



Azmakneh Mahmud a-Traireh and her children: Fatma, Shadiyeh, Tahani, Salem, and Sara'a.

Restoration of Residency Revoked by Israel

Upon transfer to the PA in November 1995 of the power to issue documents to exit the Occupied Territories, the limitations on the length of time Palestinian residents of the Occupied Territories are allowed to remain abroad were revoked. Also nullified was the power of Israel to revoke residency on the grounds that the resident had stayed abroad.²⁰⁹ Furthermore, the Latecomers Committee, which handled Palestinian requests to reinstate their residency, was abolished.²¹⁰

Regarding Palestinians who had previously lost their residency in the Occupied Territories, the Interim Agreement provides that, "A Joint Committee will be established to solve the reissuing of identity cards to those residents who have lost their identity cards."²¹¹ The handling of applications that had been submitted

209. Khalid Salim so informed B'Tselem in February 1997.

210. The committee, operated by the Civil Administration, was abolished pursuant to art. I(5) of chap. 1 of the Interim Agreement, which stated that the Civil Administration would be abolished; however, the Civil Administration continues to operate.

211. Art. 28(3) of Annex 1, Appendix III of the Interim Agreement.

to the Latecomers Committee prior to the transfer of powers and were not handled was frozen until establishment of the joint committee.²¹²

Because of the dispute between the parties negotiating this issue, no decision was reached on restoration of residency. At first, Israel argued that the purpose of the committee was to discuss only the printing of new identity cards to replace those that Palestinian residents of the Occupied Territories had physically lost, while the Palestinian side maintained that the purpose was to restore residency status.²¹³ Now the parties are disputing how to classify persons entitled to restoration of residency, in accordance with the year in which their residency status was revoked.²¹⁴

The delay in arranging the return of 100,000 Palestinians whose residency was revoked perpetuates family separation because many of them have relatives who live in the Occupied Territories.

C. Bureaucracy-Related Problems

The Oslo Accords and their manner of implementation grant Israel supremacy over the PA. In almost every area related to family unification, the PA is not empowered to make decisions without Israeli approval. Therefore, the Palestinian DCLs only provide a link between Palestinians and the Israeli authorities. The PA's activities are limited to receiving requests from Occupied Territories residents (through the PA Ministry of the Interior), forwarding them to the Israeli DCLs, receiving answers from the latter, and passing them on to the residents. The Palestinian side of the CAC is allowed to call for a reconsideration of

212. Stated, for example, in a letter of 3 December 1995 from Lt. Oren Namani, of the office of the legal advisor of the Civil Administration in the West Bank, to attorney Leah Tsemel.

213. On 3 June 1996, Khalid Salim so informed the Coalition for Family Unification. Israel's position contradicted letters sent previously by the office of the legal advisor of the Civil Administration in the West Bank, such as: "... It was agreed that a joint Israeli-Palestinian committee would be established in order to solve problems of renewing identity cards of residents who had lost their residency" (letter of 9 January 1996 from Lt. Oren Namani, acting head of the legal department, in the name of the legal advisor of the Civil Administration in the West Bank, to attorney Leah Tsemel).

214. HaMoked and B'Tselem were so informed on 25 March 1998 by a senior official of the PA.