

# Education

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Through handling cases of registration of children, HaMoked has discovered families that are not registered anywhere. These are families where the mother is a resident of Jerusalem and the father of Jordan, the West Bank or elsewhere, and the children are registered either on the father's identity card – even though they are in fact living with their mother in Jerusalem – or are simply not registered anywhere. In either case, these children are not being accepted in the Jerusalem municipal school system. For such children, compulsory education does not exist; the international **Convention on the Rights of the Child**, ratified by Israel in 1991, which talks about a right to education, has no meaning for them.

Responsibility for education in Jerusalem lies with the Municipal Department of Education. A letter dating from 1992 addressed to ACRI from the Assistant to the Municipality's Legal Adviser states that the municipality recognizes its legal duty, together with the state, concerning compulsory education of children residing within the city boundaries in official educational institutions, and states that the municipality fulfills its obligations as regards that duty. In a second letter, dated 1994, the Officer in Charge of the Arab sector in the Jerusalem Municipality Department of Education informed HaMoked that as far as pupils resident in Jerusalem are concerned, whether they have an identity card from Jerusalem or the West Bank, the municipality does not dispute its obligation to accept them in the municipal schools. As regards fees to be paid by such pupils, this would be handled by the Legal Adviser to the Municipality.

Despite these letters, during 1994 it has come to HaMoked's attention that many children are not in practice being accepted in municipal schools and we are having to fight over each case. Currently there are many cases in the hands of the Legal Adviser to the municipality awaiting a decision concerning fees. She is now demanding to know the status of these children. In our view, the same criteria that are relevant for National Insurance purposes should be applied as regards education, and acceptance in municipal schools should not depend upon registration in the Ministry of Interior (a process which is lengthy and in the meantime can lead to lost education time).

The Ministry of Interior requests documentation regarding where the children go to school as one of the pieces of evidence required of applicants for permanent residency in Jerusalem in order to prove actual residence, whether for children or for adults. At the same time, however, the school system tells the parents that if their children are not registered in Israel or with the Ministry of Interior, they cannot be accepted in the school system. As a result of such refusals and of the prohibitive cost of the private schools, some are forced to send their children to schools in the West Bank on the outskirts of Jerusalem, which then in turn leads the Ministry of Interior to point to this as proof that their center of life is not in Jerusalem.

A recent article published in the Israeli newspaper Kol Hair discussed the severe shortage of classrooms for children in East Jerusalem. The Municipal Educational Department says that it is trying to deal with this question but gives it as a reason for not being able to accept more students.

Some people manage to get their children into private or Waqf schools, despite the problem of how to pay. However there is a political aspect to this; suppose all the problems were solved, there were sufficient schools and classrooms in the public system and the municipality was willing to accept all of these children; the Waqf and the other private schools would be severely hit.

Children in a similar situation in the West Bank (where one parent is a resident, the other present on the basis of long-term visitor permits), have their right to compulsory education respected. In East Jerusalem, where it is the Israeli government which is directly responsible for ensuring the fulfillment of this right, it is not respected.