



المقدسي لتنمية المجتمع
Al-Maqdese for Society Development (MSD)

In Jerusalem We Shall Stay

A Book of Stories that tells stories of Jerusalemite Women
and their suffering in Family Unification



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In Jerusalem We Shall Stay

A Book of Stories that tells the suffering of Jerusalemite Women with
Family Unification under the occupation

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Al-Maqdese for Society Development (MSD) is a civic non-profit and non-governmental organization that was established in Jerusalem on 19th February 2007, by academics, doctors, teachers, and social activists. MSD came as a reaction to Israel's ordinary violations of Palestinians' human, social, economic, and political rights in Jerusalem.

MSD works to protect and defend Palestinians' rights, to ensure respect for the rule of law, and promote the principles of democracy in the Occupied Palestinian Territories. We aim to defend Palestinians' rights in the Jerusalem district both locally and abroad. Additionally, Al-Maqdese works to disclose and publish the documents that prove Israeli violations against Palestinians' rights, and demands that the Israeli authorities stop these violations and respect Palestinians' individual and collective rights according to the provisions and rules of international law.

Vision: That Palestinians in East Jerusalem enjoy all their political, social, and economic rights.

Mission: To maintain the existence of the Palestinian population in Jerusalem by raising awareness and ensuring protection of their rights, monitoring, documenting, and publicizing the Israeli violations against their rights and providing advocacy and lobbying tools to protect their rights.

The strategic **goals** are:

1. To defend and protect Palestinians' human rights in Jerusalem
2. To raise awareness among Palestinians in Jerusalem of their rights under international human rights and humanitarian law
3. To continue improving the organization's abilities to achieve its mission and vision

Acknowledgment

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Introduction

“I could not attend the funeral of both my brother and mother who passed away in Jordan, sometimes I think about taking a risk, but I think again about my children, husband, and house”¹ These quotations were said by Ms. Wajiha Bamyia, who could not visit her family in Jordan because she cannot travel until she has an identity card; this is a result of family unification!

It is the story of being trapped within the hands of the occupier; many Palestinian families in Jerusalem are suffering; as one of the spouses is deprived from the right to residence in Jerusalem due to the lack of the Israeli blue ID.

There are many suffering stories of women who have shown their patience and resistance when seeking different Israeli offices, looking for a solution to their endless problems. These women suffered from instability and continuous anxiety, and some of them are still suffering from the unresponsiveness and discrimination of the occupation concerning the family unification status.

This book of stories tells the stories of many Jerusalemite women who started their suffering tens of years ago in relation to the family unification status with the Israeli Ministry of Interior. Most of them are still waiting to receive any response, as Al-Maqdese Legal Clinic is following them up on a regular basis.

Can you imagine living for several years without an identity card, of which you are deprived from your basic rights of freedom of movement and access as well as marriage, registration of children etc.?

¹ Interview with Ms. Wajiha Bamyia, 05/12/2011, Al-Thouri neighborhood, Jerusalem.

Legal Framework:

On the 7th July 2011, the Israeli Minister Council approved a request of the Minister of Interior and General Intelligence, to extend the effect of systems and rules that prevent Palestinian families unification who are originally from the Green line area and married to Palestinians from the West Bank, East Jerusalem, and Gaza Strip, for another six months. This was based on the contingency regulations followed after the British Mandate in 1948.

This decision is an episode of a whole series that continues to implement forced transfer and displacement of Palestinians in East Jerusalem. The Israeli government announced Resolution 1813 in May/2002 about “dealing with illegal citizens in Israel, and family unification policy for Palestinian families whom one of its members originate from West Bank or Gaza strip.” The resolution stated that procedures of obtaining citizenship shall be suspended for those who are married to Palestinians holding Israeli Identity cards.

In addition, the resolution states that it is not possible to apply for getting a legal status for Palestinians who live in areas ruled by the Palestinian Authority or from a Palestinian origin; in these cases, the request will not be viewed or approved.

This resolution turned into a temporary law from the 31st of July 2003, after it was approved by the Israeli Government. The main targets of this law are the Palestinian residents of East Jerusalem and their children born outside the city, because it prevents them from being registered in the Israeli Ministry of Interior, especially after the illegal annexation of Jerusalem.

This resolution has severe and serious impacts on the lives of Palestinians living in Jerusalem temporarily, and applying for family unification status, either they are “illegal” residents, or annual permit holders, as classified by Israel.

This law is considered to be an obstacle for those children who seek to have a legal status, it also violates the rights of children especially those aged between 14-18 to be able to live and stay inside “Israel” with their parents. Some of them can only get temporary permits from three to six months, without being provided with any right or social privileges.

We cannot split between this resolution and the Israeli policy that aims to evacuate and displace Palestinian citizens in East Jerusalem silently since 1967. At the same time, the Israeli authorities work in a high rate on ID’s withdrawal from Jerusalemite people and revoke all their rights in East Jerusalem. According to Al-Maqdese Data Bank, the number of people whose ID were withdrawn is 14,526 from 1967 until 2010, in addition to the displacement of 58,104 persons who now live behind the separation wall, which makes the total number of 72,630 displaced Jerusalemites.

The story of Mrs. Suzan Khater

“I’ve never thought of leaving this country, and will never think about this! This is our land, and we will never give it up! We had worse times before, however we stayed and resisted! We will not let them enjoy living here. Jerusalem is the capital of Palestine and it is our duty to defend it.”

This was the conclusion of a dialogue that took place in an apartment in Shufat Refugee Camp. In this apartment, a husband and wife live with 5 children, the eldest is 20 years old, and the youngest is only 2 years old. The family did not enjoy a normal life, they suffered and still are suffering. Some people may think that this story is one of the normal stories; however, only those who actually went through it can understand how cruel life can be!

Ms. Suzan Khater got married in 1991 to a Palestinian who held the Palestinian green ID, which means limited access and restrictions on his movement more than anything else. All that she wanted was to unify her family, so she started the necessary procedures directly after her marriage. She moved between Jerusalem and the West Bank for some periods of time, and from one house to another. In 1994, she applied for a family unification after giving birth to three of her kids, and all what she could obtain until that time was the residency permit for her husband until 1998; after that date, the Israeli authorities suspended his residency, and that is why she had to move to the West Bank for another period of time.

In 2001, she had another baby; unfortunately, he suffered from a disability in his legs and from excessive amounts of cerebrospinal fluid in his brain, that did not give him much time to live, because he could not get the necessary treatment, which was not available in the place she lived in.

She decided to start her fight against the Israeli institutions; she started from the Israeli National Insurance department, where they told her that she had to prove that she has been living in Jerusalem for a year, and so she did. After that, she went to the Israeli Ministry of Interior, where they asked to prove that she is living in Jerusalem for two years; she faced lots of troubles and obstacles. Although she proved her residence in Jerusalem, each time she went there, she was told that her papers and documents were missing. She never gave up and she had to pay a lot of money, and she had to stand in long rows without knowing if she would have the chance to enter or not!

Her eldest son was 14 years old when she got the unification document, and so she could not register him in her ID, all he could get were visit permits; even today he cannot work in the Israeli labour Market because he does not have a work permit. He did not continue his studies or attend college, and today he does nothing but staying at home because he fears being captured working outside the camp, where he cannot even find work.

Until 2008, they had very bad economic conditions that they could not seek a lawyer and pay him fees. She had to handle all the effort for sending and receiving unification documents. Sometimes she had to leave her little children alone at home from the very early morning, and most of the times



her old daughter had to stay with them; that is why she could not attend her school sometimes, and finally she had to withdraw.

Later, she had to head to the Ministry of Interior three months before the expiration date of her husband's permit. She suffered a lot in each visit, and she had severe pain on her back and legs, so she had to stay at home for a couple of days. One day, when she was pregnant with her little girl, she left her house at a very early hour in the morning to make sure that she could reach the entrance point at the Ministry, but that did not happen, so she stayed standing for 9 hours and after that completely collapsed. She was moved to her house, and there she had to stay in her bed for two days.

She received income insurance which does not exceed 1800 NIS, in addition to 7000 NIS because of the disability of her child, so she was able to renew her house with some of this money, which made the executives of Israeli National Insurance to revise the amount of money she received. On that day, her husband came back from his first day of work, as these executives claimed that he already had a job.

All of her problems can be solved, but her main concern now is her eldest son who does not hold the blue ID, and all he can obtain is visit permits. Moreover, none of the employers that he tried to work with accepted to apply for him for a work permit, because of the high costs they would have to afford.

However, she still has hope that nothing will stay as is in the future, as nothing stayed the same in the past, and who knows how things will turn to in the coming years!

The story of Ms. Wajiha Bamyeh



Ms. Wajiha, who moved from Jordan after her marriage in 1995, was surprised to see how the Israeli occupation did not hesitate to put pressure on Palestinians living in Jerusalem. She was astonished that family unification was such a difficult, if not impossible, process, and that families were deprived from their basic rights of being able to live in peace without enduring anxiety and melancholy.

Ms. Wajiha got married on the 3rd of May 1995. She had a Jordanian passport as her family used to live in Jordan. She, back then, moved to Jerusalem with her husband (her cousin), who held the Israeli, blue ID, in Al-Thouri neighborhood, together with their four children.

Since she got married in 1995, Ms. Wajeeha pursued the procedures of family unification. She thought that the peaceful atmosphere prevailing in the region, at that time, would possibly help her finding a quick solution to her residency problem in Jerusalem. Her expectations did not fail; she could easily register her children in her ID card, she annually obtained a temporary residence in Jerusalem, she received the orange ID card (temporary) in 2000, and finally she the blue ID in 2002, which is also temporary according to the red text written inside. On the other hand, her Jordanian passport became invalid after 10 years of residence in Jerusalem.

Until 2002, Ms. Wajiha lived a normal life without imagining that things would soon change. In 2006 her brother passed away and she was prevented from attending his funeral. Instead of offering her travel permission, Ms. Wajiha was surprised to see that her family unification paper was rejected! On that particular day, she waited for 5 hours at the Ministry of Interior office. Although she had brought all the required documents to justify her visit to Jordan, she was prevented from travelling. Thus, her husband went to the funeral on her behalf.

Ms. Wajiha said: “In 2006, I was subjected to an investigation called “Al-Anwar”. Since then, I faced troubles endlessly. During the investigation, the officer argued that my information contradicted with what my husband previously said.” The aim of arguing such contradiction was to prove that there were gaps in the statements of the family members. Accordingly, the Israeli authorities used the claimed gaps as to justify the deprivation of Ms. Wajiha of her health insurance and residency. When she went to the investigation, she was told that she would have an interview. They only asked her to bring some documents. Therefore, she was optimistic that she would get approval upon the reunification of her family, instead, she was subjected to an investigation!

Since then, many obstacles aroused. She consulted a lawyer from 2006-2008, yet she achieved nothing. Moreover, she was not able to issue any paper regarding her legal presence in the occupied territories, or any proof of her presence since her marriage in 1995.

“After cooperating with the Red Crescent, and after the long suffering, three of my brothers were able to attend. Even the Israeli embassy in Jordan tried to call the hospital I attended to make sure I got treatment there. This was a unique situation, it happened for the first time. After a short period of time, the Israeli embassy sent entry permissions to my brothers.”

Later she headed to the office of the Ministry of Interior, where she was informed that she had to apply for a new family unification status, although all her papers and documents were legal. “I have also a bank account in common with my husband, and when I asked the employee in the ministry about my application, he told me that it was rejected without giving any reasons. Since that day, I feel that all doors are closed in my face”.

The story of Ms. Wajiha made us think that Israel is trying to evade from its legal commitments concerning family unification, especially when the spouse seeking unification has suffered from previous diseases. This case came up more than once during our field visits to Palestinian families to produce this book.

After getting treatments for a year in Israeli hospitals, and in spite of her diseases, she did not achieve any progress in the process of being unified, although she had all the necessary documents from hospitals that supported her case.

Although there is an Israeli law that enables citizens to have a temporary account in the “Patients Fund”, regardless of his or her nationality, her application was rejected when she tried to obtain this service, and the pretext was that she had a previous historical profile, knowing that this service is not free and everyone has to pay 500 NIS per month to obtain it.

Ms. Wajiha says that she is not waiting to be treated at any Israeli hospital. “All I want is to have my right of residence and free movement. Arab hospitals in Jerusalem provide us with good services.”

Now, she works in a pharmacy next to her house in Al-Thouri neighborhood, and her employer gives her a salary voucher, which raised a question about how he can issue such a document if her papers are illegal as he claims.

She read one of MSD’s Legal Clinic announcements in the newspaper, this year, and she called to inquire about her legal situation; lawyers told her that she had to provide them with some papers and documents; they also checked her case and her file in the National Insurance Department, where they found out that she had no problems there.

Nowadays, she is waiting for a reply from the legal clinic. If it is a positive reply, then she will be able to submit an objection to the court about the rejection of her previous unification request. However, if it is negative, then the whole process will be repeated and her documents will be submitted another time.

Today, Ms. Wajiha cannot pass through any checkpoint or borders of Jerusalem. She did not also visit her family in Jordan, and she is sure that if she meets with any of her young nephews she would not be able to recognize them. “I couldn’t attend the funeral of both my brother and mother who passed away in Jordan, sometimes I think about taking a risk, but I think again about my children, husband, and house.”

These days she fears that if something wrong happened to her husband, then she would not be recognized as a resident, and so would not be able to get any document she aims to get.

Talking about private lawyers, who did not play a significant role in the stories of this book, her first lawyer received about 30,000 NIS without providing her with any tangible service, as he always was used to delay any responses, providing her with the final response from the court. The second lawyer did almost the same thing, and he got about 15,000 NIS from her. Despite all of this, she is thankful to God. She sought Al-Maqdese Legal Clinic for the free of charge legal services, after paying approximately 45,000 NIS for the private lawyers for nothing.

“Have you ever seen a similar case to my mothers’ case? Is it logical to separate a mother from her children, husband, and house?” A strong question posed by her eldest son, and until now he is waiting to hear an answer!

The story of Ms. F.M



Stories may have the same target even when having different heroes. This story is about a woman who struggles to survive. As she lost her husband, the father of her children and her beloved supporter, she felt the emptiness of life. He left her alone, to face life's obstacles without a breadwinner for both her and her children. They are orphans who missed their father's kindness at an early age.

Ms. F. M. lives in a small house in a district called Jabal Al-Mukaber. The house hosts nothing but the living basics. There are no portraits except for a picture of her dead husband, no colourful, adorned furniture but a small iron, table wrapped with an old cover, no living voice coming from a television, nothing but quietness.

Her story began with her attempts to get a family unification status for her husband, who had the green ID. As usual, the first application was rejected, yet she succeeded in attaining a residency card. In response, she was able to live in a rented house belonging to her family.

Despite all her suffering, Israeli forces did not hesitate to increase her suffering. A group of people from the Israeli National Insurance Institute once visited her arguing that she never lived in her family's house. According to their arguments, she lived in a house located in the West Bank, not in Jerusalem. Although F. possessed all the proving documents, they insisted on what they said, yet who can suspect what they argued?

She lived in severe conditions, even before her husband's death. She suffered from bad



economic conditions, as the Israeli National Insurance Department deprived her family from receiving income insurance. Thus, she deprived herself and her children from basic necessities until she could finally restore the income insurance.

It is not surprising that her story raises sympathy; her husband was struggling diabetes, and some few years later, he suffered from kidney failure. All he was concerned with was to secure his family before his death. His wife felt his pain and sorrow; she employed tremendous efforts to get him a blue ID so as to enable him to get the therapy needed to end his pains. She consulted a lawyer to assist her in getting the ID, yet he could not deliver the appropriate service. Few months ago, Ms. F. sought Al-Maqdese Legal Clinic, accompanied by her sick, forceless husband. The Clinic legal team did its best to resolve her problem. Nevertheless, the time was not by her side as her husband passed away.

“It was not possible to treat him in the West Bank hospitals since their services are not of the same quality as the ones in Jerusalem. It was difficult to move my husband using public transportation. He passed away after he suffered a lot. God chose him to be next to

him. I thank God that my husband passed away without any of his parts been cut. Ramadan was very different without him. We lost the person who was the cornerstone of this house. We did not enjoy our feast, how come we could do without him, yet I thank God for everything. I can do nothing but asking God to support him while being on the right path,” these were some touching words added by Ms. F. while shedding tears, and her children were playing next to her.

Despite the bad, financial conditions, Ms. F. worked hard to obtain the money required for treatment. One day her husband felt an immense pain in his chest, which urged her to take him to hospital. He had a catheter surgery, of which costs were 8.000 NIS. She also paid huge amounts of money to get the required medicine. Finally, her husband became deaf three days before he passed away. They bought him earphones, yet death was faster than anything else.

What concerns Ms. F. the most is her ability to raise her children properly, provide them with proper education, and prevent them from getting into the labour market before they become mature.

In a final comment, Ms. F. M. said: “I hope peace would prevail, allowing people in Jerusalem to live in peace and attain their rights, especially the right of having an ID card. If I was able to get an ID card for my husband, he could have received treatment. However, I can do nothing but being thankful to God...”

The Story of Ms. Wafa' Bukhari



Ms. Wafa' belongs to a Jerusalemite family that has been living in the old city in Jerusalem for centuries; her house is located in the Naqshabandi Quarter, where her grandfather was buried. Now she lives alone in her house with the fear that she might lose her identity card and be sent away.

Her story started several years ago, when she left the country for many years moving between Jordan and UAE for work, after she graduated and got her BA in English literature, translation and education. She had an ambition of going through that experience of working outside the occupied territories.

She lived in the UAE for 16 years between 1989 and 2005, after that she came back to these lands to take care of her ill mother, during these years she used to visit the occupied territories once or twice a year.

“When I came back, I had no idea of the rules and I did not know anything about the national insurance and health insurance regulations. That is why I consulted a lawyer who told me that I would better not inquire about my residence or my health insurance and delayed that for two years. He also advised me not to seek the Israeli Post office. That made me feel anxious, but I did as he told me! Two years later, I visited this lawyer again and he told me that he said I should come after three not two years. I felt really bad this time because I knew he was lying to me! One day, while I was walking in the street, I found

an office that deals with ID issues, I walked in, and the lawyer there told me that I should have started the whole process once I reached the country, he asked me to bring all my documents so he could help me, but at that time I did not have any money to pay him, and I was not aware about my ID problem yet!”

When Ms. Wafa’ visited the office of Ministry of Interior, she found out that her ID was frozen since 1991, and she left the case for a few years, later she asked for a lawyer’s help to submit her application but in vain. When she mentioned her story in front of one of her relatives, she told her about MSD’s Legal Clinic, where she finally went and told them about her story. After that, the legal team checked her files and told her that she had a complicated profile that should be addressed immediately. She had a problem in the National Insurance Institute, an ID issue and housing tax. The staff worked hard and provided her with the necessary information, and finally the lawyers were able to get back her ID. She was also able to pay her national insurance debts in payments. She is now working on revoking a notice issued for taxes.

Ms. Wafa’ is now unemployed, because she spent the past years looking after her mother until she passed away. She seeks an employment opportunity these days. She wishes to return to the company that she worked with in UAE; that is why she is trying to get in touch with them. Still, she fears that if she leaves the country again, she might face new problems. It is hard for her to make a choice, she wants to go back there, but at the same time, the house that she lives in belongs to her family, and it has a great value and means a lot to her, so she is afraid of losing it if she leaves again.

Despite her happiness after she got back her ID and after her problem was resolved; she describes the past few years as terrifying and awful. “I always felt to be threatened, and that I might be sent away at any time, where would I go if that happened? One day in 2008, I was asked by the police to go to the police station in Nabi Ya’qoub, but I was very afraid to go, by that time I had a field work in my previous job.”

The story of Ms. Ikram Salah



In Shu'fat camp resides another story of a woman, who suffered as many others in order to get an ID for her husband who holds a green ID.

Ms. Ikram started telling her story in sequence since the day she got married in 1989 to her husband, who is her cousin. At that time she was 22 years old, and she lived in Gaza strip. She was able to leave Gaza after getting a permit from the Israeli authorities, and after that she went to Shu'fat camp where she lives now.

She started to work on the unification status through a lawyer in 1997, and until that time she had no idea about the applicable laws and regulations. Despite of that, she was able to register her children in her ID, and they all got Israeli ID numbers. She also applied for a family unification status for her husband.

During the time she lived in Gaza, she had her two eldest sons, while the others were born in Shuf'at Camp. She was not able to visit Gaza except for once in 2000 for twenty days, while her husband was able to visit his family twice. By that time, he only got permits to stay since 1997 until 2001. In 2001, his application was frozen until 2003.

During that time, she had to visit Jerusalem and go to the Israeli institutions by herself. Because she could not afford the costs of a private lawyer, and no one of her family members was working at that time, her children were still young and her husband did not have a stable work. He was not even able to get a work permit. One day he was caught by the Israeli forces under the pretext that he did not have a work permit, and with the help of a lawyer, he was able to get back his visits permit.

Ms. Salah describes the suffering of her husband on checkpoints; he had always to leave in the very early morning in order to make his living. He had to pass very long ways in order to pass few meters after the Shufa't camp checkpoint, and he had to pass through Qalandya's Checkpoint.

She tried several ways to help reducing the suffering of her family, since they had also high amounts of money to pay. She thought of seeking the Israeli Ministry of Labour, where they told her that she could get a job in Israel. She refused that option because in that case she would have to leave her house before sunrise and return in late hours too, and leave her children home alone.

Few months ago, her husband was able to change place of residence in his ID card into West Bank instead of Gaza.

“The most despairing fact is that he cannot see his family in Gaza now, he did not see them for a very long time, although all my family here supports him and makes him feel that he belongs to this family”, says Ms. Salah.

She did not leave aside any path that could be taken, and at the end, one of her relatives told her about Al-Maqdese Legal Clinic, as she went there in may 2011, she told the lawyers about her problems. Of course, it is not the first case and it will not be the last. She brought all the necessary documents that could help her solve this problem. After few months, she received good news telling her that her husband finally received his temporary Identity Card.

These policies aim to separate the Palestinians and weaken their strength. Ms. Ikram has a young girl who will be married one day, but if the man who proposes to her holds a green Identity card, he will be rejected. She said so because she witnessed her own suffering story and no one warned her how hard it would be. It is worth to mention the humiliating procedures and inspections conducted by the Israeli authorities each time she had to go to any official Israeli institution.

Finally, she hopes that everyone will be able to get their right of living and right of identity and residence, in addition to all the other rights violated and deprived by the Israeli occupation, specifically those of the Palestinians living in East Jerusalem. She sends a message to all the concerned parties to take their responsibilities to facilitate the lives of Palestinians in East Jerusalem.

The Story of Ms. Pauline Hadweh

Ms. Pauline lives in one of the residential units in Beit Hanina, a neighbourhood in north Jerusalem. She lives there with her family since she was married in 1988. At that time, neither her nor her husband, who held a West Bank ID card, could imagine that the ID card would be a hindrance to the family unification in the future.

In 1995, she started following up the issue of her husband's unification. She submitted the application with the required documents to the Israeli Ministry of Interior but it was rejected for "security reasons". This happened "although my husband worked near Beit Eil2 Israeli settlement, as a road engineer and travelled to several areas"

The family suffered from the unjustified security refusal until 2000, when Ms. Hadweh received approval of the application; a temporary permit was issued for her husband. After a year, she sought the help of a lawyer to renew the permit every year.

Nevertheless, the temporary permit is a burden on the family. Pauline says "All our movement possibilities are limited and we have to think twice before crossing a checkpoint as a united family because at the end everything depends on the mood of the Israeli soldier standing at the checkpoint"

After his retirement, her husband started working in the tourism sector, a job which requires by its own nature freedom of movement between the West Bank and Jerusalem. However, this right cannot be guaranteed due to his unstable and temporary residency status.

Currently, Ms. Pauline is following up with Al-Maqdese Legal Clinic on her husband's case in order to obtain a temporary residence card instead of a temporary permit. Until now, the issuance of the card was rejected because the Israeli ministry needs the paper of the first rejection by the Israeli court in 2001. However, the family cannot meet this requirement because it cannot access the previous lawyer, hired for the initial application and who has the paper.

One of Al-Maqdese's lawyers pointed out that: "in a normal situation, the person should obtain the temporary permit two years after submitting the unification application and the temporary card five years after obtaining the permit. However in Pauline's case, the Israeli ministry procrastinated on issuing the temporary permit for six years. Now we are still waiting to get the paper from the lawyer to obtain the temporary residence card."

It is important to note that Ms. Pauline's husband does not receive medical insurance. The family is worried about his case, as Ms. Pauline is aware that the sixteen years of waiting will not be over soon, however; she has nothing but her hope.

In Jerusalem We Shall Stay

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