

Hotline: Center for the Defense of the Individual
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1992 Annual Report

In 1992 the Hotline advocated on behalf of 1005 cases, the largest caseload since its founding. The cases concerned the following matters:

1992 CASES BY SUBJECT

Subject	Number of Cases	Percentage of Total Cases
Family Reunification	495	49%
Exit Permits	178	18%
Location of Detainees	112	11%
Entry Permits	63	6%
Violence	34	3%
Property Damage	17	2%
Other subjects*	106	11%
Total	1005	100%

* Other subjects include the registration of children, confiscation of identity cards, restrictions on entry into Israel, work permits, and administrative fines.

As the table above indicates, cases of family reunification were a major portion of the Hotline's advocacy in 1992. The Hotline filed 56 appeals in the first half of 1992 to the Israeli High Court on behalf of over 350 Palestinians whose family members were denied legal residency in the territories. As a result of its aggressive advocacy, this campaign has yielded initial success. The Hotline continues to advocate in this matter (see below).

The Hotline's increasingly professional approach to its caseload has increased its success rate, as is indicated by the table below.

SUCCESS RATE OF CASES BY SUBJECT

Subject	Resolved Successfully	Still Being Processed	Other Status*
Family Reunification	239 (48%)	241 (49%)	15 (3%)
Exit Permits	111 (62%)	57 (32%)	10 (6%)
Location of Detainees	105 (94%)	3 (3%)	4 (3%)
Entry Permits	11 (18%)	35 (56%)	17 (26%)
Violence	2 (6%)	27 (79%)	5 (15%)
Property Damage	0	15 (88%)	2 (12%)
Other	16 (11%)	79 (53%)	53 (36%)
TOTAL	484 (48%)	457 (46%)	64 (6%)

* Other status indicates one of the following: a) that the case was successfully resolved without the Hotline's intervention; b) that the case

was referred to another organization; or c) that the case was closed either by the applicant or by the authorities.

Several points are significant in table of the Hotline's success rate:

- The Hotline successfully resolved the overwhelming majority of cases concerning the location of detainees. In most of these cases, the Hotline is able to inform the family of the whereabouts of the detainee within 24 hours.

- In a majority of cases, the Hotline successfully obtains an exit permit for clients previously denied exit. The Hotline regularly appeals to the Israeli High Court in cases of Palestinians who are denied exit and those who are forced to remain abroad for a prolonged period as condition for exit. Individual Palestinians and other human rights organizations increasingly refer cases of exit permit denial to the Hotline because of its success in this matter.

- The Hotline does not cease to process a case unless requested by the client, even in intractable cases. In the overwhelming majority of cases (94%), the Hotline continues to process a case until it reaches a successful resolution.

In contrast to its success in locating detainees and obtaining exit permits, far fewer cases of violence and property damage by Israeli civilians and officials end in successful resolution. Only 2 of the 34 cases of violence registered in 1992 were resolved successfully. In an additional 10 violence cases registered in previous years, the Hotline succeeded in bringing the guilty parties to trial or in obtaining financial compensation for victims. The overwhelming majority of cases of violence remain open, awaiting response by relevant authorities. In 1993 the Hotline will initiate a campaign to advocate on behalf of the unresolved cases of violence by IDF soldiers.

The Hotline used the legal system as a principle source of advocacy. Whenever correspondence with the relevant authorities proves unproductive, the Hotline will turn to the courts for resolution. In 1992 the Hotline advocated on behalf of clients before municipal courts, District courts, military courts, and the High Court.

Most of the Hotline's appeals to the High Court in 1992 concerned Palestinian residency issues (family reunification). In addition to the 56 appeals in this matter, the Hotline filed appeals to the High Court in other matters wherein the behavior of the relevant authorities was inappropriate, or aggressive bureaucratic advocacy proved fruitless. This includes cases of exit permit denial, incidence of violence, and the deportation of 415 Palestinians from the territories.

The Hotline also provided legal advocacy for clients in lower courts and in military courts and military appeals committees. The Hotline usually serves as prosecution in cases concerning illegal behavior on the part of the authorities, whether it be violence, property damage, or denial of necessary permits. Occasionally in the course of advocacy the state brings a counter-suit against a client. In these cases, the Hotline will defend the client as well. In addition, once the authorities decide to prosecute in a Hotline case - for example charging a perpetrator of violence - the Hotline will monitor the court proceedings to ensure that justice is done.

Major Projects

In addition to the Hotline's ongoing assistance to Palestinians on a walk-in basis, several issues were especially prominent in 1992.

Family Reunification

Due to the harsh regulations concerning legal residency in the West Bank, many spouses (usually wives) and children of Palestinians are not considered legal residents. Instead they are only allowed to "visit" their husband and father through short term visitor's permits issued by the Civil Administration. When these permits expire, visitors are required to exit the territories before requesting an additional permit.

In 1990 the Association for Civil Rights in Israel reached an agreement with the State's Attorney whereby first degree relatives of Palestinians who entered the territories before June 5, 1990 were entitled to long term visitor's permits, renewable without exiting the territories. In 1992 the Hotline succeeded in extending this agreement to August 31, 1992, thereby allowing thousands of families to remain together without fear of expulsion.

The Hotline's success was the result of its aggressive legal advocacy - including 56 appeals to the Israeli High Court on behalf of over 350 Palestinians - as well as its cooperation with a broad spectrum of Palestinian and Israeli human rights organizations. The organizations involved include the Association for Civil Rights in Israel, al-Haq, B'tselem, PHRIC (the Palestinian Human Rights Information Center), the Women's Human Rights Project, the Israel Section of Defense of Children International, and the Quakers. This campaign was the first in the level of cooperation between Palestinian and Israeli human rights organizations.

While the 56 appeals were successfully resolved, the campaign is unfinished. Spouses entering the territories after the deadline, and recently married couples are not covered by this agreement. Furthermore, Civil Administration officials continue to harass families who apply for their extended permits. The Hotline, supported by the coalition, continues to file High Court appeals on behalf of families not covered by the August 31, 1992 agreement. It will continue its advocacy on behalf of residency issues to ensure that all Palestinians are granted the rights to conduct a normal family life without fear of separation.

Deportations

The evening of December 16, the Israeli military began the deportation of 415 Palestinians from the West Bank and Gaza Strip. The Hotline actively protested the deportation and was one of several human rights advocates to file an appeal to the High Court and receive an interim injunction temporarily preventing the deportation. In a special sitting of seven Justices, the High Court imposed a show cause order requiring the state to justify its actions within 30 days. Yet a majority of five Justices lifted the interim injunction. Thus the deportation was completed immediately following the High Court decision.

In the following weeks the Hotline participated in several additional High Court appeals regarding the deportations. These appeals concerned the notification of families, the welfare of the deportees and their right to appeal.

On January 28, 1993 the High Court ruled on the legality of the deportation. The ruling states that the deportation order, which does not allow an appeal before deportation, is illegal and cannot be used in the future. Yet the High Court did not require the state to return the deportees.

Organizational Structure

The Hotline began the year with two full-time coordinators, a part-time secretary and a part-time attorney. Over the course of the year, the Hotline expanded its office staff to process the increased caseload. It hired an additional full-time administrative assistant to correspond with the relevant authorities regarding existing cases. In addition the Hotline added a part-time fund raiser. Thus the Hotline now has five staff members.

Due to the shortage of lawyers willing to work in the field of human rights, the Hotline has been unable to replace its staff attorney who left in June. Thus, the outreach attorney is now working in the Jerusalem office. The Hotline relied on consulting attorneys to advocate on behalf of specific cases, including family reunification and the recent deportations. In 1993 the Hotline will initiate several measures to train an attorney, including an internship program and mentoring by a private attorney. The Hotline will also continue to use consulting attorneys, as this enables it to benefit from the knowledge of experienced human rights advocates.

Name Change

Beginning in 1993 the Hotline will use its Hebrew name, HaMoked, in all correspondence, whether it be in Hebrew, English or Arabic. This will alleviate the confusion generated by three different names in the three different languages, as well as contribute to HaMoked's name recognition.