

existence of a deliberate new policy of Jerusalem residency revocations. Mr. Yosef Tov, of the Population Administration Office, maintains that there is no change of policy and that only several tens of Palestinians had their I.D. cards confiscated. He further maintains that altogether, there are about 20,000 Jerusalem residents living in the West Bank. The Quaker Service and Legal Aid Center puts the number at 40,000. The Quaker Service has petitioned the High Court, maintaining that the West Bank constitutes an administered territory, rather than a foreign country and that thus the policy is legally baseless; the petition is pending. The already severe backlog of family reunification requests at the ministry of interior has been added onto dramatically by the recent revelations of corruption at the ministry's East Jerusalem office. The office's routine processing has been suspended, along with its senior clerks, and its workings are currently under review. The coalition of human rights organizations, among them HaMoked, calls upon the ministry to formulate a clear policy on family reunification, based reasonable and fair criteria and open to public scrutiny.

Family reunification/West Bank

In November 1992 HaMoked succeeded in extending and expanding a previous High Court agreement which has allowed thousands of Palestinian families to remain together without fear of expulsion by granting "long-term visitation" to non-resident spouses and minor children of residents who entered the territories by August 31, 1992. The success was the result of HaMoked's aggressive legal advocacy with 56 High Court petitions on behalf of over 350 Palestinian families - as well as the ground breaking Coalition with a broad spectrum of Palestinian and Israeli human rights organizations.

On 22.8.93, a State's Attorney announcement in response to 20 pending High Court petitions by HaMoked offered permanent residency to all those nuclear families covered by the 1992 agreement, with a promise of 2,000 applications annually in the future. Marriage for the first time became a sufficient criterion for granting family reunification. In December 1993, HaMoked initiated a legal document of the Coalition on the definition of the family in Palestinian society: the document demanded the reality of the "extended" family in Palestinian society, rather than the Western concept of "nuclear" family, determine the criteria for family reunification. The document was submitted to the Israeli and Palestinian delegations to the multilateral peace talks.

In February of 1994, HaMoked and other coalition partners met with the International Law Department of the Army regarding issues of family reunification yet unresolved. As a result of this meeting and several others following, it was decided to extend the High Court agreements to cover those spouses and minor children who entered the territories up to August 31, 1993, thus relieving them of having to leave before requesting family reunification.

Other main subjects agreed upon were:

- * those visitors entering the territories by way of Israel would be treated the same as those who entered directly: regular six-month visitor permit extensions until permanent status arranged.
- * the authorities recognized the Islamic law whereby marriage is valid from the signing of the marriage contract for purposes of being covered under the High Court agreement.
- * retroactive fees from visitors covered by the High Court agreement for past periods would no longer be collected.
- * the right of a six-month visitor to leave and return to the territories without having to pay fees in double.

- * an answer would be given within three months time to all family reunification requests.
- * if a family reunification request is rejected, a reason must be given and if it is due to the filling of the annual quota, this will be noted and request passed on to be considered the following year.
- * the Civil Administration agreed to publish procedures on the process for family reunification requests which have been unpublished till now.
- * the authorities agreed to review legislation restricting registration of children in the Population Registry in the territories.

In spite of the above-mentioned agreements, since March 1994 (date of the implementation of the new regulations), HaMoked has registered hundreds of complaints of violation of the High Court agreements.

Those presently covered by the agreements (those who entered, or married before 31.8.92), will have their family reunification requests processed according to annual quotas. In our estimate, there are thousands of such applications. Applications filed in 1994, some even in 1993 shall begin to be processed in 1996. Consequently, those applying now can expect a waiting period of several years. Those families not covered by present agreements shall have to spend this waiting period in enforced separation.

The following table presents annual family reunification request quotas according to regions:

| Region | Spouse Quota | Humanitarian Quota | Total |
|-------------------|--------------|--------------------|-------|
| Jenin | 140 | 50 | 190 |
| Nablus | 150 | 50 | 200 |
| Tul Karem | 170 | 50 | 220 |
| Ramallah | 145 | 45 | 190 |
| Bethlehem | 110 | 40 | 150 |
| Hebron | 170 | 60 | 230 |
| The Jordan Valley | 3 | 2 | 5 |
| Jericho | 12 | 3 | 15 |
| Total | 900 | 300 | 1200 |

In all of the regions except for Jericho, the quotas for 1995 have been filled. The total 1995 annual quota is 2,000, 1200 for the residents of the West Bank (including Jericho), the rest for Gaza.

The Oslo II agreements reflect past agreements, achieved by HaMoked and the coalition of human rights organizations, with no fundamental changes. The procedure for family reunification application has only been complicated by the addition another administration apparatus, that of the PNA, to whom application are now directed, while Israel still decides in each case of visitor permit and family reunification.

Appeals are to be referred to a joint Israeli-Palestinian committee, whose composition is not known, neither have its procedures or criteria for its deliberations been publicized. HaMoked maintains contact with representatives of both administrations, in order to obtain clear family reunification criteria, on behalf of the thousands of applicants who have turned to HaMoked for assistance.

HaMoked and B'Tselem are preparing a comprehensive report on family reunification, its history and recent developments.