

In general, there is a decline in the demand to return ID cards when a family reunification request is denied on the basis of not proving center of life in Jerusalem.

Requests to Register Children of Residents in the Israeli Population Registry

In 1997 there was an improvement in the treatment of requests to register children when documents proving center of life in Jerusalem were submitted. During the past year, HaMoked had several successes in the area of registration of children. With this, in the past only Jerusalemite women whose husbands were not from the city were required to present proof of center of life in order to register children in the Israeli population registry. Today, however, Jerusalemite men married to non-resident women are also required to prove center of life in order to register children.

General Trends - Ministry of Interior

In 1997 there was a strengthening of the trend in the Ministry of Interior to demand proof of center of life in order to receive all services, whether family reunification or the registration of children as noted, or for insignificant actions such as a change of personal status or address within the city.

An additional important trend is the tightening of the informational connection between the Ministry of the Interior and the Institute for National Security (INS). The INS greatly extended the number of examinations of residency that it conducts for those requesting its services, examinations which involve a number of home visits by an investigator and the questioning of neighbors and acquaintances. These investigations are lengthy and result in serious delays in the provision of services, delays which will be outlined below.

It is evident that the Ministry of Interior receives a full report, and even the written investigations, from the INS. Occasionally, the Ministry of Interior specifically questions whether a request has been made to the INS and what were the results. Sometimes there is such proximity between the approval of residency by the INS and, for example, approval for registration of children by the Ministry of Interior that there is no escape from the conclusion that the reliance of the ministry on INS investigations is complete.

Institute for National Security

Due to the increasing reliance on its investigations, the INS has increased the number of residency investigations of residents of East Jerusalem, without allocating the necessary manpower for this. These investigations extend, according to the Institute, between six months and one year although in some cases known to HaMoked, the investigations lasted for more than two years. In the opinion of HaMoked, these investigations are tendentious and conducted by signing people on vague statements in Hebrew; the majority of the signators do not understand the content of the statements which they sign. In numerous cases the people are not aware of the importance of these investigations in determining residency in the city, and they thus cause a worsening of their situation or that of their family and acquaintances with the Israeli authorities.

The lengthy delay in implementing these investigations also delays the provision of necessary services to residents of the city - various allowances, health insurance and stipends, such as that for birth expenses. HaMoked treated cases of children of residents whose registration had not yet been completed by the Ministry of Interior and who required urgent medical treatment. These children were entitled to medical insurance under the Law for National Medical Insurance, but did not receive it due to the incompleteness of the investigation of their parents' center of life.

Additional urgent cases treated by HaMoked were of Jerusalemite women about to give birth and who met with refusal of the hospitals in the city to register and accept them for delivery, unless they themselves paid the necessary fees or signed the INS on a form obligating it to pay all expenses of the delivery. In numerous cases the INS commenced an investigation of the residency of the woman and her family, but the investigation was often concluded well after the birth. The fact that the INS did not provide coverage for the birth caused the hospitals to take sanctions against the Palestinian women, and even threaten that they would not release the newborns from the hospital.

In the matter of Palestinian women about to give birth, HaMoked together with the Israeli Association for Civil Rights in Israel and Physicians for Human Rights, presented a petition to the High Court. In the wake of this petition, the INS agreed that hospitals would immediately register a Jerusalemite woman whose husband is also a resident of Israel; the organisations received an oral agreement that the INS would pay for the birth of a woman whose residency examination has yet to be completed by the birth. If the INS later determines the woman is not a resident of Israel according to its own criteria, it will extract from her the amount paid for the birth. The matter of the general procedure concerning investigations of pregnant women and their right to INS birth stipends has yet to be decided upon.

HaMoked is treating tens of complaints of East Jerusalem residents in the matters of family reunification, registration of children, negation of residency, refusal to provide medical services and others. In all of these matters, HaMoked acts in cooperation with additional organisations and private attorneys specializing in these fields. Treatment of these complaints is done through correspondence with the relevant authorities and individual and principled petitions to the courts, especially the High Court.

During 1997 HaMoked assisted 121 families from whom the Ministry of Interior threatened to revoke residency, in addition to the registration of children in the Population Registry, health problems and INS. To date, 16 High Court petitions have been submitted in these areas and five have been successful. The remaining petitions are still pending.

B. Residency in the Territories

The issue of family reunification of Palestinian families in the West Bank with their non-resident family members has been dealt with by HaMoked for several years. This is a painful problem for the population of the Occupied Territories, and numerous families find themselves divided in their legal status. Causes of this include wars and the resulting