

Disclaimer: The following is a non-binding translation of the original Hebrew document. It is provided by **HaMoked: Center for the Defence of the Individual** for information purposes only. The original Hebrew prevails in any case of discrepancy. While every effort has been made to ensure its accuracy, **HaMoked** is not liable for the proper and complete translation nor does it accept any liability for the use of, reliance on, or for any errors or misunderstandings that may derive from the English translation. **For queries about the translation please contact site@hamoked.org.il**

HaMoked: Center for the Defence of the Individual

Founded by Dr. Lotte Salzberger – Registered Association

Date: 16.9.98

In response please cite: 6853
6018
31490

To

Ms. Sima Mizrahi
Registration and Passports Department
Ministry of Interior
24 Hillel St.
Jerusalem

Dear Ms.,

Re: application for registration in the population registry of the children of Mrs. _____ Zawahreh, I.D. _____

Our reference: our letters 6853 of 29.11.96, 10.12.96, 2.7.97, 14.10.9[7], 25.11.97, 5.2.98, 14.6.98 and 11.8.98

Your reference: your letters of 5.12.96, 14.4.97 and 24.6.98 SM-09-57 of 7.9.98

1. In your above-referenced last letter, you notified us that it was decided to grant the children of Mrs. Zawahreh the status of temporary residents (A/5) for a year. We demand that the children be registered in the population registry according to the status of their mother – as permanent residents in the State of Israel.
2. Earlier on, on November 29, 1996, we sent your office a letter complying with all your demands for proving the center of life of the Zawahreh family. At the beginning of the year we added a National Insurance Institute confirmation recognizing Mrs. Zawahreh as an Israeli resident as of June 1992. Last month we asked to add to the file affidavits by Mrs. Zawahreh and her brother, in whose home she lives.
3. After fulfilling all the necessary requirements for proving center of life as well as the finding of the National Insurance Institute, which considers Mrs. Zawahreh an Israeli resident, we expected the immediate registration of all the Zawahreh family children as permanent residents in the Israeli population registry.

4. The final clause of Regulation 12 of the Entry into Israel Regulations, 5734-1974, provides that in such cases, “the child shall receive **the status of one of his parents**, according to be the Minister of Interior’s decision”. And yet, contrary to the Regulation, you decided to grant the children a third status – different from those of their father and mother.
5. This is the second case handled by us in which the Minister of Interior offers to register a resident’s children in temporary status, rather than the status of the Israeli resident parent. We asked earlier on, on June 25, 1998, to receive the criteria according to which the Ministry of Interior acts in this matter, and you have not responded to date.
6. Given the full proof of center of life in Israel and the conclusive language of the Regulations, we demand the immediate registration of the children in the Israeli population registry as permanent residents.
7. Insofar as your position to grant the Zawahreh family children the status of permanent residents remains the same, we request that you send us the criteria according to which this decision of yours has been made.
8. Please respond promptly, before we have to petition the High Court of Justice.

Sincerely

[–]

Eliyahu Avram, Adv.
Head of the Legal Department

Copy: Ministry of Interior Legal Advisor, 2 Kaplan St., HaKirya, Jerusalem

Attached: our letter 6018 of 25.6.98