

## Registration of Children

Until 1995, residents of the territories could register their children in the population registry and in their identity cards only until the children reached the age of 16. In certain instances (when the child was born abroad or when only the mother was a resident), the age was limited to five. A child born to a resident father and a non-resident mother could not be registered at all. The meaning of not being registered was that the child had no legal status in the territories, he was not eligible to live there with his resident parent(s) and would have no future in the territories when he grew up. This situation was corrected in the beginning of 1995 due to pressure of human rights organisations. From then on every child until the age of 18 was eligible to register in the population registry if both his parents are residents or (if only one parent is a resident) his permanent place of residency is the territories. However, this arrangement was never implemented. Even those who arrived at the offices of the Israeli Civil Administration with a copy of this arrangement were met with a complete refusal of the clerks to register the child.

The interim agreement between Israel and the PA introduced a new factor. From now on the eligibility for registration was dependent only on one of the parents being a resident of the territories. However, the age was once again changed, and one over the age of 16 was once again not considered a child eligible to be registered and live with his parents. The interim agreement awards the sole authority to register children to the PA, but this arrangement was never implemented in practice. As the computerized population registry remains in the hands of Israel, an Israeli permit for each addition to the registry is required and Israel continues to enforce its interpretation of the eligibility for registration.

Among other things, Israel insists that a child whose age is over 16 and who can apparently be registered according to the order from 1995 is not eligible. It should be noted that the security orders and regulations in the territories will continue to be in force until they are specifically cancelled.

In April 1997 HaMoked submitted a High Court petition on behalf of five families for whom Israel refused to register their children as they were over the age of 16. These are 17 year olds, who reside with their family members in the territories, study or work there, but are prevented from holding identity cards. The younger siblings of these teenagers are residents of the territories, as is at least one of their parents. In all of these cases, previous attempts to register the children failed, either because the child was over the age of five at the time, the flat refusal of Israel to approve family reunification requests or the refusal of the Civil Administration to implement the arrangement from 1995. HaMoked argued that both materially and principally, the children are eligible for registration in accordance with the order of 1995 which has yet to be abolished. In the wake of this petition, the State expressed willingness to arrange the residency of the petitioners and others in their situation, without admitting their right to be registered according to the order.