

Registration of Children

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Registration of children is really a practical or a technical term for the granting of permanent residency status to children, one of whose parents is an Israeli permanent resident.

Registration is governed by regulations issued pursuant to the **Law of Entry Into Israel**. The relevant regulation (Regulation 12) states that:

"Regarding a child born in Israel, and to whom section 4 of the Law of Return, 1950, does not apply, his/her status in Israel will be that of his/her parents. If the parents do not have the same status, the child will receive the status of the father or guardian except if the other parent opposes this in writing. If the other parent has opposed this, the child will receive the status of one of the parents as determined by the Minister."

The most important condition for obtaining permanent residency status is the place of birth, which must be in Israel. If the child is born outside Israel, even if both parents are residents, he or she will not be registered as a resident and the case will become one of family reunification (which is a formality, since it is invariably granted).

Since according to Regulation 12 the child is automatically granted the identity of its father, if the father is a West Banker, the child will get a West Bank identity unless the mother protests in writing.

Thus a problem only arises where it is the mother who is the Jerusalem resident. The Ministry of Interior allows registration of children on the mother's identity card in such cases only in very restricted circumstances, and appeals against negative decisions by the Ministry of Interior are frequently made against this discrimination on the basis of gender. In such cases, and in order to obtain permanent residency status for her children, the mother has to prove that the center of her life and of her children's life is in Jerusalem. This involves producing as evidence the documents listed below. Many items on the list are not very easy to obtain. Some, such as an up-to-date rental contract and bills for municipal taxes or telephone and electricity, relate to the present, while others, such as full study records of the children from the time they began to go to school, are required in order to prove that throughout these years they were living in Jerusalem.

As has been mentioned by others, there seems to be a secret relationship between the National Insurance Institute and the Ministry of Interior which relates to the process of proving residence in Jerusalem. When the Assistant to the General Director of the Israeli Population Registry in the Ministry of Interior was asked about this, it was the only question which he refused to answer.

Recently there have been certain changes in the policy of the Ministry of Interior, which is now more open to granting family reunification to non-Jerusalemite fathers and husbands. One result of this change is that registration of children will become part of the same procedure. If family reunification is granted, then registration of the children will occur automatically. If on the other hand the family reunification application is not accepted, then the children will not be registered and will not become permanent residents. (In fact, the evidence mentioned below required in applications for registration of children is also now required for family reunification applications.)

Documents Required for Registering Children on their Mothers' Identity Cards*

1. Copies of the identity cards of both parents.
2. A marriage contract from a Muslim religious court in Israel.
3. A rental contract and/or confirmation of residence in the neighbourhood from the neighbourhood Mukhtar and/or UNRWA.
4. Confirmation by the National Insurance Institute of the payment of child allowances.
5. Bills for municipal taxes, water, electricity and telephone.
6. An entry permit to Jerusalem for the husband.
7. Copies of documents relating to school studies showing continuous school attendance in Jerusalem.
8. A copy of immunization records.
9. A copy of a Kupat Holim (Health Fund) membership card.
10. Confirmation by the parents' place of employment in Jerusalem or in Israel.
11. Birth Certificate.

All documents and permits must be up-to-date.

* This is an internal list used at HaMoked arising out of HaMoked's experience in handling such cases. It has no legal status, and in fact the requirements are not listed anywhere in the law. The list consists of the sum total of what is usually demanded by the Ministry, plus some common sense. Some pieces of evidence are more important than others. Regarding item 6, in cases where the husband is refused an entry permit because of security reasons, we intend to try to argue that this has nothing to do with whether or not the center of life of the mother and child are in Jerusalem.