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**HAMOKED**  
CENTER FOR  
THE DEFENCE OF  
THE INDIVIDUAL

המוקד להגנת הפרט  
مركز الدفاع عن الفرد

Date: August 11, 2016  
In your response please note: 25474

To:  
Advocate Daniel Solomon  
Legal Advisor  
Ministry of Interior  
6 Mesilat Yesharim Street  
Jerusalem

**By Fax: 02-6467001**

**Urgent!**

4 Abu Obeidah St.  
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شارع أبو عبيده ٤  
القدس ٩٧٢٠٠  
هاتف. ٦٢٨٣٥٥٥. ٠٢.  
فاكس. ٦٢٧٦٣١٧. ٠٢.

mail@hamoked.org.il  
www.hamoked.org.il

Dear Sir,

Re: **Request to exclude 2,104 Palestinians holders of stay permits in Israel in the framework of family unification procedures from the applicability of the National Health Insurance Regulations (Registration with a Health Fund, Rights and Obligations of the holders of a stay permit according to the Citizenship and Entry into Israel Law (Temporary Order), 5763-2003, 5774-2014, in view of the fact that within the next six months they are expected to gain an upgraded temporary residency status (A/5) according to HCJ 813/14 et al. Nofal et al. v. Ministry of Interior et al.**

1. I hereby turn to you urgently and request that you direct the different health funds not to apply the National Health Insurance Regulations (Registration with a Health Fund, Rights and Obligations of Holders of Stay Permits according to the Citizenship and Entry into Israel Law (Temporary Order), 5763-2003, 5774-2014 (hereinafter: the health regulations) to a known and defined group consisting of 2,104 Palestinians living in Israel in the framework of family unification procedures under renewable stay permits, who within the next six months are expected to be upgraded and gain temporary residency status according to the statement of the Minister of the Interior in HCJ 813/14 **Nofal et al. v. Minister of Interior et al.**, all as specified below.
2. In 2014 HaMoked: Center for the Defence of the Individual filed a series of petitions with the Supreme Court requesting to upgrade the status of Palestinians, spouses of East Jerusalem residents, who have lived in Israel for many years in the framework of family unification procedures. On April 11, 2016, the respondents informed the court that the Minister of Interior had decided to grant temporary residency status (A/5 visa) to Palestinians, living in Israel in the framework of family unification procedures under stay permits, whose applications for family unification (which were approved) had been submitted not later than by the end of 2003.
3. Hence, we are concerned with a defined group a detailed list of the members of which is in the possession of the Population and Immigration Authority.

The group consists of 2,104 Palestinians living in Israel under stay permits in the framework of family unification procedures with respect of whom it was held that they were entitled to an upgrade. The Population Authority notified that said individuals would be summoned to the population administration bureaus to receive temporary residency status from September 2016 through March 2017 (hereinafter: **the group which is about to be upgraded**).

Copy of respondents' notice in HCJ Nofal is attached and marked **A**;  
Copy of the notice in the Population and Immigration Authority's website is attached and marked **B**.

4. At the same time, on August 1, 2016, the health regulations entered into effect obligating any Palestinian who obtained a stay permit in Israel either in the framework of a family unification procedure or from the humanitarian committee to join a health insurance arrangement in consideration for a high one-time fee and monthly insurance payments.
5. In view of the fact that the group which is about to be upgraded will not enjoy the benefits and health insurance afforded by said regulations since during the next six months the members of the group will be receiving temporary residency status, it is neither sensible nor reasonable to apply to them the new health regulations and compel them to pay large sums of money for a service which they would hardly enjoy. Upon receiving the temporary residency status and the right to national health insurance ancillary thereto, there is no room to compel the members of the group to join the arrangement established in the regulations, which is designed for individuals who are not entitled to national insurance.
6. **In view of the above we request that you interfere and prevent the new health regulations from being applied to the group which is about to be upgraded, with the exception of individuals who may wish to voluntarily acquire health insurance according to the regulations for the brief duration until the temporary residency status is obtained.**
7. Thanking you in advance for sending us your position as soon as possible in view of the tight schedule prescribed for the commencement of a "compulsory registration" of individuals who did not join the health funds at their own initiative.

Sincerely,  
Abir Joubran-Dakwar  
Advocate

CC: A-B

A similar letter was sent to:

Adv. Udi Eitan, State Attorney's Office, Ministry of Justice  
Ms. Revital Topper-Haver Tov, VP Health Funds and Additional Health Services Supervision, Ministry of Health

