

Hotline...

Newsletter of Hotline: Center for the Defence of the Individual
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The Hotline (in Hebrew: Hamoked) is an Israeli human rights organization founded in July, 1988 when it became evident that basic human rights of Palestinians in the occupied territories were being violated by the Israeli authorities in their attempts to control the uprising (Intifada) there. The aims of the Hotline are two-fold: (1) To represent individuals in their encounters with the authorities by lodging complaints about illegal behavior and ensuring that these complaints are addressed. (2) To influence official policy in collaboration with other human rights organizations. The Hotline is run today by Jewish and Palestinian volunteers and a small professional staff operating out of a store front office in East Jerusalem.

Help Where It Is Most Needed

Following applications to the Israeli High Court of Justice by the Hotline, some 200 Palestinians, threatened with separation from their families because of existing security legislation, remain together with their spouses and children - for the time being. The fight against the breaking up of Palestinian families is the latest focus in the Hotline's unremitting struggle for the maintenance of human rights in the occupied territories.

When it was founded in July 1988, the Hotline was called "Hotline for Victims of Violence", and it did indeed fulfill that function; but within a few months, the Hotline found itself dealing with a wide range of human rights abuses, most of them connected with detention and administrative harassment. For this reason it became "Hotline: Center for the Defense of the Individual".

With the Gulf War came a host of new problems caused by prolonged curfews in the occupied territories, and the curtailment of free movement between the territories and Israel. The Hotline campaigned to have the curfew lifted, drew public attention to the economic hardship suffered by the Palestinians, and assisted residents of the territories to obtain entry permits to return to their jobs in Israel.

Since November last year, while continuing all its previous activities, the emphasis of the Hotline's operation has shifted once again: this time to the question of security legislation in the occupied territories, which threaten thousands of families with separation and disruption. The expulsion of large numbers of Palestinians from Kuwait has aggravated the problem of West Bankers who do not have official residency permits, and are thus unable to live permanently in the area.

The Israel Defense Forces, IDF, has a long standing policy of issuing visitors' permits to spouses of West Bank residents, who are not themselves residents, for non-consecutive one to three month periods. This means that the wife of a West Banker can spend three months with her partner, three

months abroad, and then another three months with her partner, and so on. This is assuming the residency permit is renewed each time, which is by no means certain. In addition, temporary residents now have to sign a NIS 5,000 (\$2,000) guarantee that they will abide by the terms of their permits. In this situation, a number of Palestinians have preferred to remain 'illegally' in the West Bank, in a state of daily uncertainty. Husbands of West Bank women are in the same situation; the children have the same status as their mothers.

Some months ago the IDF again started enforcing the letter of the law, warning men and women in this category that they were "illegal residents" of the West Bank, and telling them they had to leave. Thus the threat of separation is again hanging over wives and husbands, parents and children.

In a series of applications to the High Court of Justice, the Hotline has asked the IDF Military Commander of the West Bank to show cause why he should not extend the residency permits of these people. The Hotline has also asked for interim injunctions, preventing expulsion or other measures, pending the court's decision. This was after reprisals against families appealing deportation. In some cases, applicants had work permits confiscated and suffered other forms of harassment.

In every case an interim injunction was secured; consequently some 200 Palestinian families, who would have been separated, are for the time being permitted to live together. For the first time the Hotline is not only assisting others; it has become a direct party to the dispute, as a human rights organization.

The Hotline's assistance does not end with the filing of the application to the High Court. As soon as a temporary injunction is secured, the Hotline office immediately calls the local IDF commander to ensure that no steps are taken against the family in question, contacts the family to in-

form them of the injunction, gets the relevant papers to them, and makes sure they understand their rights. Thus the Hotline is active at every stage, and is constantly on the alert.

There are several reasons why a West Bank resident may be classified as "illegal". Individuals who were out of the area, for whatever reason, during or immediately after the 1967 war and missed the subsequent Israeli census were not issued an official identity card. Alternatively any resident who leaves the area and does not renew his exit permit loses his status as a resident. Permits to travel abroad are issued for three years. Persons wishing to stay abroad longer must renew the permit, usually for a further three years. After this, he must return home or lose his status as a resident.

A West Banker marrying a Palestinian who is resident abroad, or a citizen of another country, must apply for permission for the spouse to join him/her on the basis of "unification of families". Denial is the norm and hundreds of people have been refused permission to join their partners.

In many cases, wives, husbands and other "illegals" are issued with temporary permits of one to three months. Permission to renew these permits - a relatively expensive procedure - is often refused. A child, whose mother does not possess a valid residency or visitor's permit, is also "illegal".

Targeted for Deportation

Newsletter staff visit a West Bank village, where eight families, threatened with separation, are being protected by High Court temporary injunctions secured by the Hotline. Beth Goldring was our escort and guide. Beth is a member of the Women's Rights Project of the Palestinian Federation of the Women's Action Committee, one of the Palestinian organizations with which the Hotline is cooperating.

Kabalan is perched on a steep hill, some 12 kilometers south of Nablus, the West Bank's largest city. Surrounded by terraced slopes, planted with olive and almond trees, the small stone houses crammed along its steep, winding streets are home to a population of some 6,000. On the spring day of our visit, the fragrance of the almond blossoms, contrasted with the sharp smell of animal dung, and the odor of spices; the view over the rounded hills was breath-taking.

We sat on mattresses on the floor, sipping sweet tea, and talked to 28 year-old Miaser Attiya Yunis, a pleasant, smiling woman with gray eyes under a white headscarf. During the interview, two of her children, aged five and nine, sat quietly listening.

Miaser married Yasser Issa Musa Shaharuj in Kabalan in 1976. Both of them were born in the village but Yasser was working in Kuwait at the time of the Israeli census of 1967, so he does not have the identity card of an official

Two years ago, 250 "illegals" were expelled by the IDF, but the process was halted after an application to the High Court. At that time the Attorney-General told the court that the deportations had been stopped on humanitarian grounds. Subsequently the expellees were permitted to return. They were issued with six-month residency permits, which are renewable. The legal foundation of the Hotline's show-cause applications is based on Israel's obligation, as the governing authority in the occupied territories to safeguard the interests of the residents in the area. Furthermore Israel's adherence to the Convention on the Rights of the Child includes acceptance of the principle that children must not be separated from their parents against their will, and that applications for family unification be dealt with humanely and expeditiously. In its application to the High Court, the Hotline has argued that IDF policy in this matter is politically motivated.

The Hotline has made 45 applications to the High Court so far, each of them involving several families. The court fees are paid for by the Hotline, and the considerable legal and clerical work involved is carried out for a nominal fee of NIS 50 (\$20). The Hotline is the only organization carrying out this vital work.

These individual applications, of course, only represent the first stage of the struggle. The Hotline wants all the "illegals" to be granted family reunification or for their visitors' permits to be extended indefinitely. The Hotline will continue to use all the legal means at its disposal to guarantee the right of families to live together in their own homes.

resident. He came for a visit each year on a temporary visitor's permit, and it was on one such stay that he married Miaser.

In the first years of their marriage, Miaser lived in Amman, the Jordanian capital, where her two oldest children were born. Yasser worked as a welder in Kuwait. Subsequently Miaser returned to Kabalan, with Yasser paying yearly visits. The couple now has six girls and two boys.

Forced to leave Kuwait last year, Yasser returned to the village on a one-month residency permit. The permit was renewed on a monthly basis until October 1991, when the Civil Administration office in nearby Hawara told him that there would be no more renewals and he had to leave. As his wife was then pregnant with their eighth child, Yasser remained in Kabalan, and on December 24, an IDF unit came to arrest him.

Miaser, by now in her ninth month, received the soldiers, but told them she did not know where her husband was.

"I told them that he might be at his mother's house, so they drove me there, but he wasn't there either," explains Miaser. "The officer told me I was being detained, and would have to remain at his headquarters until Yasser turned himself in. Yasser's mother shouted at them that I was pregnant and offered herself instead, but they simply told her to mind her own business and took me by jeep to the Civil Administration Headquarters."

Meanwhile a relative had contacted the Hotline office in Jerusalem by telephone, and the Hotline called the Hawara office

to protest. The local commanding officer said he had not known that Miaser was pregnant. When she informed him that she was in her final month, he permitted her to go home, but he reiterated that her husband had to leave the West Bank immediately. She was detained for five hours. Four days later, she gave birth to a daughter, Fatima.

The Hotline at once applied to the High Court and obtained an injunction that for the time being prevents the authorities from deporting Yasser. He cannot return to Kuwait and does not want to return to Amman. In addition to his wife and eight children, he has a large family in Kabalan and want to live and work in the village.

Later we were joined by Farouk Abdel-Kader Salame, 41, a stocky man, with a neatly trimmed mustache and a red and white keffiyeh headscarf. Farouk was also born in Kabalan, but left in 1965 to work in Kuwait. He too missed the census and consequently was only able to return to his home on a temporary permit. He and his wife Zahariya also have eight children.

Four of the children, born in Kuwait, did not have permanent residency, but here the family had a partial success. Following an application to the Civil Administration for family reunification, the four were issued with ID cards. This means that Zahariya and her eight children are all legal residents of Kabalan, but Farouk remains "illegal".

Last October, when he went to renew his temporary permit at the Hawara office, he was refused and told he must leave. Farouk also remains in Kabalan on the basis of a temporary High Court injunction obtained by the Hotline. He thinks he might be permitted to return to Kuwait, but he wants to remain in the village of his birth. He has saved some money after more than two decades of working abroad and would like to open a small business.

Hotline Chairperson Receives Civil Rights Award

Lotte Saltzberger, chairperson of the Hotline, was the 1991 recipient of the prestigious Emil Grunzweig Award of the Association for Civil Rights in Israel. The citation states that Lotte Salzberger was active in establishing the Hotline which actively assists Palestinian victims of violence, detention, and harassment.

"This type of activity is often not rewarded by honor, approbation or prestige," note the judges. "It does, however, uphold the principle that an individual is a human being,

Outreach Program: Bethlehem and Ramallah

Following the Gulf War and the resulting tension and violence between Israelis and Palestinians inside Israel, residents of the territories are not allowed to enter Israel without permits. This means that many West Bank residents, who are victims of violence, harassment or vigilante action, find it impossible to come to the Hotline's Jerusalem office to seek assistance.

Consequently the Hotline launched an outreach program to initiate contact with this sector of the population. On

Less than two kilometers north of Kabalan is the village of Usarin. Nawaf Shehade Sa'if Mifle, a 51 year-old blind man, was living in Amman at the time of the census, and as a result has no official residency. Seven years ago, his family in Amman could no longer care for him, and he returned home to his native village, where his mother and brothers help to look after him.

His family in Usarin applied for family reunification and it was refused. In 1987, he married a woman from a neighboring village, who has official residency. A further application for family reunification, this time filed in the name of his wife, was also refused, and he remained in Usarin as an "illegal".

Last November, Nawaf's wife was handed a paper summoning him to the Civil Administration office at Hawara. Nawaf tore up the summons. On January 24 1992, an IDF unit came at midnight to arrest him.

"It was pouring with rain," recalls Nawaf, who speaks in sharp, decisive tones. "It was Friday, I said I would leave on Sunday. The officer accepted this, but he took my wife's ID card, as a surety. I didn't leave. I won't leave. This is my village, and I will remain here. I have nobody in Amman to look after me now."

In the case of Nawaf also, the Hotline obtained a temporary High Court injunction, permitting him to remain at his house in Usarin for the time being.

The above examples, are only four of the 200 families currently being helped by the Hotline. They are atypical only in the fact that in these cases the men are faced with deportation, whereas more often it is the wife who is under threat. There are thousands of Palestinian families whose situations are similar to those described above.

whose troubles must be addressed and resolved. It involves a daily struggle with the misfortunes of many residents living under a military regime, to bring their problems to the attention of the authorities for a solution. In these matters the Hotline, under the leadership of Lotte Salzberger, is fired by the belief that the Jewish tradition includes the basis for the creation of a just society in Israel, based on the principle of 'What is hateful to thee, do not do to thy fellow'."

March 1 1992, the Hotline opened a joint office with the Israeli branch of Defense of Children International, DCI, in Bethlehem. Staffed by an attorney, Badera Khoury, the Bethlehem office hears problems and registers complaints. These are then passed to the Hotline office staff in Jerusalem for appropriate action. A local committee has been formed to advise the Bethlehem office and assist it in its contacts with the local population. Khoury has also started registering complaints in Ramallah, thus extending the Hotline operation into the heart of the occupied territories.

Hotline Report: The First Three Years

The Hotline special report on human rights violations in the occupied territories, issued last year, contains no surprises, but it does confirm the basic facts of our operation.

An analysis of the more than 2000 files from the first three years of Hotline activities shows that the largest category of complaints concerned the failures of the military authorities to inform the families of detainees of their whereabouts. This type of complaint has declined following successful representation by the Hotline and other human rights groups.

The question of exit and entry permits remains a crucial problem for residents of the occupied territories, particularly when "security reasons" are given by the authorities for refusal to issue permits.

Although charges of violence constitute a smaller proportion of the complaints received by the Hotline, they are the most distressing, as well as the most difficult to handle. The Hotline is disappointed that it has not achieved greater success in this category of complaint, which involves the mistreatment and humiliation of human beings.

The report points out that the complaints received by the Hotline only represent a tiny proportion of human rights violations occurring in the territories. Many Palestinian residents don't know about the Hotline, or are simply unable to reach its Jerusalem office. Others are suspicious of any Israeli organization and therefore decline to contact the Hotline.

Liz Magnes Concert

The Hotline held its first benefit concert on October 21, 1991 at the Van Leer Institute. Liz Magnes, a well known Jerusalem jazz pianist, pleased the audience with her lively and innovative jazz renditions of music from the Middle East, Africa, and the United States. The Hotline received NIS 7000 (\$2900) from the concert proceeds. The Hotline plans to make the benefit an annual event.

Acquisitions and Requests

Acquired

1. Fax machine: Following the announcement in our last newsletter that we needed a faximilia machine, our generous supporters came up with a donation and the fax was installed last year, enormously increasing the effectiveness of the Hotline operation.

2. Mobile Photo-Copying Machine: Another donation enabled the Hotline to purchase a mobile photocopying machine. This is necessary in many West Bank locations, where the local police station is prepared to make files available for the purpose of following up a complaint, but will not let them out of the station, and does not possess a copying machine. Hotline staff members or volunteers are thus able to obtain evidence otherwise impossible to acquire.

Needed

1. A Legal Reference Library containing the standard works on Israeli and international law, regulations and statues.
2. Additional hardware for our computer system to deal with the expanded case load caused by the applications to the High Court, the expansion of our legal aid program, and the opening of the Bethlehem office.
3. Office furniture and equipment for our expanded operation.

Foundations Supporting the Hotline, 1991-92

The Hotline would like to take this opportunity to thank the foundations and individuals who through their contributions have made the work of the Hotline possible. We regret that we are unable to list the many individual contributions.

Foundation Contributions and Pledges 1991-1992

New Israel Fund/Israel

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The Swedish Section of the International Commission of Jurists/Sweden.

Contributions in support of the Hotline may be sent directly to: Account no. 452939, Branch 638, Barclay's Discount Bank, Salah E-Din St., Jerusalem, Israel.

In the United States and Canada, tax-deductible contributions may be made through the New Israel Fund. Checks should be made out to the New Israel Fund and be identified as intended for the Hotline--Hamoked. In the U. S., write to: New Israel Fund, 111 W. 40th St., Suite 2600, New York, NY 10018; in Canada: New Israel Fund, 40 Dundas St. W., Suite 231, Box 29, Toronto, Ont. M5G 2C2.

In Great Britain, contributions may be made through the Jerusalem Foundation, and should be identified as intended for the Hotline--Hamoked. Checks should be sent to: Esther Berkowitz, Secretary, Jerusalem Foundation U.K., c/o Bank Leumi U.K. plc, 101 Golders Green Rd., London NW11 8EN.

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