

detract from the “provisions of law” or from the “discretion of the Interior Ministry concerning [the above rules’] application in light of the personal circumstances and the totality of connections of the person [who turns to the Interior Ministry]”.

An additional aspect of the Minister’s words and that of the State Prosecutor’s Office, which needs to be emphasized, is that there is no proposed solution to the problem of people who have already had their residency rescinded by the Ministry of Interior. In this respect, there was a change at the end of January 2000: according to an unofficial publication – that in practice has been confirmed – residency status is restored to individuals who are able to prove that they have resided in Jerusalem over the past two years.

HaMoked’s petition to the Supreme Court against the policy of revoking residency rights, remains pending. At the end of 1999 HaMoked requested that the Court order the State to submit an affidavit by the Minister of Interior, Mr. Sharansky, in which he will state in detail the procedures and criteria of the new policy. The affidavit will also clarify discrepancies between statements made by the Minister through the media and that of the distancing responses voiced by the State Prosecutor.

Children’s Health Insurance

An additional petition of HaMoked that is still pending in the Supreme Court, is over the issue of medical insurance for children who have only one parent who is a Jerusalem resident. The petition was submitted in March 1999 together with Physicians for Human Rights and the Association for Civil Rights in Israel.

The petition challenged the practice whereby these children, from the time of their birth, are not awarded health insurance, but rather only after a prolonged inspection into the family’s “center of life” by the NII and following the registering of these children with the Ministry of Interior, or after the issuing of a “temporary number” to these children (instead of an identity number) by the NII. The policy creates a situation whereby babies and young children, who are in the most critical years of their development, are denied all medical and follow-up treatments. The population of East Jerusalem is one of the poorest in the country, with the majority of the residents being unable to afford private medical treatment. It is precisely this group that has to contend with severe barriers while trying to receive their national health insurance.

The petition has been heard and we are currently awaiting judgment. In the meantime, the Supreme Court ruled in another case, that an individual’s health insurance cannot be halted before the person has been informed of the decision and given the right to a hearing. In light of this ruling, the petitioners offered the State an agreement, according to which all children who are covered by the petition will be awarded health insurance from birth, and will continue to receive medical treatment until all the stages of a NII investigation have been completed and a decision regarding the child’s residency reached. A response from the State has yet to be given.

Separated Families

A further subject that illustrates the gap between what is being stated in the Court and what is occurring in reality is in the area of separated families.