1260-14 Adv. Tali Mor

1. On October 10, 2001, the minor _____ G (hereinafter: the **minor**) was born at Assaf Harofeh hospital to Mrs. N. _____ an inmate at Neve Tirza prison and a resident of the Area who was serving time in prison for stabbing her boyfriend. After her son was born Mrs. _____ continued to serve her sentence in prison. The minor was raised by his mother in prison until 2003, when his mother completed her sentence.
2. Upon her release from prison the biological mother moved to the home of her the boyfriend (H_____) together with the minor. Shortly thereafter the minor's mother abandoned him and left him with her then boyfriend. Due to difficulties encountered by the boyfriend in raising the minor, the latter was consensually taken from his possession after a short period, and was placed by the welfare authorities in foster care with the spouses S. _____ and _____ (the appellants in appeal 1260-15). A paternity test which was made showed that the boyfriend was not the father of the minor. The above spouses were appointed on May 28, 2012, in a proceeding held before the Jerusalem family court (Family Case 51885-05-12), as the guardians of the minor by the Jerusalem family court.
3. The legal status of the minor in Israel has never been arranged and he was left stateless by the Palestinian Authority as well as by Israel.
4. On July 9, 2014, a report was prepared by a social worker under the Child Adoption Law, which substantially stated as follows:

"... the minor _____ was born to a mother, resident of the Area, who served a three year sentence at Neve Tirza prison having stabbed her boyfriend. The minor has not been registered with the Israeli population registry although he was born at Assaf Harofeh hospital. The prison service at Neve Tirza failed to register him with the population registry like all other births in Israel.

The minor was born in prison where he was raised until he was one and a half years old. On April 10, 2003, the mother was released and [moved] with the minor from prison to the apartment of her boyfriend in Jerusalem. A few weeks later she abandoned him and disappeared. Her boyfriend who is not his biological father raised him until June 24, 2003, when he was placed in foster care in East Jerusalem.

The minor has ever since been raised by the foster parents who were very devoted to him but were not interested in legal adoption.

No one took any interest in the minor ever since he was placed in foster care, and the minor regarded and currently regards the foster parents as his family for all intents and purposes. It is important to note that the minor and his family maintain daily life in Jerusalem and have never left Israel...".

In addition, a letter which was sent to the Director General of the authority on August 9, 2012, stated that the relations with the minor's biological mother were severed and that the attempts of the welfare services to locate her failed.

5. On January 22, 2014, Mrs. S. _____ - the foster parent was interviewed, which interview indicated that:
 - The minor has no family. The minor has been under the custody of the guardians ever since he was one and a half years old. He has no document attesting to his existence.
 - To date he is 12.6 years old.
 - The guardians have never met the minor's biological parents. His mother does not know him and have never seen him.
6. His matter is transferred for the review of the inter-ministerial committee according to the decision of the person in charge of visas and foreigners division.

Enclosures:

The interview with Mrs. S. _____ dated January 22, 2014.

A psycho-diagnostic report regarding the minor _____ G.

The report of the social worker under the Child Adoption Law.

The appeal including application and exhibits.

The recommendation of the members of the committee to the chair of the committee:

Having thoroughly reviewed the application and its many enclosures, according to the entire circumstances presented, and having taken into account all considerations, our recommendation is to grant the applicant A/5 temporary residency status.

The decision of the Director General of the Population and Immigration Authority and chair of the committee:

Having thoroughly reviewed the application and in view of the specific c circumstances of the case at hand, I decided to accept the recommendation of the members of the committee and approve for the applicant, at this stage, a two year A/5 temporary residency status. Upon the termination of said period we shall consider an upgrade to a permanent [status] according to the circumstances.

(signed)

Amnon Ben Ami

Director General, Population and Immigration Authority