

## Report: The Quiet Deportation Continues

In September HaMoked, in cooperation with B'Tselem, published a detailed report entitled "The Quiet Deportation Continues: Revocation of Residency and Denial of Social Rights of East Jerusalem Palestinians." This report analyses aspects and developments not included in the original 1997 report, and places a special emphasis on the involvement of the National Insurance Authority in efforts to deport Palestinian residents of Jerusalem from their city. Publication of this report was done as part of the public campaign conducted against this quiet deportation.

## Living on Your Land: Principled High Court Petition Concerning Revocation of Residency

In April HaMoked submitted a principled petition to the High Court against the policy of the Ministry of Interior to revoke the legal status of East Jerusalem residents. The petitioners are five human rights organisations and fifteen Jerusalem residents from whom residency was revoked and were told to leave the city. In this petition, HaMoked proved what has been known yet denied before the High Court until now by the State: During 1995 the Ministry of Interior implemented a new policy, by which it commenced an intensive revocation of the status of residency from thousands of Palestinians. According to this policy, residency is revoked from a person who in the past was abroad for periods of more than seven years (not consecutive), even if they always entered and exited with valid permits from the Ministry of Interior. Even if several years have passed since the residents returned to their homes in Jerusalem and cut all ties to their temporary places of residence in other countries, the Ministry of Interior confiscates their identity cards and orders them to leave the city. Up until 1995, residents of East Jerusalem knew that their residency was safe as long as they returned to Jerusalem by the date noted on their exit permit; only if they remained abroad for more than seven years they could not receive a permit to once again return to Jerusalem. An additional policy change, which was also enforced retroactively, was that the Ministry of Interior began revoking residency not only from those who left for abroad, but also from those who moved their residence to parts of the Occupied Territories not annexed by Israel in 1967. This especially affected those neighborhoods of Jerusalem remaining outside the annexed territory, to which many moved due to the serious housing shortage in East Jerusalem, a shortage caused by deliberate Israeli policy.

To this petition HaMoked attached a lengthy list of documents which prove this change in policy. These documents include sections of the State Comptroller's report, an affidavit from Amir Cheshin, the former advisor for Arab affairs to Jerusalem mayor Teddy Kollek, official regulations and affidavits presented in the past by the State to the High Court and statistics about the dramatic increase in the number of residency revocations as of 1995. The High Court issued an interim injunction and ordered the State to respond to the assertions of the petition, and in September 1998 the State

responded. The State rescinded its decision to negate the residency of seven of the petitioners. On a wider level, the State announced that residents of East Jerusalem who moved to the peripheral neighborhoods of Jerusalem and retained their connection to the city will be able to keep their Jerusalem residency. Apart from these concessions, the State continued to defend its policy to revoke residency and continues to argue that no new policy is involved. The High Court judges will hear this petition in April 1999.

#### Living as a Family: The Closure and Divided Families

Since 1991 (the Gulf War), the Occupied Territories are subject to an ever-tightening closure. One of the most serious outcomes of the closure is the severance between the parts of East Jerusalem annexed to Israel and the rest of the Occupied Territories. In numerous East Jerusalem families one of the relatives holds an identity card of the Israeli military government of the territories (and today of the Palestinian Authority). If in the past this did not prevent residence in Jerusalem, now the non-resident relative must receive a permit to enter the city and live there legally. Until March 1996 these permits were given to the non-resident spouses of Jerusalem residents in the framework of a "divided family regulation," initiated by HaMoked. However, in the beginning of 1996 this regulation was cancelled and these families now faced an impossible dilemma: If they move to the territories, they would threaten their requests for family reunification and risk their status in the city, as the requests are dependent on proving center of life in Jerusalem. If they did not leave the city, the couple would be forced to live apart and maintain two households, or the non-resident spouse would be forced to reside in Jerusalem illegally. In the summer of 1997 HaMoked submitted a High Court petition to renew the divided family regulation, and in its wake the problems of the majority of the individual petitioners were solved. The petition remains pending concerning HaMoked's demand to renew the regulation for the entire Palestinian population. Toward the end of 1998 the State Attorney's office announced that a new regulation for issuing permits to divided families had been formulated and would be implemented soon.

#### To Give Birth Without Worries: Social Rights of the Mother

The law of national insurance guarantees that a resident of Israel who is due to give birth does not have to worry about the costs involved. The law determines procedures according to which the matter of covering the costs of birth will be arranged directly between the hospitals and National Insurance Authority. However, this is not true for residents of East Jerusalem. Residents of East Jerusalem were forced by the hospitals to receive a special form from the National Insurance Authority that it would indeed defray the costs of birth. The National Insurance Authority, for its part, did not hurry to provide this form prior to commencing a lengthy process of investigating the center of life of the East Jerusalem residents, a process almost never completed by the time of birth. With the absence of this form from the National Insurance Authority, the hospitals demanded that the women themselves cover the costs of birth.