

The National Insurance Institute continues to infringe the social rights of residents of East Jerusalem. Here, too, intervention by human rights organizations or attorneys is often the only way to insure the practical implementation of court rulings. For example, the Supreme Court ruled that the National Insurance Institute must provide prior written notification in cases when it intends to remove individuals from the list of those entitled to services in accordance with the National Health Law, and must offer them a hearing. In several cases, HaMoked was forced to intervene in order to restore names to the list that were removed in contravention of this procedure. Nevertheless, some improvements have been seen. For example, the National Insurance Institute's East Jerusalem office now accepts many forms by mail, rather than requiring applicants to present the forms in person. Following complaints by several organizations, including a complaint by HaMoked after a pregnant woman miscarried after being required to stand in line, the Director-General of the National Insurance Institute informed HaMoked that several changes had been introduced. Disabled and sick people are no longer required to wait in line; shelter and benches are now available for those waiting outside the building. A new, air-conditioned hall is to be built in order to reduce lines outside the building. As at the Ministry of the Interior, different types of cases are now processed on separate days.

### **Health Insurance for Minors**

In mid-2001, a joint effort by HaMoked, Physicians for Human Rights and the Association for Civil Rights in Israel secured the right to medical treatment of children in East Jerusalem in cases when only one of the parents is an Israeli resident.

The former policy of the National Insurance Institute had been that children in such cases were not entitled to national insurance from the moment of birth. Instead, eligibility was confirmed only after an extended investigation to ascertain whether Jerusalem was the family's "center of life," and after registration of the children at the Ministry of the Interior, or the allocation by the Institute of temporary numbers in place of official identity numbers. The result of this policy was that at a critical stage of life, babies and children were deprived of medical supervision and treatment. The Palestinians of East Jerusalem form one of the poorest populations in the State of Israel, and most residents are unable to afford private medical treatment.

In March 1999, HaMoked petitioned the Supreme Court against this procedure. Following the filing of the petition, a settlement was reached with the state stipulating that these children would receive health insurance by means of a procedure that should not, as a rule, exceed one week. The children are to continue to receive medical treatments as long as the National Insurance Institute has not conclusively established that they are not residents, including a hearing on this matter.

Immediately after birth of the baby, parents must complete a form (printed in Hebrew and Arabic). The form may be submitted in person or by mail, and is distributed at the National Insurance Institute offices, at maternity wards in Jerusalem hospitals, at health fund clinics and at mother-and-baby clinics in the east of the city. The process of affiliating the child to a health provider takes one week. The Court accepted the settlement and incorporated the complete text of the agreement in its ruling.

Following this ruling, HaMoked visited hospitals around Jerusalem to inform the staff of the significance of this decision, to insure that the appropriate forms are indeed available

in the relevant wards, and are given to the mothers of newborn children. In cooperation with Physicians for Human Rights, HaMoked is currently preparing to disseminate information on the new procedure to all the clinics and mother-and-child centers in East Jerusalem and other key locations.

### **Fee for Registration of Children**

N.A. is a single mother with seven children. Lacking any source of income, she lived in extreme poverty and appalling conditions in her brother's home in East Jerusalem. In 1998, the Ministry of the Interior revoked her status as a resident of the city. Deprived of any formal status in Israel, N.A. was unable to receive benefits from the National Insurance Institute, and she and her children did not enjoy health insurance. After the Ministry of the Interior changed its policy on the revocation of residency rights, and following intervention by HaMoked, N.A. regained her status as a resident of Jerusalem in 2000. Some three months later, she was informed that her children had been registered in the Population Registry.

However, the notification regarding the registration of her children also stated that she would be required to pay a "service fee" of NIS 535 for each of five of her children who were not born in Israel. In order to insure her children's status in Israel, N.A. was thus expected to pay the amount of NIS 2,675. As a woman lacking any means, and surviving with her seven children on her brother's National Insurance benefit (which supported a family of 18), N.A. was unable to pay such an amount, and therefore refrained from registering her children for a period of four months.

HaMoked submitted an application to the Ministry of the Interior to exempt N.A. from payment of this fee. The application was initially rejected without reason; after HaMoked applied again, the Ministry of the Interior stated that the exemption was granted only in extreme humanitarian cases, and that N.A.'s case did not meet this definition.

Given the urgent humanitarian need to register the children, HaMoked decided to pay the fee from its own funds, and to file a petition against the refusal of the Population Registry to exercise its discretion to grant exemption from the fee and against the absence of clear criteria for such exemptions.

In April, N.A.'s seven children were duly registered at the Population Registry. In mid-2001, HaMoked petitioned the Supreme Court, asking that criteria be established and published for eligibility to exemption from the fee. HaMoked also asked that criteria be established providing a full or partial exemption from fees for all services relating to the status of minor children, in cases when the parents' income was below a given level. The petition specifically asked that the refusal to exempt N.A. from payment of the fee be overturned. The hearing on the case has been arraigned for November this year.

### **Revocation of residency, registration of children and family reunification**

F.A.A. and her family were forced to move to Jordan due to the Ministry of the Interior policy (until 1994) of not allowing women residents of Jerusalem to file applications for family reunification with their partners. In 1994, the couple returned to Jerusalem with their five children. F.A.A. later discovered that the Ministry of the Interior had revoked her residency status, as well as that of two of her children whom had been registered in the Israeli Population Registry. The lack of residency status meant that the family was obliged to live in Israel in conditions of extreme poverty, without any official status or