

# **Adalah**

The Legal Center for  
Arab Minority Rights in Israel

Report of Activities **2010**

Issued March 2011

## Introduction

This report highlights Adalah's **main achievements and impact, as well as our key activities** conducted in 2010, our 14<sup>th</sup> year of operation. As this report reflects, Adalah achieved several successes on our legal representations and international advocacy initiatives, and submitted major new impact litigation cases of crucial importance in promoting and defending the rights of Palestinian citizens of Israel and Palestinian residents of the Occupied Palestinian Territory (OPT). Adalah also issued new legal publications and delivered papers and lectures at numerous conferences and symposium, by invitation, both in Israel and abroad.

Adalah ("Justice" in Arabic) is an independent human rights organization and legal center with offices in Haifa in the north and Beer el-Sabe (Beer Sheva) in the south. Established in November 1996, Adalah serves Palestinian citizens of Israel, numbering 1.2 million people or close to 20% of the population and Palestinians living in the OPT. Adalah's main objectives are to achieve equal individual and collective rights for the Palestinian Arab minority in Israel in different fields including land and planning rights; economic, social and cultural rights; and civil and political rights including the rights of prisoners and detainees, and to defend the rights of Palestinians living under occupation. In order to achieve these goals, Adalah:

- Brings impact litigation cases before Israeli courts and various state authorities;
- Provides legal consultation to individuals, NGOs, and Arab institutions;
- Appeals to international institutions and forums;
- Organizes conferences and study days and publishes reports on legal issues;
- Conducts extensive media outreach;
- Trains legal apprentices, law students, and new lawyers in the field of human rights.

This report is divided into four sections: Legal Action, International Advocacy, Legal Education and Institutional Development. We have continued to use this new, more streamlined format for this report, in an attempt to provide readers with a more succinct presentation of our work.

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## I. LEGAL ACTION

### Figures

	Planned 2010	Achieved 2010
New impact litigation	15	<b>18</b>
New legal interventions	20+	<b>40</b>
Wins/losses	-	<b>12 wins/ 6 losses</b>
Follow-up on pending cases	All pending cases	<b>Followed up on 35 cases</b>

### Major Legal Achievements



*Arab author Ala Hlehel*

Adalah achieved a landmark Supreme Court decision allowing [Arab author Ala Hlehel to visit Lebanon](#) to receive a prestigious literature award: The court ruled in 4/10 that Mr. Hlehel was permitted to travel as there was no security reason to prohibit it. The decision marked the first time since 1948 that an Israeli court has overturned an executive decision to ban a citizen from visiting an “enemy state”. As Adalah requested, the court ordered the state to explain why it should not set clear, equitable criteria to govern requests by Israeli citizens to visit “enemy states” under Israeli law. The state responded in 9/10 that it is preparing a policy document.

- See coverage of the case in *The Guardian*: [Writer petitions the Israeli Supreme Court over travel ban](#)
- See also *The LA Times*: [ISRAEL: Author waits – and waits – for permit to travel to Lebanon for literary award](#)

As the case generated intense interest and received wide media coverage, Adalah published a [series of commentaries](#) on it in our newsletter in 4/10.

**A landmark Supreme Court decision ruling the [Income Tax Law unconstitutional and discriminatory for granting tax benefits solely to Jewish towns](#):** The decision was delivered in 9/10 following petitions by Adalah and the Association for Civil Rights in Israel (ACRI). Under the law, not one Arab town received the lucrative benefits. The court gave the state a limited time to amend the law in the context of its 2011-12 fiscal legislation.

- See *Haaretz*: [High Court: Tax benefits inequitable, discriminate against Arabs](#)
- See *The Jerusalem Post*: [Court rules Income Tax amendment discriminatory](#)
- See *Ynet*: [Court: Tax policy discriminating against Arabs](#)



*Mother and child clinic in the Naqab  
Photograph courtesy of Akhbarna*

**The Health Ministry [re-opened mother and child clinics](#) in two Arab Bedouin villages in the Naqab:** The ministry made the announcement in 8/10, stating that a clinic in Abu-Tlul village would be open three days a week, and a second clinic in Qasr al-Sir for two days a week. The

clinics, in addition to a further clinic in Wadi al-Nam, which provide basic, essential medical care for some 18,000 vulnerable people, were closed in 10/09. They were opened ten years ago following litigation by Adalah.

**One of Israel's largest health funds agreed to open a health clinic in the unrecognized Arab Bedouin village of Tel Arad in the Naqab**. The decision to open the clinic was made in 6/10 and came in response to a letter sent to the fund by Adalah. As Adalah argued, the 2,000 residents of Tel Arad must currently travel to health facilities in the surrounding area to receive medical treatment, for example in Arad city, which is approximately 20 km away. Most residents do not own a car and must walk for around 40 minutes to even reach any public transportation.



*Israel Railways*

**The Israel Railways Company cancelled new criteria requiring railway workers to perform military service, which threatened the jobs of 130 Arab workers**. The decision to cancel the new criteria was made in 2/10 following a petition challenging the requirement by Adalah, Sawt el-Amel (The Laborer's Voice), and the legal clinic of Tel Aviv University. In 9/09, following the submission of the petition, the Tel Aviv Labor Court issued an injunction to prevent the 130 Arab railway workers from being fired. As the vast majority of Arab citizens of Israel are exempted from military service for historical and political reasons, the requirement discriminated against them.

**In 12/10, the Knesset's Economics Committee awarded subsidies to Arab egg farmers to produce 6 million eggs annually - for the first time**. The decision followed a Supreme Court petition filed by Adalah and a court order from 7/10 compelling the state to explain why the Arab village of Aramshe received no subsidies and why there were no clear criteria for allocating them. This is the first time that Arab farmers will receive subsidies for producing eggs and be licensed to sell them. Previously, the Poultry Council awarded subsidies for the production and sale of approximately 2 billion eggs annually to Jewish towns only.

**The Haifa District Court issued a temporary injunction in 9/10 ordering planning authorities to halt the implementation of the land plan for the Arab village of Daliyat al-Carmel, averting the demolition of 600 homes**: The decision follows a petition submitted by Adalah on behalf of 43 residents of the town. In the petition, Adalah demanded the cancellation of the master plan for the town and that an alternative plan be drafted in consultation with the residents of Daliyat al-Carmel. The case is pending for final decision.

**In 1/10 the residents of the Jewish town of Kamoun in the Galilee withdrew a petition filed to the Supreme Court demanding the cancellation of the master plan for the neighboring Arab village of Kammaneh (pop. 1,300), unless three racist conditions were met: "the cleansing of Kamoun of its Arab residents", the paving of a road for the exclusive use of the residents of Kammaneh; and the safeguarding of a Jewish majority on "Mount Kamoun" in the long-term. Adalah represented the residents of Kammaneh against the petition.**

**The Supreme Court accepted Adalah's petition demanding permission for Palestinian political prisoners to have contact with their young children during family visits**: The court confirmed

in 3/10 that children under eight years are allowed to embrace their incarcerated parent, at least once every two months. It noted, however, that a prisoner's individual circumstances must be taken into account, which may deny contact in some cases. Until 2002, the Israel Prison Service (IPS) allowed prisoners' children under ten to embrace their parents during the last fifteen minutes of the visit.

**A commitment by the Israel Prison Service (IPS) to provide Arabic-language [education to adult Arab prisoners](#):** The Supreme Court confirmed the IPS's commitment made in 10/10, following a year of negotiations between Adalah and the IPS after Adalah filed a petition to the court. There are around 6,000 adult Arab prisoners being held by

### **Other Major Legal Representations**

- ***Land and Planning Rights***

In 7/10, Adalah submitted an amended petition to the Supreme Court to demand the cancellation of “**admissions committees**”, which exclude Arab citizens of Israel from almost 700 communities built on state land. These committees filter out applications to live in these communities from Arab citizens, as well as from Mizrahim and gay individuals. The amended petition was filed after the Israel Land Administration (ILA) announced new changes in 3/10 to the arrangements governing admissions committees, which came in response to Adalah's original Supreme Court petition from 2007.

Adalah took additional action in 11/10 together with several NGO partners by sending a letter against the proposed [Admissions Committees Bill](#), arguing that it undermines the principles of equality and dignity and should be cancelled immediately. The bill provides legal justification for the discriminatory policies of admissions committees in

Israel. The IPS previously only provided adult education in Hebrew.

**[500 residents of Gaza](#) began to receive disability benefits owed to them from the Israeli National Insurance Institute (NII).** In 11/10, the NII began to transfer the payments, after their cancellation at the beginning of 2009. In 2007, the Israeli government declared Gaza as a “hostile territory”. The transfers came in response to a petition filed by Adalah, Al Mezan, PHR-I, and other partners to the Supreme Court.

\* END of SECTION \*

almost 700 community towns (or 68.3% of all towns) in Israel.

- See *Haaretz Editorial*: [South Africa is already here](#)
- See *Haaretz*: [Knesset panel okays bill letting small communities bar Arabs](#)



*A Bedouin woman watching Israeli police entering Al-Araqib. Photograph courtesy of Activestills*

In 8/10, Adalah demanded criminal investigations into the police involved in the [demolition of the unrecognized Arab Bedouin village of Al-Araqib in the Naqab](#), and into the presence of Tax Authority officials and the illegal debt collection operation. Police razed all 45 houses in the village to the ground and left all 250 villagers without a roof over their heads, with all their belongings confiscated. Adalah also published a **position paper** on behalf of 10 human rights and social

change organizations on the [unconstitutionality of the state's policy of home demolitions](#) in the Naqab.

Adalah filed an objection with the Arab Center for Alternative Planning (ACAP) in 10/10 to **demanding the cancellation of a plan to establish "Harish", a new [Jewish ultra-Orthodox city in the Arab Wadi 'Ara area of Israel](#)**. Harish would border six Arab towns of over 41,000 residents and stretch to the constructed areas of the Arab towns of Kufr Kara, Meiser, Barta'a, and Ara'ara. Umm El-Kafr would become an enclave within the planned city of Harish.

Adalah also sent a [letter](#) with ACAP in 10/10 to the Ministry of Construction and Housing, demanding the **cancellation of bids for the new ultra-orthodox Jewish town of Harish**. The publication of bids indicated that the ministry had begun the substantial planning of Harish, although the master plan has not yet been approved, as required by law.

Adalah filed a further objection with ACAP in 10/10 challenging a new plan that **threatens to [confiscate land in the Arab village of Tarshiha](#)** (pop. 5,000) in the north of Israel and hand it to the Jewish village of Kfar Vradim. The objection was submitted on behalf of over 200 residents of Tarshiha and argued that the plan would prevent the town from using its few remaining land reserves for residential development.

In 1/10, the Supreme Court rejected an appeal filed by Adalah against the [confiscation of land in the destroyed Arab village of Lajoun](#), belonging to 486 Arab Families in Umm al-Fahem. Lajoun pre-existed the establishment of the state and the land in question was confiscated from Palestinian citizens of Israel in 1953 at the order of the Finance Minister for alleged "essential settlement and development needs". Even today, the only use the land has been put to is to house a small facility for the Mekorot Water Company and a forest planted on part of it.

The court ruled, in total disregard of the property rights of Arab landowners, that lands confiscated in 1953 for "settlement needs" although not used as such, will not be returned to them.

In 6/10, the Supreme Court upheld the decision by the planning authorities to establish ["individual settlements" in the Naqab](#) as part of the "Wine Path Plan", despite the discrimination entailed against Arab Bedouin living in the unrecognized villages. The court dismissed a petition filed by Adalah to annul the plan, which established and retroactively legalizes 30 individual settlements for the purpose of securing the land for exclusive use by Jewish citizens. The court did not address the petitioners' arguments regarding the unequal distribution of land and the discrimination against the Bedouin unrecognized villages resulting from the plan.

In 11/10, the Prime Minister's Office illegally intervened to **reverse a decision by the national planning authorities to grant recognition to the [unrecognized villages of Atir-Umm al-Hieran and Tel Arad](#)** in the Naqab. In 11/10, Adalah sent an urgent letter to the planning authorities asking it to reject the request to change its decision. The original decision followed a recommendation by a special investigator appointed to consider objections against the Metropolitan Plan for Beer Sheva by several organizations, including Adalah. The reversal of the decision to recognize the villages represents a further escalation in the government's attempts to evacuate the unrecognized villages.

- See *Haaretz*: [PMO blocks recognition of Bedouin villages](#)



*JNF forestation in the Naqab. Photograph courtesy of the Negev Coexistence Forum*

In 12/10, Adalah sent a letter to the ILA demanding the cancellation of an internal ILA decision ordering public land to be transferred to the **Jewish National Fund (JNF) for forestation**. The stated purpose of the decision is to “maintain control” of the land, and it was issued despite the fact that the land in question is not earmarked for the purpose in the national master plan for forestation. By transferring public land to the JNF, a body that admits it serves the interests of Jewish citizens only, the decision will prevent Arab use of the land, especially in the Naqab.

- ***Health and Education Rights***

Adalah filed a petition to the Supreme Court in 3/10 on behalf of residents of the Arab village of Rameh (pop. 7,500) in northern Israel and two health and environmental NGOs. The petitioners demanded that the Mekorot Water Company resume the regular and continuous **supply of water** to residents who pay their water bills and to schools and health and social welfare institutions in the village. Mekorot claims that it may cut off water to residents if the municipality fails to pay 80% of outstanding water bills. Adalah argued that Mekorot has been illegally abusing its authority in cutting off the water to the village for two years. Mekorot re-established the water supply in Rameh to all residents in 7/10 after negotiations with the municipality.

In 10/10, Adalah submitted a petition to the Supreme Court against a new law **conditioning child allowances on**

**health immunization shots** which threatens to harm the welfare of thousands of children living in the unrecognized villages in the Naqab, home to around 85,000 Arab Bedouin. The rate of immunizations among Arab Bedouin children is relatively low due to the lack of accessible and suitable health services.

- See *Haaretz*: **Law making child stipends contingent on vaccinations comes under fire**

In 4/10, the National Insurance Institute (NII) announced that a tender for leasing a new NII building in the Arab town of Shafa’amr had been completed and that the new building was being renovated for use at the end of 2011. The announcement came in response to numerous public demonstrations and an urgent letter sent by Adalah to the NII and Minister for Social Welfare complaining about the conditions of the existing NII building. Adalah argued that **persons with disabilities could not access the current building** to obtain the services they are entitled to by law.



*Arab Bedouin children. Photograph courtesy of the Advocacy Project*

A Supreme Court petition filed in 12/10 demanded that the Ministry of Education (MOE) **open an elementary school in unrecognized Arab Bedouin village of Sawaween** in the Naqab. 350 children in the village have not been going to school since 9/10, the start of the current school year, after the MOE and Abu Basma Regional Council decided to transfer children from Sawaween to schools located 20km from their homes, without even consulting their parents.

An urgent letter sent on behalf of the High Follow-up Committee for Arab Citizens of Israel in 11/10 to the Education Minister demanded that applicants who seek employment as [teachers in the Arab education system](#) in Israel should not be given preference for performing national service, as there is no relationship between national service and being a good teacher.

In 2/10, the Tel Aviv District Court dismissed a petition filed by Adalah challenging [age restrictions by Tel Aviv University](#) that discriminate against potential Arab medical students. The restrictions limit entry to the medical school to candidates over 20 years of age, except students who wish to study before performing military service, generally under 20. Since most Arab students do not perform military service they have a two-year wait before they can apply, which acts as a powerful study disincentive. The court ruled there was no individual petitioner and Adalah had no cause of action.

- **Civil and Political Rights**

*The political persecution of Arab MKs: In 2010, Adalah represented three Arab Members of Knesset (MKs) who have been charged with various criminal offenses and whose parliamentary immunity and privileges have been revoked or threatened.*



*MK Barakeh during a demonstration*

In 8/10, Adalah filed a petition to the Supreme Court on behalf of MK Mohammed Barakeh (al-Jabha/Hadash) to challenge the illegal joinder of four

separate offenses in a [criminal indictment filed against him](#), as a violation of criminal law and breach of his parliamentary immunity. MK Barakeh is accused of assaulting or insulting police officers during anti-Wall and anti-war demonstrations between 2005 and 2007. In 3/10, the **Inter-Parliamentary Union (IPU)** affirmed that leading and participating in demonstrations is an integral part of the parliamentary mandate.



*MK Zoabi being attacked in the Knesset*

Adalah, on behalf of MK Haneen Zoabi and ACRI, petitioned the Supreme Court in 11/10 to challenge the [revocation of the parliamentary privileges of MK Zoabi](#) (National Democratic Assembly/ Balad) by the Knesset for her participation in the Gaza Freedom Flotilla in 5/10. Adalah argued that the Knesset had exceeded its powers and violated the law, which prohibits the Knesset from harming the rights of MKs for their political activities. Adalah further contended that revoking MK Zoabi's rights would create a dangerous precedent that allows the majority's representatives to punish those of the minority for political activity with which they disagree. The IPU denounced the Knesset's decision for violating a parliamentarian's right to freedom of expression and called on the Chair of the Knesset to cancel it.

- See *Jerusalem Post*: [Zoabi petitions High Court to keep parliamentary rights](#)





*MK Sa'id Naffaa*

Adalah represented [MK Sa'id Naffaa](#) (National Democratic Assembly/Balad), who was stripped of his **parliamentary immunity** by the Knesset in 1/10. The vote enabled the Attorney General (AG) to indict him for organizing a group of 280 Druze religious clerics to make a pilgrimage to Syrian holy sites after they were repeatedly refused travel permits by the Interior Minister. He argues that they were arbitrarily denied their religious freedom. He is also accused of contact with a foreign agent while in Syria, a charge he denies. Adalah represented MK Naffaa at a hearing held before the AG and senior officials from the State Prosecutor's Office in 3/10, and subsequently learned of his indictment.

#### *Other civil and political rights cases*

Adalah and ACRI petitioned the Supreme Court in 4/10 to cancel an amendment to The Regional Councils' Law (Date for General Elections) - 2009 that allows the Interior Minister to **indefinitely postpone the [first elections in the Abu Basma regional council](#)** (comprised of Arab Bedouin towns with 25,000 eligible voters in the Naqab). The Knesset passed the law shortly before elections to the council were due to take place. Although the council was established over six years ago, it is still headed by an official appointed by the Interior Minister. The petitioners asked the court to order democratic elections in the regional council as soon as possible.

*Update: At a hearing in 2/11, the Supreme Court ordered that [elections must take place by 12/12](#).*

Adalah filed a petition to the Haifa District Court in 7/10 on behalf of Dr. Yakoub Halabi to request an official certificate to permit him to **[change his nationality from "Druze" to "Arab"](#)** in the Interior Ministry's Population Registry. Adalah argued that the classification of the religious affiliation of the Druze people as a nationality is a fundamental mistake in concept, and does not correspond to the social, political or cultural reality of the Arab Druze community in Israel.

*Update: In 2/11, the state announced its [agreement](#) to change Dr. Halabi's nationality to Arab in the Population Registry.*

Adalah sent a letter to the Prime Minister, the AG and the Justice Minister in the run-up to a Cabinet debate in 10/10 on a very controversial loyalty oath bill that mandates that all non-Jews seeking citizenship via the naturalization process declare an **[oath of loyalty to Israel as a "Jewish and democratic state."](#)** The bill received government approval but ultimately was not put to a vote. Adalah argued that the oath specifically targets Palestinian citizens of Israel, whose "non-Jewish" spouses – mainly Palestinians from the OPT and other Arab states – are those who would be forced to swear the oath.

In 4/10, the Haifa Court for Local Affairs rejected a motion submitted by the Haifa Municipality to close down an Arab restaurant in Haifa whose owner **[refused to serve soldiers wearing their military uniforms](#)**. Adalah represented the restaurant's owner, who argued that the restaurant was opposed to military attire on his premises in general, regardless of who is wearing it.

- See: [Discrimination is the Solution](#), a satirical legal essay by Adalah's General Director Hassan Jabareen on this case. The essay was also published in the "Week's End" section of *Ha'aretz*, English edition.
- See also *The National*: [Haifa divides over restaurant ban's on Israeli soldier](#)

- **Prisoners and Detainees' Rights**



*Demonstrations following the arrests of Ameer Makhoul and Dr. Omar Saeed*

Adalah together with Attorney Hussein Abu Hussein was part of the [legal defense team representing Ameer Makhoul](#) – a civil society leader, human rights defender and Director of the Arab NGO network Ittijah – and **Dr. Omar Saeed** – a pharmacology researcher and political activist – during the detention stages of their cases. Their arrests and interrogations were undertaken in gross violation of their fundamental due process rights. Prohibition orders were imposed on meeting with lawyers following their arrests, 16 days for Dr. Saeed and 12 days for Mr. Makhoul. Gag orders were also placed on the cases and Mr. Makhoul's conversations with his lawyers were wire-tapped. Severe interrogation methods were used against Mr. Makhoul, causing him harm. For the first three weeks of his detention the GSS rejected requests for Mr. Makhoul's medical records and for an independent doctor to examine him.

Both men were indicted on security charges in 5/10. Mr. Makhoul was charged with assistance to the enemy in time of war and aggravated espionage. He pled guilty and was sentenced in 1/11 to nine years in prison. Dr. Saeed was charged with contact with a foreign agent and delivering information to an enemy. He pled guilty and was sentenced to seven months.

A position paper from 7/10 was sent to a special committee established by Supreme Court Chief Justice Dorit Beinisch, to examine the proper procedures for

prisoners' petitions. The paper detailed numerous [obstacles to prisoners' access to courts](#) including: holding hearings in prisons; preventing the public from attending hearings; prison regulations that deny prisoners access to information crucial to their legal proceedings; the use of secret evidence; courts that hear prisoners' petitions without the authority to do so; and transporting prisoners to court in humiliating conditions.

In 7/10, Adalah sent a letter to the Minister of Justice and the AG requesting that they do not support a request to pardon Israeli police officer [Shahar Mizrahi](#), who was convicted in 7/06 of manslaughter for killing an Arab citizen of Israel, Mr. Mahammoud Ghanayim. Mr. Ghanayim was shot in the head. In 7/10, the Supreme Court doubled a 15-month prison sentence imposed on Mizrahi by the District Court, emphasizing that the deceased posed no threat to the officer's life. In response, the Organization for the Rights of Police Officers and the Minister of Internal Security made a joint request to the President to grant him a pardon to prevent his imprisonment. Adalah sent a further letter in 9/10 to the Israeli police to challenge the [extraordinary financial assistance](#) that Mizrahi received from the police for his legal defense.

A letter sent in 10/10 to the Knesset's Constitution, Law and Justice Committee against a [new Criminal Procedures Law that harms the rights of security suspects](#) to demand that the legislation not be enacted. The bill, which was passed by the Knesset in 2010, extends the validity of special procedures that apply only to detention proceedings of security suspects and anchors in law further new harsh procedures. Adalah is planning to petition the Supreme Court regarding relevant articles of the law.

In 11/10, the Supreme Court rejected an appeal filed on behalf of a Palestinian prisoner in which Adalah demanded that **prisoners be allowed to file [principle and joint petitions](#)** together with other

prisoners concerning their conditions of confinement to the district courts. However, in 10/10, following the appeal, the State Attorney's Office instructed the IPS not to block any petitions submitted by prisoners and to transfer them to court immediately.



*Shackling cuffs for interrogation*

A petition filed to the Supreme Court in 12/10 to demand the cancellation of a sweeping exemption that allows the Israeli police and the General Security Services (GSS) **not to make audio and video recordings of interrogations of security offenses**. Adalah argued that the exemption makes security suspects, overwhelmingly Palestinians, more vulnerable to torture and ill-treatment and increases the likelihood of false confessions. In 2009, the UN Committee Against Torture expressed its sharp criticism of the exemption.

- See Haaretz: [Israeli rights groups want to force Shin Bet to record interrogations](#)

- **Occupied Palestinian Territory (OPT)**

Adalah submitted a letter to the AG in 1/10 to demand that he intervene to prevent the **sale of properties in occupied East Jerusalem and the Syrian Golan Heights** to private individuals or institutions, in violation of international law, including the Fourth Geneva Convention. The Ministry of Justice replied to Adalah in 3/10, claiming that Israel was fully entitled to sell and transfer ownership rights to land previously leased to Jewish settlers in settlements in East

Jerusalem and the Golan, and that the sale of the land was legal since Israeli law has been applied to the two areas. See also Adalah's [position paper](#).

- See Haaretz: [Justice Ministry: Israel can sell confiscated East Jerusalem land](#)

In 5/10, Adalah and Al Mezan sent a letter to the Israeli AG and the Military Attorney General (MAG) demanding a **criminal investigation** into the killing of Mr. Ahmad Deeb by the Israeli military in 4/10, who was participating in a peaceful protest with other Palestinians and international demonstrators near the Israeli-enforced "buffer zone" in Gaza. Mr. Deeb was shot and injured in the right groin area as a result of the indiscriminate firing of live ammunition at demonstrators.



*Jaffa Gate, Old City of Jerusalem*

An urgent letter sent in 10/10 to the Minister of Tourism, Minister of Justice and Attorney General to demand the rejection of a bill that seeks to ban **Palestinians from working as tour guides in Jerusalem** on the pretext that they "present the foreign tourists with anti-Israeli positions". The letter was sent a letter on behalf of two Arab tourist guide unions, with over 300 members and 36 tourist offices in East Jerusalem. The bill was subsequently withdrawn.

Pre-petition sent to the Ministries of Justice and Defense and the AG in 10/10 against the **policy of blocking access to the Israeli courts** to plaintiffs in torts case involving damages inflicted by the Israeli security forces, who are residents

of the OPT and their witnesses, thereby preventing them from exercising their rights to justice, compensation and a remedy. The Ministry of Defense responded in 10/10, claiming that the petitioners had not taken the current security situation in the area into consideration in making their demands.

In 12/10, Adalah sent an urgent letter to the Jerusalem Municipality demanding the cancellation of a [municipal decision forcing shop-owners in East Jerusalem to add Hebrew text to their shop signs](#), and that stipulates the Hebrew text should take up at least half of the sign. The decision ignores the fact that Hebrew is a foreign language to most of traders in East Jerusalem and applies to both existing and new signs. Anyone found in breach of these directives faces a financial penalty.

#### *Israeli attacks on the Gaza Freedom Flotilla*

On 31 May 2010, in international waters, the Israeli navy intercepted and attacked the *Mavi Marmara*, one of six ships taking part in the **Gaza Freedom Flotilla**.



*Demonstrations against the Israeli attacks on the Mavi Marmara*

The attack left at least nine individuals dead and dozens more wounded. Adalah undertook various legal representations on behalf of the Free Gaza Movement in response these events. Given the almost total blackout on information on the attacks and the condition of the Flotilla's passengers and crew, Adalah, PCATI and PHR-Israel submitted an **extraordinary petition for habeas corpus** and demand for information to the Supreme Court. Once Israel had taken control over the

ships, it severed all communications with them, either by internet or telephone. The petitioners demanded the names of the dead and injured; the names, locations and conditions of the detained; the legal status of the ships' passengers; and access to those arrested, detained or in hospital. Following the release of limited information by the state concerning the location of the foreign detainees, the court ruled that the main remedies requested had been met and the case was moot.

On 1/6/10, around 20 attorneys went to **Ela Prison in Beer Sheva**, and were brought to meet hundreds of detainees in two hours, clearly insufficient to allow them to inform them of their rights or to take detailed testimonies. An Adalah attorney met with detainees at Ela Prison and documented their statements, and coordinated the list of detainees with all of the attorneys. Adalah subsequently provided this list to Turkish human rights organizations and/or concerned friends and family members abroad who contacted Adalah directly.

Adalah led the legal defense team representing **four Palestinian Arab citizens of Israel**: three political leaders – Mr. Muhammed Zeidan, Chair of the High Follow-up Committee for Arab Citizens of Israel; Sheikh Raed Salah, Head of the Islamic Movement in Israel; and Sheikh Hamad Abu Daabes, Head of the Islamic Movement in Israel (southern branch) – and Ms. Lubna Masarwa of the Free Gaza Movement. [The four were arrested on 31/5/10 from the Mavi Marmara](#), one of the ships in the Gaza Freedom Flotilla. The prosecution provided no evidence to demonstrate that any of these four individuals had played any part in attacks on Israeli navy officers. The four were released on 3/6/10 under restrictive conditions, including a week-long house arrest and 45-day foreign travel ban. To date, no indictment has been filed against them.

Adalah also worked before the Israeli authorities on the confiscation of [Flotilla](#)

passengers' personal belongings and other civil and criminal matters, and assisted the Free Gaza Movement to secure the release of the ships.

- See *The Guardian*: [Israel holding 40 Britons in desert prison after Gaza flotilla raid](#)
- See Haaretz: [Police to free Raed Salah today](#)



*Mairead Maguire at a court hearing*

In a sensational ruling, the Supreme Court [deported Irish Nobel Prize Winner Mairead Maguire](#) in 10/10, following deportation proceedings in the Magistrate, District and Supreme Court during 9/10 and 10/10 in which Adalah represented Ms. Maguire. The Court argued that procedures required her to challenge the 10-year entry ban (received after her participation in the Gaza Freedom Flotilla) from Ireland.

- See *CNN*: [Irish Nobel laureate denied entry to Israel](#)
- See *Associated Press and The Guardian*: [Israel expels Nobel peace laureate over Gaza protest](#)

### **Major follow-up on pending cases and non-compliance by the state**

Adalah continued its representation on a petition filed against the new amendment to the [Citizenship Law banning family unification](#) in Israel between Palestinian citizens of Israel and Palestinians from the OPT and "enemy states" Syria, Lebanon, Iran and Iraq, as defined by Israeli law. Thousands of families are affected by the law. At a hearing in 3/10 before an

expanded panel of 11 justices, the court ordered the state to provide new data to demonstrate why the law is needed for security reasons. In 7/10, the Knesset extended the validity of the law until 31/01/11, the *tenth* extension of the law, officially a temporary order. Case pending for final decision.

Adalah followed up on a petition filed to the Haifa District Court in 10/07 on behalf of 24 people from the Arab Druze village of **Daliyat al-Carmel demanding the cancellation of the master plan for a ["National Park and Har Shukiv Forest"](#)**. The plan entails the joining of the petitioners' land to the area of the aforementioned park, thereby preventing the future development of the area and violating the landowners' rights to property and a livelihood. In 1/08, the state announced its decision to rescind the appropriation of 27 of 36 plots of land – 900 dunams – designated for the park. Adalah is in negotiations over the remaining plots of land.

Adalah sought the implementation of a Supreme Court decision from 1/07 that ordered the state to open the [first high school in the unrecognized villages](#) in the Naqab for 750 Arab Bedouin students by 9/09 in Abu Tulul-El-Shihabi villages. The school was not opened and Adalah submitted a new petition in 9/09 and a motion for contempt. The state responded in 12/09 claiming that the process of obtaining planning permission for the school building is ongoing. In 3/10, the court ordered the state to inform it about the finalization of the planning process by 9/10. The state continues to stall.

In 6/10, Adalah filed a motion for contempt of court to the Israeli Supreme Court against the Prime Minister due to the government's failure to implement the court's decision in the ["National Priority Areas"](#) case, after four years of non-compliance. In 2/06, the Court delivered the landmark judgment. In this case, a seven-justice panel of the court ruled that governmental decision No. 2288, which

classified communities as “National Priority Areas” (NPAs) for the purposes of affording significant state financial benefits in the field of education discriminated against Arab towns and villages in Israel. Out of 553 communities that were classified as NPAs only four were Arab. In the motion for contempt, Adalah argued that the state's non-compliance and failure to implement is a severe breach of the rule of law and the principle of the separation of powers.

*Update: At a Supreme Court hearing on the case in 2/11, the [state announced](#) that it no longer uses the discriminatory NPA decision and that new legislation did not extend its validity. The court then dismissed the petition. Adalah is considering next challenges to the NPA.*

Adalah also wrote and widely distributed a [position paper](#) on NPAs in 2/10, entitled, “On the Israeli Government’s New Decision Classifying Communities as National Priority Areas.”

In 4/10, an “**admissions committee**” **rejected a request made by an Arab Bedouin family to rent the home of Jewish family friends in Moshav Nevatim.** Adalah represented the family in an appeal by the moshav against a court decision upholding the right of the Jewish family to rent their home to them, despite racist objections made by the moshav management. The Supreme Court ordered the Arab Bedouin family to appear before the admissions committee in 3/10. The committee then decided that the family was “incompatible with the community”. Adalah is continuing with legal proceedings in the district court.

Adalah engaged in ongoing negotiations in a torts case filed on behalf of Dr. Nadera Shalhoub-Kevorkian in 11/09 against the State of Israel and the Airports Authority. The suit, in the Tel Aviv Magistrates’ Court, followed the [humiliating and demeaning treatment that Dr. Shalhoub-Kevorkian received at Ben-Gurion Airport](#) while on her way to

attend an academic conference in Tunis three years ago.



*PLC members threatened with deportation. They are taking refuge at the Red Cross in Jerusalem.*

OPT: Adalah continued to represent Palestinian PLC members, as amicus curiae, against the Interior Minister’s decision to revoke their permanent residency status in Jerusalem and deport them on the grounds that they are members of a “foreign parliament” and thus there is a “breach of loyalty” to the state. The MPs were elected on the “Change and Reform List” in internationally-monitored and Israeli-approved elections in 2006. One MP was imprisoned and subsequently deported to other areas of the West Bank, and the three other men are seeking refuge in the Red Cross in Jerusalem. Following Adalah’s intervention, [the Inter-Parliamentary Union \(IPU\)](#) emphasized that their deportation is illegal and an inhuman and cruel act and urged Israel to stop the deportation. At a hearing in 9/10, the [Supreme Court ordered the men to request re-consideration of residency status from the Interior Minister.](#)

- See *CNN*:  [Hamas official taken into custody for failing to leave Israel](#)
- See *The Guardian*:  [Israel threatens to expel Palestinian politicians from Jerusalem](#)
- See *Haaretz*:  [Hamas official facing expulsion: I won’t leave my ancestral home](#)

## II. INTERNATIONAL LEGAL ADVOCACY

### Figures

	<b>Planned 2010</b>	<b>Achieved 2010</b>
Reports/advocacy Interventions to UN / EU / US	7-10	<b>25</b>
Briefings for embassies and diplomats	<b>Frequent meetings</b>	15 meetings and 2 briefings
Participation in int'l HR conferences	10-12	15

### Main Achievements

In 2010, Adalah far exceeded its formal commitments in its international advocacy work, implementing an ambitious work program in a cost-effective manner.

Adalah's international legal advocacy initiatives focused on five main issues: the deteriorating overall status of the rights of the Arab minority; right-wing attempts to restrict the activities of human rights NGOs and Arab political leadership; the Gaza Freedom Flotilla; implementation of the recommendations of the UN Fact-Finding Mission on the Gaza Conflict ("The Goldstone Mission"); torture and/or ill-treatment of Palestinians in the OPT and prisoners' rights.

### *Key Outcomes*

In July 2010, the **UN Human Rights Committee (HRC) issued its [Concluding Observations \(COs\) on Israel](#)**. The HRC, which monitors compliance with the International Convention on Civil and Political Rights (ICCPR), raised and adopted a large number of the issues and arguments brought before the HRC in NGO reports submitted by Adalah in 8/09 and 6/10 on Israel's violations of the **civil and political rights of the [Arab minority in Israel](#)**, and on the subject of [torture and](#)

[ill-treatment](#) of Palestinians in the OPT (with PHR-I and Al Mezan). An Adalah attorney attended the Committee's review of Israel at the UN in Geneva in 7/10. Adalah will use these COs (totaling 22) as persuasive authority in its litigation before the Israeli courts, and in future local and international advocacy.



*Palestinian women prisoners*

**The Inter-Parliamentary Union (IPU) and Palestinian political leaders:** In 2010, Adalah worked closely with the IPU, a multilateral political organization that brings together 155 national parliaments, and its Committee on the Human Rights of Parliamentarians. Adalah raised three cases with the IPU on behalf of Palestinian political leaders. As a result, the cases were taken up by the IPU, and the IPU issued strong statements of support.

- In 3/10, the IPU affirmed in the case of [MK Mohammed Barakeh](#) that, "leading and participating in demonstrations is an integral part of the parliamentary mandate," and noted that the charges were brought against MK Barakeh years after the events, and that complaints filed on his behalf against persons who attacked him and other protestors were not investigated.
- In 7/10, the IPU noted about the [PLC members](#): "The Committee remains deeply concerned about the situation of several members of the PLC... The deportation of these men would be unlawful on many compelling legal grounds and runs counter to Israel's obligations under the Fourth 1949 Geneva Convention... [and] would be an inhuman and cruel act towards the men,

their families and their community... we urge the Israeli authorities to stop the deportation proceedings immediately.”

- In 7/10, the IPU stated that it was “dismayed at the recommendation by the Knesset House Committee to strip [\[MK\] Ms. Zoabi](#) of three parliamentary privileges” on the grounds that it violates a parliamentarian’s freedom of expression rights, and called on the Chair of the Knesset to cancel it.

Adalah worked extensively on the **Gaza Freedom Flotilla** (GFF) events of 31 May 2010 (see also *Legal Advocacy*) and followed up on the case for the remainder of the year. Adalah **secured the release of the ships** from Israeli impoundment, and continues to demand the return of passengers’ belongings, equipment and money. The **strong conclusions of the [UN Fact-Finding Mission on the Flotilla in 9/10](#)** reflect information provided by Adalah to the Mission in 8/10 on the illegality of the blockade on Gaza, the treatment of the GFF detainees, and the arrests of Arab citizens of Israel on the flotilla. See Adalah’s Special Report: [Gaza Freedom Flotilla](#)

Adalah advocated in various fora that **Israel’s domestic investigations into Operation Cast Lead** did not meet international standards of independence. Adalah, together with the EMHRN, B’Tselem and Al Haq, undertook an advocacy visit in 2/10 to EU institutions, Brussels, and Paris to advocate on the need for the urgent implementation of the Goldstone Mission’s recommendations. As a result of the visit, [a resolution was passed in the EU Parliament](#) requiring EU Representative Ashton to present an assessment report on the status of domestic investigations by Israel and the Palestinians. EMHRN with its members and advocacy partners will consider appropriate steps to take to implement the European Parliament resolution.

An **Independent Expert Group** (IEG) was established by the UN to assess the status of domestic investigations in

following-up on the recommendations made in the **Goldstone Mission’s Report**. While the [conclusions of the IEG report](#) are in general weaker than expected, the IEG relied in part on [Adalah’s briefing paper and testimonies](#) provided in 7/10 to the IEG in drafting the report and formulating **strong findings regarding the dual-role and partiality of the Military Advocate General and the lack of investigations into the actions of senior commanders**.

### Other Advocacy Initiatives

#### **1. The deteriorating status of the rights of the Arab minority in Israel**

**European Neighbourhood Policy (ENP) progress report on Israel’s implementation of the EU-Israel Action Plan in 2010**. Adalah contributed text and comments to a report prepared by the Euro-Mediterranean Human Rights Network (EMHRN), which evaluated the 2010 Progress Report on Israel regarding Implementation of the ENP in 2009.

Adalah further sent key concerns to the EU Delegation in Israel regarding the rights of Palestinian Arab citizens of Israel towards the drafting of the ENP progress report. Adalah’s paper included newly-enacted discriminatory laws and pending bills; attacks on the Arab political leadership; the Israeli government’s push to demolish and evacuate the unrecognized Arab Bedouin villages; and the decade-plus of impunity given for those responsible for the October 2000 killings of 13 Palestinian citizens of Israel. Adalah also **raised concerns in a [letter to EU High Representative Ashton in view of the upcoming meeting of the EU-Israel Informal Human Rights Working Group in 8/10](#)**.

In 5/10, Adalah briefed a [joint delegation of 15 members of the European Parliament](#) from the foreign affairs, development and budgets committees, together with the chairs of the Working Group on the Middle East and the Inter-



Parliamentary Delegation for Relations with the Palestinian Legislative Council at a meeting held in East Jerusalem. Adalah discussed the recent attacks against HR NGOs and the deterioration in the HR situation of Arab citizens of the state.

**The UN Committee on Economic, Social and Cultural Rights' [List of Issues on Israel, 12/10](#).** Of the 39 issues raised by the Committee, approximately half relate to the rights of Arab citizens of Israel, relying in large part on Adalah's NGO report submitted in 10/10. Adalah Attorney Sawsan Zaher participated in the [pre-sessional meeting of the CESCR](#) on Israel held in Geneva in 11/10, and briefed staff of the UN Special Rapporteurs on the Right to Adequate Housing and the Right to Education. The advocacy visit was supported and organized by the International Federation for Human Rights (FIDH) with joint activities with Al Haq and Badil.

## **2. Restrictions on the activities of human rights organizations and Arab political leaders**

**European Parliament, Committee on Foreign Affairs, Sub-Committee on Human Rights.** In 6/10, Adalah submitted a briefing paper to this committee entitled "Restrictions on human rights organizations and the legitimate activities of Arab political leaders in Israel," in advance of its hearing on "The Situation of NGOs and civil society in Israel." This paper was sent, together with presentations by PCATI and the EMHRN, to dozens of MEPs and was used extensively as a reference by them.



*Radical right-wing group Im Tirtzu protests against the NIF and Adalah*

The paper followed on from Adalah's regular participation in embassy briefings, meetings and other advocacy initiatives concerning these issues, joint statements issued with the Directors' Forum of human rights organizations, and the publication of various statements by Adalah against the vicious attacks on the New Israel Fund (NIF), Adalah, and other human rights NGOs.

- See Adalah, [Politics without Law: Attacks on human rights organizations](#) by General Director, Atty. Hassan Jabareen
- See [URGENT APPEAL to support Adalah's campaign](#) to counter incitement against Adalah and Palestinian citizens of Israel
- See [Adalah's position on the new bill to conceal information \("No UJ" bill\)](#)
- See [Directors' Forum position on the "No UJ bill"](#)
- See Adalah's [critique of a new bill](#) that would authorize the Associations' Registrar to close down NGOs if their goals or actions are against the state as a "Jewish and democratic" state.

## **3. Implementation of the Goldstone Mission's recommendations**

In 1/10, in the run-up to the UN Human Rights Council and UN General Assembly discussions on the implementation of the Goldstone Mission's report, Adalah prepared a [briefing paper](#) entitled, "Israeli Military Probes and Investigations Fail to Meet International Standards or Ensure Accountability." Adalah widely distributed this briefing paper to relevant UN and EU bodies assessing the status of the investigations and during advocacy visits.

In 6/10, Adalah participated in an EMHRN visit with B'Tselem, Gisha and Al Mezan to Brussels to advocate for the lifting of the Israeli blockade on Gaza and to demand accountability for the victims. During this mission, the group also met with the "Independent Expert Group" (IEG) formed by the UN Human Rights Council to assess the status of domestic investigations by Israel and the Palestinians, and

participated in a seminar on aid to Gaza and a Christian Aid partners' workshop on Gaza advocacy.

Adalah also sought and received assistance from the OSI Justice Initiative (OSIJ) in this regard. [OSIJ prepared a memorandum](#) for the UN Human Rights Council's follow-up IEG, dated 8/10, which analyzes the Israeli military's investigation into the 2008-2009 Gaza conflict and provides a comparative review of the legal standards in the US, UK, Canada, and Australia pertaining to the investigation and prosecution of alleged violations of the law of war.

In 6/10, Adalah Attorney Fatmeh El-'Ajou briefed the UN Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories in Amman. She informed committee members about the ongoing lack of domestic remedies for Palestinian victims in Israel and relevant OPT Supreme Court jurisprudence.

#### **4. Torture and ill-treatment of Palestinians in the OPT and prisoners' rights**

In 4/10, Adalah submitted a [briefing note](#) on Palestinian prisoners' rights to the EU Parliament's Sub-Committee on Human Rights in advance of its meeting in 5/10 on the question of Palestinian prisoners in Israeli prisons.

*Joint initiatives: Adalah, Al Mezan and PHR-Israel (EU Torture project)*

- Reports and lobby before the UN Human Rights Committee, monitoring the ICCPR. See above.
- **A letter to EU High Representative Ashton in view of the meeting of the EU-Israel Informal Human Rights Working Group in 8/10 informing of the concluding observations of the UN Human Rights Committee and the lack of independent, impartial and credible domestic Israeli**

investigations into allegations of human rights violations during the War on Gaza ("Operation Cast Lead").

- **A briefing paper on Israel's violations of the rights of Palestinians in the OPT in the field of torture and CIDT for the ENP progress report on Israel's implementation of the EU-Israel ENP Action Plan in 2010.**
- Networking meetings with EU officials in Brussels, the World Organization Against Torture (OMCT), the Association for the Prevention of Torture (APT), and the assistant to the UN Special Rapporteur on Torture.

*See also our [Torture Blog](#)*

#### **Networks, Conferences and Meetings with HR Organizations and Delegations**

Highlights of Adalah's activities included:

Adalah continued to be an active member of the **Euro-Mediterranean Human Rights Network (EMHRN)** in 2010. Adalah's International Advocacy Director Rina Jabareen is the facilitator of the WG on Palestine/Israel and participated in meetings of the EMHRN in Rome in 5/10 and in London in 10/10. Adalah Attorney Sawsan Zaher participated in the EMHRN Working Group on Women's Rights and Gender in Morocco in 4/10 and in Amman in 10/10, which also included a "gender mainstreaming" training.

Adalah's General Director Attorney Hassan Jabareen and International Advocacy Director Rina Jabareen attended the **International Federation for Human Rights' (FIDH) General Assembly** meeting in Yerevan, Armenia in 4/10. Adalah also hosted an **FIDH mission to Israel/OPT** in 1/10 to discuss future cooperation in the partnership.

Adalah Attorney Sawsan Zaher spoke at the 25<sup>th</sup> Anniversary Conference of the **New Israel Fund Law Fellows** in Washington, DC in 3/10 on the Citizenship

Law case, which challenges the ban on family unification, which affects thousands of Palestinian families in Israel.

Adalah Attorney Orna Kohn participated in the **Christian Aid Regional Partners** meeting in London in 11/10. The meeting focused on restrictions placed on civil society across the Middle East, including new government-sponsored legislation and overly-cumbersome bureaucratic procedures imposed on NGOs. The trip also included meetings with government offices, NGOs and donor organizations.

Adalah Attorney Sawsan Zaher presented at an **International Symposium on the “Enforcement of ESC Rights Judgments”** organized in 5/10 by ESCR-Net in Bogota, Columbia, on the issue of the state’s non-compliance with the court’s decision in the “National Priority Areas” case. Attorney Zaher also attended a follow-up workshop hosted by ESCR-Net, the Social Rights Advocacy Centre (SRAC), the NCHR, and the NGO Coalition for an OP-ICESCR on “Strategic Litigation Support for the OP-ICESCR,” in New York in 10/10.

Adalah Attorney Fatmeh El-‘Ajou spoke at the **1<sup>st</sup> Geneva Forum of Judges and Lawyers** hosted by the International Commission of Jurists (ICJ) in Geneva in 10/10. The conference focused on the role of judges and legal professionals in fostering accountable national security laws and policies. Attorney El-‘Ajou gave a presentation on the lack of effective legal remedies for Palestinians from the OPT in the Israeli legal system.

Adalah’s General Director Attorney Hassan Jabareen and Adalah Attorney Sawsan Zaher participated in a meeting convened by the **Open Society Institute** on the **Middle East and North Africa Nationality Research Project** in Amman in 10/10. Adalah’s General Director presented on “Discrimination and Minorities” in which he spoke about identity, sovereignty and citizenship.

In 11/10, Adalah Attorney Abeer Baker gave a talk on restrictions on freedom of political expression and loyalty laws at a symposium organized by **Gate48 and the University of Amsterdam** entitled “Silencing Israel: Critical Voices under Siege,” in the Netherlands. She also met officials at the Dutch Ministry of Foreign Affairs and representatives of United Civilians for Peace.

Adalah provided information to **Amnesty International** (AI) for their upcoming report on the land and housing rights of the Arab minority in Israel, and hosted a meeting with the **director of AI-UK** and leading lawyers and housing rights activists at our offices in 11/10.



*Nobel Women’s Initiative delegation at Adalah*

Watch the [Interview](#) with Fatmeh El-Ajou for the ICJ

Adalah also worked with the FIDH/OMCT Human Rights Defenders Project, Human Rights Watch (HRW), the International Crisis Group, the International Center for Transitional Justice, Interights, UN OCHA, and UN OHCHR. Adalah representatives met various US congressional delegations, student groups, faith-based groups, the Elders, the Nobel Women’s Initiative and “J Street” during their visits to Israel.

### III. LEGAL EDUCATION

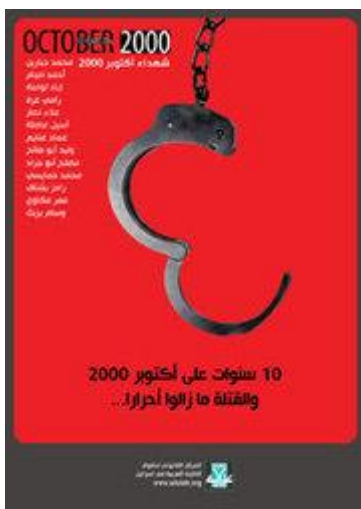
#### Key Outcomes



*Palestinian rap group DAM during the making of Targeted Citizen*

**Targeted Citizen** is a short film produced by Adalah on discrimination against Arab citizens in Israel, with a soundtrack by Palestinian rap group DAM. It was directed and written by Rachel Leah Jones. The film went “viral” in the second half of 2010, being viewed by tens of thousands of people on websites and *Facebook*, and it will be shown at several film festivals abroad. The film has proved an effective means of exposing Israel’s treatment of the Arab minority to wide audiences.

- See *The Guardian*: [The plight of Israel’s ‘targeted citizens’](#)



*October 10<sup>th</sup> anniversary of the October 2000 killings poster*

As part of the commemoration of the **10<sup>th</sup> Anniversary of the October 2000 killings**, Adalah gathered signatures from 513 Arab and Jewish lawyers, which it

then published as an advert protesting against the lack of accountability for killings of 13 Arab citizens of Israel. Adalah also held three public events in Arabic and Hebrew in Haifa, Tel Aviv, and Tira reaching around 275 people, and published and distributed 3,000 copies of a booklet in Arabic on the October 2000 events and the legal struggle against impunity.

Electronic **media coverage** about Adalah’s work substantially increased in the major local Hebrew and English news websites, *Haaretz* and *Ynet*. Figures: *Ha’aretz* (Hebrew) 2010: 64, 2009: 45; *Ha’aretz* (English) 2010: 65; 2009: 31; *Ynet* (Hebrew) 2010: 52, 2009: 31; *Ynet* (English) 2010: 42; 2009: 30.

2010 represented a substantial leap forward for Adalah’s international media work. ***The Guardian* (UK) website, which is viewed by millions of visitors each month, cited Adalah 10 times in 2010** (double the coverage achieved by Adalah in 2009).

Over **60 Arab law students** participated in Adalah’s 5<sup>th</sup> Annual Arab Law Students Conference, on the subject of “The Rights to Protest”, held over three days in 10/10.

Adalah trained **3 legal apprentices** in 2010, and tens of law students contributed to Adalah’s work through the Prisoners’ Rights and Arab minority rights clinics at Haifa University.

## Figures

	Planned 2010	Achieved 2010
<b>Seminars &amp; Conferences</b>	3-4 events	3 events on Oct. 2000; 1 event on torture
	Academic workshops	<i>Not achieved</i>
	20-30 lectures	Over 30 lectures
<b>Publications &amp; Reports</b>	12 vols. of newsletter; subscribers	Published <b>10</b> volumes; <b>21,000 subscribers</b>
	Tri-lingual Websites	Updated frequently
	Makan	Published vol. 2
	Inequality videos and report	Completed "Targeted Citizen" video and report
	Reports on OPT & October 2000	Completed 4 reports with partners
<b>Media Outreach</b>	Issue 60+ PRs & interviews	Issued about 100 PRs; 10 cases widely covered
	Protest ads	2 ads
	Media consultation to improve strategy	<i>Not achieved</i>
<b>Training for law students</b>	Host 1-2 stagaires	Hosted 2 stagaires; law student
	Professional Training for Lawyers	<i>Not achieved</i>
	5 <sup>th</sup> Law Students' Conference	Held in 10/10 for 60 students
	Work with law student externs	Al-Quds human rights Clinic, US law and Irish law schools
	Host LLM fellows	<i>Not achieved</i>

## 10<sup>th</sup> Anniversary of October 2000 Killings

October 2010 marked 10 years since the brutal killings of 13 unarmed Palestinian citizens of Israel and the injury of hundreds of others by the Israeli police and security forces during protest demonstrations throughout Israel. After a decade of legal, social and political struggle there has still been no implementation of the Or Commission of Inquiry's recommendations and none of the police officers, commanders or political leaders responsible for the killings and injuries have been held accountable.



*Demonstrators calling for justice and accountability for the October 2000 victims*

Adalah, together with NGO partners, held a [series of events](#) to commemorate the October 2000 events. It also gathered signatures from 513 Arab and Jewish lawyers, which it then published as an advert in *Haaretz* protesting against the lack of accountability for the killings. The New Israel Fund sponsored this advert, as well as one by NGOs demanding accountability. Adalah also published banners in *Haaretz* and on Arabic-language websites. Adalah designed and distributed a poster to commemorate the events, and published and distributed 3,000 copies of a booklet in Arabic on the legal struggle against impunity. The events held were as follows:

27 Sept., *Al Midan Theater, Haifa*: A seminar with Mada al-Carmel attended by around 100 people. Speakers discussed the October 2000 events and their links to the Bloody Sunday and Rachel Corrie cases. Special guest speakers included

Professor Kathleen Cavanaugh from the National University of Ireland – Galway and Cindy and Craig Corrie, Rachel's parents. A short play about Rachel Corrie was performed.

30 Sept., Ashkool Hall, Al Tira: A community conference convened with the Al Tira Municipality, attended by around 100 people. Lectures on October 2000 and film screenings.

9 Oct., The Felicia Blumental Music Centre and Library, Tel Aviv: Event convened with Physicians for Human Rights-Israel and the Public Committee Against Torture in Israel, "Bloody Sunday and October 2000: Lessons from the struggle for truth, justice and accountability". This event included a screening of feature film "Sunday". It was attended by around 75 people.

## Publications

### *Reports & Journal*

#### ***Makan, Vol. 2, 2010, "The Right to a Spatial Narrative,"***



Vol. 2 of *Makan*: Adalah's Journal for Land, Planning and Justice, "[The Right to a Spatial Narrative](#)," was published in 1/10. This volume explores the concept of the right to a spatial narrative, presenting three academic articles on aspects of the policies and spatial practices of Israel, and selected excerpts from an objection submitted by Adalah to the planning authorities against the regional plan for the Be'er Sheva metropolitan area. Published in Arabic, English and Hebrew (1,500 copies).

A report published by Adalah and The Civic Coalition for Defending Palestinians' Rights in Jerusalem (CCDPRJ) entitled, "[Dispossession and Eviction from Jerusalem – The cases and stories of Sheikh Jarrah](#)", in 2/10 in English.

A report published by Adalah on behalf of the CCDPRJ in Jerusalem entitled, "[East Jerusalem: The Exploitation of Land and Planning Policies and Laws to Change the Character of the Palestinian Space in Jerusalem](#)". Published in 2010 in Arabic with English summary.



A joint report published in 7/10 with PCATI entitled "[Exposed: The Treatment of Palestinian Detainees during Operation Cast Lead](#)". The report relies on a significant number of testimonies given to PCATI and Adalah attorneys, most of the civilian detainees who were arrested by the Israeli army and interrogated in Israel.

- See *Ynet News*: [Gazans: We were used as 'human shields'](#)



To mark the International Day Against Torture, together with PHR-I and Gisha, PCATI and Adalah, launched the "Exposed"

report at a standing room only event in Tel Aviv entitled "[Gaza Here and Now](#)".

## **The Inequality Report**

In 12/10, Adalah published [The Inequality Report](#), which examines some of the main legal, political and policy structures that institutionalize discrimination against Arab citizens of Israel, and entrench inequalities between Arab and Jewish citizens. It provides indicators of inequality, including official data, and explains how specific laws and policies work to exclude the Arab minority from state resources, services, and power structures. Published in English with summaries in Arabic and Hebrew. This report accompanies the short film, "**Targeted Citizen**" and two additional films to be released in 2011, all of which comprise Adalah's "**Inequality Series**".

### *Position Papers & Advocacy Reports*

In 2010, Adalah released and distributed position papers and advocacy reports on the following issues:

The Israeli government's new decision classifying communities as [National Priority Areas](#) (2/10).

Israel's failure to ratify the [Optional Protocol to the UN Convention Against Torture \(OPCAT\)](#) as an Effective Means of Eliminating Torture, together with Al Mezan and Physicians for Human Rights-Israel, and joined by PCATI (4/10). This position paper argues that the OPCAT, which sets out to establish a preventive system of regular visits to places of detention by independent, expert national and international bodies, aims to help states to enforce the absolute prohibition on torture.

"Who Gets to Go?", a position paper reviewing Israel's exit policy at the Erez Crossing regarding [Gaza patients](#) seeking medical treatment unavailable in Gaza together with Al Mezan and PHR-I (6/10). The position paper argues that there is a

consistent Israeli policy of distinguishing between life-threatening cases and cases that affect quality of life, as a basis to deny their exit from the Strip for medical treatment, which violates the principles of medical ethics and international law.

Obstacles to [prisoners' access to Israel courts](#), with the Legal Clinic for Prisoners' Rights at Haifa University (7/10).

The widening use of [military service](#) as a condition for university and employment benefits will create more discrimination against Arab citizens of Israel (8/10).

The illegality of [home demolitions in Arab Bedouin unrecognized villages](#) in the Naqab, following the repeated demolition of al-Araqib village, on behalf of ten NGOs (10/10).

A new bill (now enacted into law) that violates the [rights of detainees suspected of security offenses](#) (10/10).

[20 new main laws and bills](#) in Israel that discriminate against the Arab minority (11/10).

## **Adalah's Newsletter**

Adalah published **10 volumes of its monthly electronic newsletter** in Arabic, Hebrew and English. The newsletters included news updates about our cases, state responses and court decisions as well as our international advocacy initiatives and publications; articles and commentaries about human rights issues; and links to important reports and news of other human rights organizations and the UN. The main themes for the newsletter in 2010 included accountability for Gaza, attacks on human rights organizations, travel of Arab citizens to Arab "enemy" states, the blockade on Gaza and the Freedom Flotilla, and accountability for the victims of October 2000.

Newsletter highlights in 2010 included the following articles and case commentaries:

- Grietje Baars, *Case Commentary, Palestinian Political Prisoners: Unfair Game for Israel's Persecution*, 1/10.
- Sawsan Zaher, *The Prohibition on Teaching the Nakba in the Arab Education System in Israel*, 8/10.
- Dr. Ahmad Sa'di, *Bolstering Hegemony: The Interpretation of the October 2000 Events by the Or Commission*, 10/10.
- Hussein Abu Hussein, *On the Question of Accountability: The Rachel Corrie Family's Civil Lawsuit as a Case Study*, 10/10.
- Anne Massagee, *In Search of a Remedy*, 10/10.

The average number of monthly subscribers to the newsletter stood at around 21,000 in 2010.

Copies of volumes of *Adalah's Newsletter* published in 2010 can be found [here](#).

### **Adalah's Website**

Adalah frequently updated its tri-lingual websites with new press releases and primary documentation concerning our legal work and international advocacy, photo galleries and publications. Adalah is also developing its use of social media and new media.

Adalah also posted information on its [Facebook](#) page and [YouTube](#) channel.

### **Media Outreach**

In 2010, Adalah published and tracked coverage of over **100 press releases** (in each language) written in Arabic, Hebrew and English on our work. Members of Adalah's media and legal teams were in close and constant contact with media outlets in Israel, OPT and abroad, which resulted in heavy coverage of our major cases. Adalah attorneys also gave numerous interviews to national and international media groups, such as interviews given by General Director Hassan Jabareen as an expert on Israeli and international law and remedies available to Palestinians from the OPT in

the Israeli legal system, and another interview given by Att. Sawsan Zaher on conditioning the rights of Arab citizens in Israel to the performance of military or national service.

Concerning international media, 2010 is noteworthy for Adalah as it was increasingly viewed as a reliable, accurate and trustworthy source of information. 2010 represented a substantial leap forward for Adalah's international media work. In 2010 Adalah worked on cases of enormous international interest and thus the organization and our work received extremely wide international coverage. On these and other cases Adalah received hundreds of calls for information and interviews from the Guardian (UK), Al-Jazeera English, CNN and others.

*The Guardian* (UK) website, for example, which is viewed by millions of visitors each month, cited Adalah 10 times in 2010 (double the coverage achieved by Adalah in 2009).

2010 also witnessed a substantial increase in production and consumption of blogs and alternative media websites; social media outlets; and the use of media round-ups and electronic newsletters by various organizations. Thus, along with classical media such as print newspapers, radio and TV, Adalah distributed its press releases and corresponded with targeted opinion-setting bloggers and journalists writing for alternative outlets; and provided materials to large member organizations such as solidarity and students' groups and donor agencies, which send media-roundups about Israel/OPT or issue their own newsletters. Adalah also tried to use Adalah staff members' trips abroad for media purposes by organizing interviews or meetings with local journalists or editors; more coordination with local partners abroad is needed in this regard.

Numerous Adalah cases and the attacks on human rights organizations, including Adalah, attracted widespread media



attention in 2010. Examples of these cases follow.

*Adalah's Supreme Court petition on behalf of Arab author Ala Hlehel seeking a permit for him to travel to Lebanon* – defined in Israeli law as an “enemy state” – to receive a prestigious literary award, got wide media attention in Hebrew, Arabic and English. This petition gave commentators the opportunity to raise the issue of cultural connections between Arabs in Israel and the Arab world. The court's unprecedented ruling, which permitted the travel, received front page headlines in every Israeli newspaper, radio station and news websites, and top coverage on TV.

*The ongoing, virulent attacks on and attempts to silence human rights organizations by extreme right-wing groups such as Im Tirtzu.* Adalah was a main target of these attacks, as an Arab organization that is often successful in fighting for the rights of Palestinians in Israel and the OPT.

*The detention and indictment of Ameer Makhoul, a civil society leader and the director of Ittijah, and Dr. Omar Saeed on security charges.* The initial phase of these detentions, with draconian orders and denial of due process rights, received widespread coverage throughout the month of May 2010. Enormous media attention was also given to the lengthy prohibition on the meeting with lawyers imposed in these cases, as Adalah lawyers refused to continue the representation without meeting Makhoul. ACRI and the former Chairman of the Israel Bar Association joined Adalah in protesting this draconian measure.

*The Gaza Freedom Flotilla.* Adalah played a major media information-provider role for local and international media outlets and journalists concerning the events of 31 May and their aftermath. Adalah met with detainees from the ships and injured persons; coordinated with HR NGOs and the Free Gaza Movement; and was able to

disseminate real-time information, which appeared in the media.

*The detention and subsequent deportation of Nobel Peace Prize Winner Mairead Maguire.* Of all of Adalah's cases this case received the widest coverage locally and internationally. The legal proceedings were covered in dozens of TV reports broadcast on all Israeli networks, Arabic TV channels, and Israeli and Arab radio stations, as well as Monte Carlo radio and the BBC Arabic. The case was covered by all the Israeli newspapers and by prominent international Arabic newspapers.

Steps taken by Adalah to challenge the flood of racist and discriminatory bills introduced in the Knesset throughout 2010 also received media attention. Journalists frequently contacted Adalah for our stance on the legislation.

Adalah's attorneys were interviewed on various topics on Al Jazeera and Palestine TV Arabic-language channels.

### **Training for Law Students**

#### *Annual Arab Law Students' Conference*



*Participants in Adalah's 5th Annual Arab Law Students' Conference*

In 10/10, Adalah held its [5th Annual Arab Law Students' Conference](#) at Wahat al-Salaam/Neve Shalom. The 3-day event, entitled “The Right to Protest,” was attended by 60 Arab law students, who took part in a series of workshops and legal lectures led by prominent legal academics, lawyers and human rights

activists. The conference began with a tour of East Jerusalem. A panel discussion on the events of October 2000 and their memorialization was also held. The concept behind the conferences is to provide Arab law students with the largely absent perspective of human rights lawyering as members of the Arab minority within a discriminatory legal system. The students reacted enthusiastically to the conference, and expressed great interest in helping plan for next year's event.

Tariq Khateeb, 23, a law student at Haifa University, who participated in Adalah's 5<sup>th</sup> Annual Law Students' Conference commented, "I enjoyed and benefited from all the panels, especially learning about the Israeli legal system from the Arab/Palestinian perspective rather than the Israeli perspective we receive at the university. I acquired basic legal skills to deal with the challenges that we face as Arab law students and future lawyers in Israel. In addition, it was great to have the chance to meet so many new students, professionals and academics involved in issues that Arabs face as minority in Israel."



*Adalah's legal apprentices in 2010*

Adalah also trained 3 **legal apprentices (stagaires)** in its offices in 2010, under the direct supervision of Adalah's General Director. In addition, tens of law students contributed to Adalah's work through the Prisoners' Rights and Arab minority rights clinics at Haifa University.

## **Board and Staff (2010)**

- *Board of Directors*
  - Chairman, Dr. Mahmoud Yazbak
  - Ms. Suhad Aga, Advocate
  - Dr. Khaled Abu Asbeh
  - Prof. Muhammad Haj-Yahia
  - Dr. Mas'ud Hamdan
  - Dr. Hala Khoury-Bisharat, Advocate
  - Fuad Sultani, Advocate
- *Audit Control Committee*
  - Wael Rabi, Advocate
  - Jeries Rawashdeh, Advocate
- *Staff*



*Adalah's staff on International Women's Day*

- *Founder and General/Legal Director*  
Attorney Hassan Jabareen
- *Director of Naqab Project*  
Thabet Abu Ras (from 10/10)
- *Legal Department*

Attorneys: Orna Kohn, Suhad Bishara, Abeer Baker, Sawsan Zaher, Fatmeh El-Ajou, Haneen Naamnih, Alaa Mahajna (until 5/10)

Legal Assistant (Naqab): Salem Abu-Medeghem

Stagaires: Rawyah Handaklo, Rawan Eghbariya

Law Student Trainee: Fady Khoury

- *Media and Public Relations Department*  
Director: Eva Mousa  
Coordinator: Salah Mohsen  
IT, Video and Web Editor: Bilal Zahra (until 2/10)  
Hebrew Editor: Ran Shapira

- *International Advocacy Department*  
Director: Rina Jabareen, Esq.  
Coordinator: Katie Hesketh  
International Media: Gabrielle Rubin

- *Administration and Finance Department*

Finance Director: Ghassan Kharouba, CPA  
Office Manager: Fathiyya Hussein  
Administrative Assistants: Christine Nasrallah (until 9/10), Sawsan Daoud (until 12/10), Lana Khaskia (from 12/10)  
Housekeeper: Suhair Kayyal

## **Appreciation for Overseas Interns**

We are grateful to the interns and law fellows who worked with Adalah. All of the students and recent graduates provided extremely valuable work and spirit to Adalah. They are:

- Emma Nyhan, King's Inns, Dublin and European Voluntary Service (1 year)
- Rawan Abd el-Nabi (Spring)
- Linda Khoury (Summer and Fall)
- Nadia Ben-Youssef (Fall)

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