

It is superfluous to note that if in the future we receive information which contradicts the abovementioned argument and the evidence presented to us, the minister of the interior will be able to use his authority according to Article 11 of the Entry into Israel Law and negate the recognition that they are permanent residents under the jurisdiction of Israel-with all the ramifications associated with this."

The aforementioned article 11 permits the minister of the interior to cancel permits for permanent residency "according to his judgement" and he is eligible to cancel the permit given on the basis of intentional misleading evidence submitted on the part of the recipient of the permit.

In these letters there is an attempt to put claims in the mouths of the applicants and HaMoked that were never made (and facts never verified by HaMoked) which go almost 30 years into the past.

The Ministry of the Interior even requires from those receiving a permit to provide, at the time of registration, a written statement according to which since the marriage he/she has lived in Jerusalem. HaMoked received this request both by telephone and when a staff member of HaMoked escorted two women to the registration. The Ministry of the Interior made due, however, with a statement that all of the facts submitted through HaMoked to the Ministry of the Interior concerning the center of life and that of her children are true. In addition, HaMoked has written to the Ministry of the Interior that according to its understanding, the determinant criteria is the present center of life, and to this it directed its factual arguments.

Receipt of the First Identity Card

(At the age of 16, according to the law, one must begin carrying an identity card, including one who has received the status of a resident).

In a number of cases (for example, 4632), children who belong to divided families and were registered with the population registry, are required to submit documentation proving that the center of their lives is in Jerusalem when they go to receive an identity card at the age of 16. During a telephone conversation with the responsible clerk at the Ministry of the Interior, it was noted that this is a permanent procedure. In HaMoked's opinion, this is part of the attempt to negate residency, similar to the negation of the identity cards from the mothers of these children.

National Security and Health Insurance

A number of rights, especially that to an allowance for children from National Insurance and to health insurance are awarded solely to residents of the State. In this matter, the definition of a resident is different than that determined in the Entry into Israel Law; the factual situation in the present is the determinate, with no connection to the status of the person according to the laws under the responsibility of the Ministry of the Interior. Exit from Israel (including to the territories) results in the loss of the rights awarded to a resident.

However, it is possible to obtain these rights again when the person returns and settles into the jurisdiction of Israel. A legal ruling has determined that one who lives in the boundaries of Israel for two straight years is a resident. According to the Law of National Insurance, the migration to Jerusalem is two-directional, while the Ministry of the Interior recognizes the exit from Jerusalem as negating residency and does not recognize extended residency in the city as awarding any rights.

The procedures of National Insurance are also long and difficult, and include a series of examinations carried out by inspectors at the family home in order to assure that the family actually lives there. The examinations are most meticulous and in numerous cases the requests are rejected and an appeal to the labour court is required so the family is able to exercise its eligibility to social rights.

An additional obstacle to the exercise of eligibility to social rights is the need for an identification number. One who does not have an identification number cannot exercise his or her eligibility to a stipend or health insurance, apparently due to the technical arrangements of the computer system of the National Insurance Institute. The policies of the Ministry of the Interior result in numerous residents (especially children) who are recognized as such by the National Security Institute, but who do not have identification numbers. The National Security Institute decided to solve this problem by issuing temporary, fictitious identification numbers, in order to exercise social eligibilities only. This procedure is labelled by National Insurance as the "Darconistim" procedure, and is also implemented for people recognized as residents, even though they have a foreign passport and no Israeli identification number. The "darconistim" procedure-which is intended to assist families and guarantee medical treatment to children-exists on paper but is almost not felt on the ground. As of today, HaMoked has only encountered one instance of its implementation in the case of a spouse of a female resident of Jerusalem, and his children, who are registered in the West Bank and received magnetic cards of National Insurance. However, in this case one of the children, who is not registered in either the West Bank population registry or in that of Israel, did not receive a card.

Persons who turned to the office of National Insurance in East Jerusalem, escorted by a lawyer from HaMoked, in the fall of 1995 and filled out "darconistim" forms have not received temporary identity numbers to this day. In a meeting held between staff members of HaMoked and Mr. Abraham Mana of the National Insurance institute, HaMoked was told by him that approximately 1,500 darconistim requests are gathering dust in the institute and that this problem must be solved.

Upon examining the length of time required to exercise social eligibilities resulting from residency, it must be remembered that we are dealing here with allowances for children, which are often the sole means to ensure a minimal standard of life for them, and of health insurance. Without

health insurance the children of residents are not able to receive medical treatment at national health clinics, and they therefore require private doctors and hospitals, an expense that numerous families, especially in East Jerusalem, are not able to afford. When the issue at stake is the quality of life and health of children, HaMoked expects that the treatment would be faster.

An additional subject area connected to National Insurance is the passage of information between it and the Ministry of the Interior. Due to the meticulous examinations of National Insurance, the receipt of children's allowances is an important indication for the Ministry of the Interior that the center of life for a family is Jerusalem. Often the Ministry of the Interior "advises" HaMoked to direct a family to the Institute of National Insurance to demand child allowances. However, the connection does not end here. In one instance a clerk from National Insurance requested that HaMoked direct a woman to the Ministry of the Interior to bring a certificate concerning her status in Israel. As previously noted, there is no direct connection between the status of a person according to the Ministry of the Interior and his or her eligibility for national insurance. After several weeks, HaMoked received notification from the Ministry of the Interior that the residency of the woman had expired and that she must return her identity card. It is clear in this instance that the clerk from National Insurance acted as a tool for the Ministry of the Interior in order to send the woman to the office so there they would confiscate her identity card.

The extent of work and information connections between the Ministry of the Interior and National Insurance is not known, and the legality of these connections is in doubt.

Closure

It has already been noted that the closure makes the issue of responding to requests for family reunification even more critical than in the past. In fact, the West Bank and Gaza Strip were declared closed military zones already on 2 July 1967, although until the 1990's the entrance of Palestinians to Jerusalem (and to Israel, apart from the city of Eilat) was permitted by a general exit permit (number 5, Judea and Samari, 1972). The prevention of entrance into Israel was done on an individual basis. As of the Gulf War the trend has changed, with various ups and downs. On 10 February 1991 the general exit permit was suspended. The closure became the rule and the exit to Israel was permitted on the basis of personal permits and occasionally on the basis of belonging to certain groups (such as males over the age of 50, for a short period and women, who in certain periods did not require individual permits to enter Israel.). An additional tightening of the closure occurred when, on 30.3.93, all of the exit permits issued since 1991 were cancelled. Since then there have been ups and downs in the severity of the closure. Occasionally, owing to an attack, all of the permits to exit into Israel were suspended (the expression "suspended" in this case means "cancelled until further notice").