

This permit has not been cancelled or altered, and in the paper from 28 September 1995 on the implementation of the Interim Agreement between Israel and the PA, it was even determined that "the laws and security regulations existing...on the date of the entrance of this paper into force, will remain valid as long as they have not been cancelled..."

The Interim Agreement also determines that the PA has the authority to register children of residents of the territories in the population registry if they have yet to reach the age of 16. However, when a resident of the territories requests to register his 16-18 year old child, he is refused.

The actual position of Israel in this matter is that a request for family reunification must be made for children of this age. Not only is Israel violating the law with this approach, but it has already been explained how limited this entire process is and that apart from those falling within the High Court 1 population, it has been frozen.

The aforementioned details describe only part of the extreme difficulties characterizing the subject of family reunification. HaMoked continues to treat the various aspects of this issue.

During 1996, HaMoked dealt with 277 different cases, of them 25 requests for assistances which were first received in 1996. Of these 277 cases, 17 of them dealt with families living in the Gaza Strip. During 1996, HaMoked succeeded in solving the problems of 125 of these families. In seven instances, Israel refused to grant the requests for family reunification.

B. Problems of Residency and Family Reunification for Families in Jerusalem - the Quiet Deportation

The issue of residency in Jerusalem is distinguished from that of the West Bank and the Gaza Strip.

Already in 1967, Israeli law was extended to great sections of the metropolitan of Jerusalem which had previously been under Jordanian rule. One who was present during the census that was conducted in Jerusalem in the new areas under Israeli law, received Israeli identity cards and the status of permanent residents (but not citizens) in Israel. Residents of Jerusalem enjoy a number of advantages compared to the other residents of the territories: they are eligible to live and work in the city (and in Israel), even when a closure prevents residents of the West Bank and Gaza from entering Jerusalem and Israel; they are also eligible for social security and health insurance.

During the previous year, we were witness to the quiet deportation of Jerusalem residents from their city. Since 1967, the Israeli authorities have implemented policies intended to alter the "demographic balance" in Jerusalem by decreasing the number of Palestinian residents of the city. Among other actions, the building of new structures in East Jerusalem was prevented, not enough classrooms were built and there was a refusal to permit requests for family reunification for women from East Jerusalem for their spouses from the West Bank, Gaza, Jordan or other countries. In addition, whoever travelled abroad and did not renew his or her travel documents on time, lost the right to return to the city. Currently, the tool for lessening the number of Palestinian residents in East Jerusalem is the criteria of "center of life."

In the office of the Ministry of the Interior in East Jerusalem, there has been an increase in the number of identity cards which have been taken away since March 1996. Entire families receive a message (sometimes in the mail) that they are no longer residents. The announcement is accompanied by the demand to leave Jerusalem within 15 days. The legal background for negating the status of permanent residents is the interpretation of the Ministry of the Interior (which received the backing of the courts) according to which whoever moved his center of life from Jerusalem, his license for permanent residency (physically demonstrated by the identity card) automatically expires. According to the Ministry of the Interior, these are people who moved to the West Bank (including the suburbs of Jerusalem over which the Israeli law is not applicable), Jordan or to other countries. Even if these persons returned to live in Jerusalem for a number of years, they receive these announcements of deportation. During all of these years, these people continued receiving all of the services of the Israeli Ministry of the Interior (including entry and exit from Israel as residents), without being warned in any way that they are liable to lose their residency.

A special case concerns residents of Jerusalem who married non-residents of the city. For many years the policy of the Ministry of the Interior was to refuse requests submitted by women residents of Jerusalem for family reunification with their non-resident husbands. In 1994 the Ministry of the Interior announced a new policy, by which these requests would be approved, if the center of the woman's life is Jerusalem and there are no security or criminal files against her. These women were invited to submit requests for family reunification, and thousands did. Many of the submitted requests were approved, but the treatment of the Ministry of the Interior was characterized by lethargy and corruption (in the fall of 1995 the Hebrew-language newspaper "Yediot Ahronot" exposed the corruption which had swept the office in East Jerusalem.)

As of the beginning of 1996, the treatment of all requests for family reunification was frozen and the Ministry of the Interior began to require from all of the applicants a strict, almost impossible list of documents which will attest that the center of the family's life is and always was in Jerusalem. One who is unable to meet these requirements in full is liable to have his request for family reunification denied, and his residency may be cancelled. One who is successful in proving center of life in Jerusalem, under conditions of closure of the territories when the non-resident spouse is prevented for at least a year from entering Israel, does not receive an answer. If the spouse is a resident of the territories, there are no arrangements which will permit a normal family life together in Jerusalem until the request for family reunification is determined.

Even the registration of children in the mother's identity card - an automatic procedure for citizens - is blocked for female residents of East Jerusalem who are married to non-residents. Requests such as this are accepted by the Ministry of the Interior only when they are submitted by lawyers, and permitted only in rare cases on the basis of strict criteria.