

# *Adalah 1997 Annual Report*

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## **Introduction**

It is my pleasure to introduce readers to Adalah: The Legal Center for Arab Minority Rights in Israel and to present its 1997 activities. 1997 marked the first full year of Adalah's work, and as you will see in the pages that follow, Adalah has achieved enormous success.

Adalah (*Justice*) is the first Arab-run legal center in Israel. Established in November 1996, Adalah serves the Arab community nationwide, close to 20% of Israel's population.

The main goal of Adalah is to achieve equal rights and minority rights protections for Arab citizens of Israel in the fields of Land and Housing Rights; Education Rights; Language Rights; Arab Women's Rights; Employment Rights; Religious Rights; and Political Rights.

In order to achieve this goal, Adalah:

- · brings cases before the Israeli courts - both initiated by Adalah and requested by individuals, NGOs & CBOs - that raise issues of group discrimination and Arab minority rights;
- · promotes Arab minority rights through legislative advocacy;
- · provides consultation to Arab NGOs, CBOs, and other public institutions;
- · organizes and facilitates panel discussions and study days, and publishes reports on topical current legal issues concerning the Arab minority in Israel;
- · trains young Arab lawyers and law students by providing apprenticeship and internship opportunities to create a new generation of human rights lawyers.

Adalah took a full range of legal action in 1997 in struggling against discrimination and for minority rights protection for Arab citizens of Israel. Its casework involved the filing of petitions to the Supreme Court of Israel; appeals to the District Court of Haifa; pre-petitions submitted to the Attorney General's Office; and numerous letters to the Israeli government and other offices, which fully detail the legal issues involved and demand compliance with the law. Adalah's legislative work in 1997 involved providing legal commentary on proposed and pending Knesset bills to advocacy coalitions on issues of labor law and freedom of information. Adalah also provided consultation and advice to numerous Arab public institutions, NGOs, and individuals.

In addition to legal action, Adalah also conducted legal education programs consisting of legal seminars and study days; participated in conferences and gave lectures; trained new Arab lawyers and law students; and published reports. Adalah organized and held three legal seminars for the community, in conjunction with the Association for Civil Rights in Israel, on the issues of Arab identity, freedom of information, and speech and political rights, and facilitated study days on Israeli land policy and its implication for the Arab minority in Israel. Adalah staff and Legal Committee members also presented papers at several conferences, and gave lectures at academic institutions, NGO forums, and community and student meetings. In addition, Adalah offered an internship to a new lawyer, and an apprenticeship to a recent law school graduate. Adalah's petitions and activities were widely covered in the Arabic, Hebrew, and English media, and its reports distributed to a broad audience locally and abroad.

On behalf of Adalah's Board and staff, I wish to express our sincere appreciation to The Galilee Society and The Arab Association for Human Rights, two Arab NGOs in Israel that provided financial and administrative support to Adalah from its beginnings in 1996. Without these two organizations and their leadership, Adalah could not have had the positive start that it did, and for this, Adalah is truly grateful. Special thanks in particular to the Galilee Society for giving Adalah the encouragement and space to grow into an independent association and for its continuing support in the form of facilities and equipment. Many thanks are also in order to all of the individuals who shared their experience and knowledge in serving on Adalah's Committees.

I also wish to acknowledge our gratitude to our contributors in 1997 who exhibited true faith in our abilities as well as essentially needed resources for our work. These include NOVIB, The New Israel Fund, Christian Aid, The American Friends Service Committee, and the International Christian Committee in Israel.

Many institutions and colleagues generously donated books and other legal materials to Adalah's library, and their time and talents to the work of the organization. To these friends of Adalah, we are also very thankful. Special mention in regard must be made to: Professor Herman Schwartz (American University, Washington College of Law), Dr. Lisa Hajjar (Swathmore University), Professor Austin Sarat (Amherst College), Ilan Saban (Haifa University, Faculty of Law), Marjorie Rifkin (ACLU Prison Project), Sharif Waked, Ellie Grossman, Robert Choo, Matthew Keller, Jumana Bishara, Debra Fatal, The American Civil Liberties Union (Washington, DC), The Association for

Civil Rights in Israel, the Arab Lobby Center, Interrights (London), and SHATIL. Other individuals and organizations are noted throughout this report for their specific contributions.

Finally, I must especially thank Rina Rosenberg and Basma Abu Jaber for their hard work, long hours, and true dedication to Adalah since its establishment. Without Rina & Basma, Adalah could not have accomplished what it did, as they strive every day to make it all work in absolutely the best way possible. My many many thanks to them.

In order to orient readers, I wish to provide a brief note on the organization of this Report. Part I describes the legal action taken by Adalah in 1997. The status of the cases filed in 1997 are updated to May 1998, the date of publication of this Report. This part is organized thematically according to Adalah's fields of interest. Part II details Adalah's activities in legal education.

I hope that readers of this Report find it to be a useful resource and a compelling statement of the discrimination faced by the Arab minority in Israel.

Hassan Jabareen, Advocate

General Director

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## Part I - Legal Action

### Land & Housing Rights

#### The Unrecognized Arab Villages

Nowhere is the inequity between Arabs and Jews in Israel more obvious than in the case of the unrecognized Arab villages. These villages, of which there are tens located throughout the country, were declared illegal by the National Planning and Building Law (1965) when the lands on which they sit were re-zoned as non-residential and ownership was claimed by the State. Although most of the unrecognized villages existed before the establishment of the State, they are afforded no official status: They are excluded from government maps, they neither have local councils nor belong to other local governing bodies, and they receive little to no government services such as electricity, water, telephone lines, educational or health facilities. The government refuses to allow any physical infrastructure development, thus prohibiting the building and repairing of homes and the construction of paved roads and proper sewage facilities in these communities. The authorities use a combination of house demolitions, land confiscations, the denial of services, and restrictions on infrastructure development to dislodge residents from the villages. Official government policy is to re-locate residents to designated concentrated areas in order to use the land for the creation and expansion of Jewish towns. Estimates place the number of inhabitants of the unrecognized villages, mostly Arab Bedouin, at approximately 60,000.

#### The Right to An Address

Residents of the unrecognized villages are prohibited by the government from listing the name of their village as their "town" on their identity cards. Members of the same family, who all reside in the same village, each often have a different "recognized" town listed as their address on their ID cards. Adalah filed a petition to the Supreme Court of Israel in June 1997 on behalf of several hundred residents of the unrecognized Arab village of Husseinya against the

Ministry of Interior, in which it argued that the government's prohibition against using the unrecognized village's name on the residents' identity cards violates an individual's basic right to have an address.

Adalah also argued that this practice violates the right to participate in elections without difficulty (since these residents are not able to vote in their own village); the right to get mail in one's village or home (as the villagers are forced to maintain alternate mailing addresses in other areas); and the right to maintain a community (as the village forms part of an individual's identity and the collective identity also known as 'the right to be we'). A village address is common to its residents and without this shared identification, statistics on voting patterns, health conditions, and economic trends cannot be gathered about the group, as there is no available demographic marker.

Finally, Adalah argued that the Regulation of Population Registry (Address Listing) (1974), which governs the listing of an address on identity cards, requires that the accurate name of a person's locale must appear on his/her ID card. The Regulation does not make any distinction between the status of recognition and non-recognition of a village and the use of the village name as an address.

Two Supreme Court hearings were held on the case. At the first hearing in November 1997, the Attorney General (AG) argued that since the village is unrecognized, the residents cannot use it in the space provided for "town," however, as a compromise, he suggested that the name of the village can be written in the space provided for "street address." Adalah refused to accept the AG's compromise arguing that his suggestion violated the dignity of the people to identify themselves as a community, and that the issue of whether or not the village is recognized is irrelevant pursuant to the Regulation. The Court adjourned the case and asked the AG to re-examine its opinion, and to report back as to whether the Ministry would change its position.

At the second hearing in December, the AG represented that the Ministry would not change its position. He added that the village was in the process of recognition, and therefore suggested that the petitioners wait until official recognition was granted. Adalah countered that the Ministry did not give a timetable for recognition and that the petitioners cannot rely on the Ministry's representation, as the village has been pending recognition for years.

Adalah requested that the Court issue an order nisi requiring the Ministry to explain why it would not accept the petitioners' position. The Court complied with Adalah's request, and ordered the Ministry to reply by February 1998.

Adalah recently received the response of the Ministry. The Ministry agreed that the residents of Husseinya may list the village's name on their ID cards in the space provided for "town." They added that other unrecognized villages, like Husseinya, which were promised recognition by the former government, would receive the same status in terms of the residents' ID cards. However, the AG did not commit to a timetable for this process. Therefore, Adalah requested a hearing to resolve this issue. The case is next scheduled to be heard on 28 June 1998.

## **Land Planning & Development**

Land allocation for housing, building, and development has been one of the most important and contentious issues for the Arabs living in Israel. Most Arab lands were confiscated by the State in the 1950s and 1960s, and not one new Arab settlement has been established since 1948. Arab towns and villages suffer from severe overcrowding and a lack of infrastructure to accommodate residents. One viable solution to this problem is to widen the jurisdiction of Arab local councils to include more land for development, but discriminatory government policies have resulted in an unequal distribution of land and resources. For example, 40,000 residents live in Natseret Illit (a Jewish town built on land confiscated from Arabs) and have 40,000 dunams of land at their disposal, whereas Nazareth (an Arab city) has 60,000 residents with only 16,000 dunams of land for building and development. Discrimination pertaining to Arab land rights also extends to government-created and approved planning efforts for future regional and national housing and industrial development. Other recent land issues include the re-designation of 'national priority areas,' according to which Arab towns are completely excluded from benefits, tax, and business incentives that come with this classification. The recent trend toward 'privatization' of state lands by the government, in accordance with the recommendations of an inter-ministerial committee known as the Ronen Committee, and the proposed transfer of

State Lands to the Jewish Agency to provide legal cover in order to afford preferential treatment to Jewish citizens, will also have potentially devastating effects on land planning and development in Arab communities in Israel. Adalah is involved in many cases regarding these and other discriminatory land and housing rights issues.

## **The Ronen Report**

In October 1996, the Minister of Infrastructure appointed an inter-ministerial committee - known as The Ronen Committee - to recommend reforms to the current State land policy. Approximately 93% of the land in Israel is owned by the State, the Israel Lands Authority, and quasi-governmental Zionist organizations, namely the Jewish National Fund and the Jewish Agency. According to The Basic Law: Israel Lands (1960), none of this land may be transferred to private ownership. A large amount of this land was acquired by the State and these other institutions through the Law of Absentee Property (1950), the Land Ordinance (1943), and other land laws, much of it formerly Arab-owned or Arab-held. Two reasons urged the appointment of the Ronen Committee: (1) The need for land re-classification as 'building land' rather than as 'agricultural land' in order to accommodate immigrants from the former Soviet Union; and (2) The need for private-ownership laws in order to absorb foreign investment. The appointment of the Ronen Committee is significant as it marks the first time, since 1948, that Israel's land policy has been thoroughly re-considered.

The Ronen Committee issued its initial recommendations in April 1997. Its recommendations, contained in the Ronen Report, do not address the land needs of Arab citizens of the State nor do they deal with the issue of prior or current Arab land ownership or the host of other land issues affecting Arab communities. Rather, in areas with large Arab populations such as the Galilee or the Negev, the Committee recommended the settling of large populations of Jewish citizens of the State.

In order to raise public awareness as to the Ronen Report and to discuss ways and mechanisms to deal with its recommendations, Adalah organized a study day in September 1997. Forty-five invited participants from Arab municipalities, NGOs, and the High Follow-up Committee for the Arabs in Israel attended the event. Three lecturers provided information to the group: Marwan Dalal, Adalah staff member, provided an overview of the Ronen Report; Yosef Jabareen, Planning Consultant and current Adalah Board member, discussed land policy in Israel; and Dr. Sandy Kidar, Lecturer at Haifa University, Faculty of Law, explained the legal aspects of the Report. During the discussion following the presentations, the participants decided to form a Follow-up Committee on the Ronen Report, coordinated by Adalah.

In November, on behalf of the Follow-up Committee on the Ron, Adalah sent a formal request to be heard to the inter-ministerial Ronen Committee. Adalah detailed the implications for the Arab community of the Ronen Report's recommendations, and emphasized the voidability of any governmental decision on the matter, should the Committee deny the group the right to be heard. In mid-December, the legal advisor to the Ronen Committee informed Adalah that it would grant a hearing to the group, although he did not state a deadline for the Committee's work. Immediately following receipt of the legal advisor's response, Adalah requested that a hearing be set for February 1998. In mid-January, the legal advisor informed Adalah that the inter-ministerial Committee had completed its work, and referred Adalah to the Ministry of Infrastructure. The Ministry later agreed to hear Adalah's argument, and Adalah is in the process of preparing for the hearing.

## **National Priority Areas**

In September 1997, the Israeli Government released its proposed plan for the designation of 'national priority areas,' generally towns with low socio-economic levels which if so designated, receive lucrative economic incentives for housing and business development. The proposed plan put forward favored Jewish towns over Arab towns; almost all Arab towns were excluded from the plan. The new map annuls the status of 34 localities as areas of national priority, and of these 14 are Arab towns in the Galilee, most of which at the bottom of the socio-economic scale. The

government also proposed to reclassify 17 localities (which were not on the previous list) to the top category of national priorities, not 1 of which is an Arab locality. Rather, ten Jewish settlements in the West Bank were slated to receive up-graded top priority status.

In monitoring the developments of the plan, Adalah sent a letter to the legal counsel of the Prime Minister's Office stating its concern regarding the draft plan and requested that before any decisions were taken regarding the designation of 'national priority areas,' that the legal counsel meet with Adalah and other interested parties. A decision was made by the Prime Minister's Office without consultation, and Adalah filed a petition to the Supreme Court challenging the government's designation of 'national priority areas' on 5 May 1998.

## **The Regional Master Plan for the Northern District**

Adalah filed a pre-petition on behalf of 'The Arab Steering Committee for Planning' (a local coalition) asking the Ministry of Interior to respond to the Committee's reservations concerning the Regional Master Plan for the Northern District. The Master Plan lists the government's goals for future regional and national development: to stop the territorial continuity of the Arab settlements in the region; to increase the number of Jewish residents in these areas; and to absorb new Jewish immigrants in these locations. It also includes various strategies such as land allocation, education, and industrial development to benefit Jewish citizens to the exclusion of Arab citizens of the State.

As a result of the pre-petition, the Ministry of Interior replied to the Committee's concerns in writing, has conducted meetings with Adalah and the Committee, and has delayed the formal deposition of the plan. Adalah continues to monitor further developments concerning the Master Plan.

## **Natseret Illit - Don't Sell to Arabs**

A local newspaper reported that the Mayor of Natseret Illit publicly stated that he did not want apartments in the Jewish town to be sold to Arabs. Adalah sent a letter to the Attorney General suggesting that the Mayor should be investigated and criminally prosecuted, if appropriate, for his racist remarks. The Attorney General agreed that public office-holders should not make such remarks, but that there was no criminal offense and that he prefers not to use the criminal law in these matters, even though the Mayor did not deny making these remarks. Adalah asked the Attorney General to re-consider his decision, however, he refused Adalah's specific request. Education Rights

The State Education Law (1953) establishes separate independent educational systems - State secular and State religious schools - to satisfy the distinct needs of Jewish citizens of Israel. Arab and Jewish students learn in separate schools through the high school level, however no autonomous educational system, run by Arab educators, exists for the Arab community to meet their needs as a distinct group with a common language, history, culture, and national identity.

Section 2 of the State Education Law defines the objectives of state education as instilling the 'values of Jewish culture,' 'on love of the homeland and loyalty to the state and to the Jewish people', as well as 'striving for a society based on freedom, equality, tolerance, mutual assistance and love of mankind.' Historically, these objectives have led to the pursuit of two separate and unequal education strategies - one for Jewish students and one for Arab students.

Arab students are taught to be loyal to Israel, to practice co-existence, and to act as a bridge for peace. Most contemporary signs of Palestinian identity are suppressed: Arab students receive little instruction in Palestinian history, geography, literature, culture, and traditions in their educational institutions and spend more time learning the Old Testament and other Jewish texts than they do on studying the Koran, Islamic texts, and the New Testament. Arab schools are also severely underfunded: The Ministry of Education, which has absolute discretion over budget allocations to Jewish and Arab schools, awards substantially fewer resources and services to Arab schools and the general poverty of Arab localities results in a lower tax base for support. As a result, poor facilities and insufficient infrastructure characterize Arab schools, coupled with a lack of frameworks for pre-school and special needs Arab

students. Moreover, discriminatory policies pursued by the Ministry of Education limit the educational opportunities available to Arab students: Special programs to assist academically weak students or to further advance gifted students are disproportionately awarded to Jewish schools in comparison to Arab schools.

The status of Arab education in Israel under the Likud-led government has not improved but has shown signs of worsening. The Education Ministry has pursued policies of furthering only Zionist and Jewish consciousness, the Hebrew language, and the history of the Jewish people. Furthermore, the Education Ministry, concerned with reports of a sharp decline in young people's motivation to serve in the Israeli Defense Forces (IDF), consistently promotes policies to encourage military service in high schools, and seeks to award preferential benefits to Jewish students on the university level. The State is increasingly committing more and more resources to Jewish religious educational institutions, in accordance with the demands of the religious political parties, which comprise 25% of the Knesset. These objectives, programs, and preferences focus attention and resources on fields in which Arabs do not take part, and overall, ignore the interests of the Arab minority in Israel. Academic Enrichment Programs

## **Shahar Programs**

Adalah filed this petition to the Supreme Court in May 1997 on behalf of the Follow-Up Committee on Arab Education and the Coalition of Parents' Groups in the Negev, against the Ministry of Education, to compel the Ministry to provide academic enrichment programs ('Shahar programs') equally for Arab and Jewish students.

Established in the 1970s and provided since that time, the Shahar programs were intended to assist academically weak students from low socio-economic backgrounds in improving their skills, raising their grades, preventing dropping-out, and bridging the gaps between them and other students in the state. These programs have been met with great success, and are considered to be 'flagship programs' of the Ministry.

In this petition, Adalah argued that the stated goal of these programs is to help the academically weakest student, and that according to all available statistics, Arab students constitute a disproportionate share of this group. Eighty-four percent of students who drop-out are Arab, and only 25% of Arab students pass their matriculation examinations as compared to 45% of Jewish students.

Moreover, as the Shahar programs, provided mostly in low-income areas, are not offered in Arab communities, Adalah argued that the Ministry has violated the principle of equality of educational opportunities. The programs do not bridge gaps, but instead widen gaps between Arab and Jewish students. Arab students did not enjoy the benefit of the programs in the last 20 years, whereas almost 1/3 of Jewish students did.

Adalah also claimed that the Education Ministry intentionally discriminated against Arab students in excluding them from the Shahar programs. According to the Report of the State Comptroller and announcements issued by the Head of Shahar programs within the Education Ministry, guidelines that designate the programs as only for immigrants were added to exclude Arab students. Arab students are the only group that is not considered "immigrant," and thus, the policies are discriminatory and illegal.

The Supreme Court issued an order nisi requiring the Ministry of Education to answer the petition and to explain why these programs are not offered to Arab students within 60 days.

The Attorney General filed a response to the petition in late December stating that the Ministry admitted to discriminating against Arab students by not providing the programs, but that the Ministry needed five years to gradually expand the programs equally to all Arab students. The Ministry proposed that it would provide the programs in 1998 in all of the Arab Bedouin schools in the Negev and a few Arab schools in the north. Moreover, the Ministry agreed to increase the number of educational hours to all Arab schools over a five year period, and to increase educational budget allocations to Arab schools by 3 million shekels. Further, the AG noted that the Ministry had formed a Committee to examine the educational situation of the Arab schools in general, and the implementation of Shahar programs in particular.

At the December hearing, Adalah argued that the Ministry's partial implementation was insufficient, and that the number of enrichment programs must be provided equally to all Arab schools immediately in order to remedy the historical intentional discrimination; any delay in implementing the programs would effectively sanction this admitted discrimination. Despite Adalah's arguments, the Court decided to postpone the case for 4 months to allow the Committee formed by the Education Ministry to discuss the issue and to explain its findings to the Court.

In late December, Adalah filed an extraordinary motion to review the decision of the Court to postpone a ruling on the case, arguing that the Court's delay violated the due process rights of the petitioners. In the motion, Adalah provided evidence that the Ministry of Education had convened close to 10 Committees in the past to discuss questions of the Arab education system, and that none of their recommendations for improvements had been implemented. Adalah also contended that the Court, in delaying the case, had violated its own promise at a prior hearing to decide the case on the merits. Adalah also filed a motion for an injunction in which it requested that the Court order the Ministry to freeze the funds required to institute the Shahar programs in all Arab schools in 1998, pending the Court's decision on the merits.

In a written decision issued by a panel of three justices, the Court rejected Adalah's arguments and dismissed both motions. At a hearing on the case in March 1998, the Court again delayed a decision, due to the lack of progress of the Education Ministry Committee. The next hearing on the case is scheduled to take place on 28 May 1998.

## **Compulsory Education**

### **Arab Students from Dahi Village**

Arab children who live in Dahi, an Arab village of 700 residents under the jurisdiction of the Afula Municipality (a Jewish city), attend elementary and secondary schools located 7 and 15 kilometers, respectively, away from their village. There are no schools in Dahi.

Prior to the 1997 school year, the Afula Municipality had provided bus service for the Arab students of Dahi to attend their classes. This year, the Municipality stopped providing buses claiming that the residents of Dahi did not pay their municipal taxes, as required, nor did the Ministry of Education pay its share of the bus transportation for the students. To protest the Municipality's inaction, the parents and students of Dahi conducted demonstrations and staged strikes. The Municipality continued to refuse to provide the buses, and the students did not attend school for close to one month.

Representing 90 Arab students from Dahi, Adalah filed a petition in late September against the Afula Municipality and the Ministry of Education, pursuant to the Compulsory Education Law (CEL) (1949), to compel the Municipality to renew transportation services. According to the CEL, the Afula Municipality and the Ministry of Education are obligated to provide transportation to school for these students. Regardless of the tax issue, the Municipality and Ministry could not violate the rights of the students.

The Supreme Court immediately issued an order nisi requiring the respondents to answer the petition within 15 days. Within one week of the filing of the petition, recognizing the clear legal breach, the Municipality renewed the required bus service.

Adalah subsequently filed a motion to the Supreme Court for legal expenses, arguing that solely because it had initiated legal action, the Ministry and the Municipality had complied with law. In February 1998, the Supreme Court ordered the Afula Municipality to pay Adalah 5000 shekels for legal costs.

### **Arab Students in Special Education Schools**



Arab children with special needs who live in Kalansawa must travel outside of their village in order to attend special education schools, as Kalansawa does not have such educational facilities. The legal responsibility for transporting the children to school lies with the Municipality. Adalah received a complaint from a parent in Kalansawa against the Municipality for not consistently fulfilling its obligation to provide transportation services to his daughter. Based on this complaint, Adalah sent a letter to the Education Department of the Municipality in November 1997, reminding the Municipality of its responsibility and the legal consequences should it neglect to fulfill its obligation. Within a few days of sending the letter, Adalah was informed that the Municipality had resumed its transportation service.

Arara Schools Adalah filed a pre-petition on behalf of Arab students in Arara schools to compel the Ministry of Education and the Arara Municipality to find an immediate solution to the teachers' strike in Arara and to resume classes. Adalah argued that the Compulsory Education Law required the State to provide schooling to all students aged 5-17, and thus solutions must be sought to fulfill its legal obligation. Within three days of the filing of the pre-petition and extensive social action by the Arara community, the students returned to school.

## **Military Preferences**

### **Increasing Credits Toward University Scholarships**

Adalah appealed to the Ministry of Education in January 1997 against its proposal to increase the preferences already afforded to students who serve in the Israeli Defense Forces (IDF)). Substantial benefits are in place pursuant to the Absorption of Former Soldiers Law (1994) in a wide range of areas for former soldiers in gaining university acceptance, obtaining scholarships, grants, and loans, and securing scarce on-campus housing. These proposals - designed with the intent to increase Jewish students' motivation to serve in the military - further work to disadvantage the majority of Arab students, who do not go to the army. Ninety per cent of the Arab citizens of Israel (i.e. all except Druze and some Bedouimen) are dra, and thus are excluded from receiving these benefits. In addition to Adalah, many other human rights organizations spoke out against these proposals, and they were, at least temporarily, withdrawn.

Following-up on these proposals, in March 1997, Adalah filed a pre-petition seeking information on the specific criteria in place set by the Ministry of Education in affording increased credits towards scholarships to students who serve in the IDF. Adalah sought to confirm information about the criteria, as the Ministry had not published details of the program. The Attorney General's Office provided the unpublished and formerly unknown criteria to Adalah. Adalah found that the Ministry gives 20 credits of the necessary 70 credits for the scholarship to those who served in the military. Based on this information, Adalah will prepare a petition to the Supreme Court.

### **Acceptance to Medical School**

Ben Gurion University sets a minimum age requirement of 21 for applicants to its medical school. Exceptions to this minimum age requirement are provided for students who are sent to study at the University by the Israeli Defense Forces (IDF) and for students who have completed two years of national service. Thus, the majority of Arab students, who do not go to the military or do national service, must wait 2-3 years after completing high school in order to be eligible to apply to Ben Gurion's Medical School. In September 1997, Adalah sent a letter to the University requesting that it change its policy regarding the minimum age requirement, and allow eighteen year olds to apply for admission. Adalah claimed that the policy discriminates against Arabs and others, who are prevented from applying the Medical School because of age. Adalah also stated that the school's policy is detrimental to the economy, as doctors may only enter the labor market two years later than they could otherwise.

The University replied to Adalah's letter in December explaining that the existing age requirement is not discriminatory, as all students others than those exempted must wait until they reach the age of 21 in order to apply. The University also stated that its policy is necessary due to the nature of its practical program which mandates

maturity, and justified its IDF and national service exceptions as responsive to the special needs of the military. Adalah, in its response, pointed out that students at age 18 are similarly mature whether sent to the University by the IDF or not. Adalah also drew attention to the medical needs of Arab citizens residing in the Negev, a problem as acute and important as the needs of the military. In its response to Adalah's second letter, the University claimed that Adalah is demanding discriminatory conditions that would give Arab students first priority to be accepted into the program. Adalah and the University are still corresponding on this issue.

## **Language Rights**

A range of international human rights instruments provide that language is an impermissible ground of discrimination, and further posit that States have an obligation to preserve and ensure linguistic identity. Article 82 of the Palestine Order-in-Council (1922), which is still valid under Israeli domestic law, states that Hebrew and Arabic are the official languages of the State. Nevertheless, Hebrew is the dominant language, with the Arabic language afforded an inferior status.

The laws, regulations, and decisions of the Israeli courts are delivered in Hebrew and most traffic signs and billboards are posted only in Hebrew and in English. University lectures, exams, professional licensing tests are conducted in Hebrew, and several universities require that any student pamphlets or leaflets of activities written in Arabic must first be brought to the university security office with a Hebrew translation before they can be distributed or posted on notice boards. No academic institute currently exists to preserve and develop the Arabic language in Israel, nor is there an Arab University.

The Arabic language media is also marginalized: While there are several small newspapers and radio stations, there is no Arab-run television channel. Of the two officially recognized television channels in Israel, Channel 1 & 2, neither broadcast Arabic language programs during prime time; both offer a very small percentage of total air time in Arabic; and both often subtitle foreign programs only in Hebrew.

A further indication of the marginal status of the Arabic language is that Jewish students are not obliged to study Arabic, whereas Arab students are required to learn Hebrew from the third to twelfth grade. The sole need for knowledge of Hebrew is also emphasized in many laws. The Law of Citizenship (1952) requires a candidate for Israeli citizenship to have some knowledge of Hebrew, yet does not require knowledge of Arabic. Similarly, the law which governs the Israeli Bar Association also requires Israeli lawyers to possess knowledge of Hebrew but not Arabic.

## **National Road Signs**

In July 1997, Adalah submitted a petition against the Ministry of Infrastructure in its own name and that of The Arab Association for Human Rights (HRA), claiming that the practice of posting traffic signs in Hebrew and English only, and not in Arabic, discriminates against the Arab community. Arabic appears on national road signs only where they are posted close to Arab villages or towns, and even then, they do not all appear in Arabic.

Adalah also argued that by not including Arabic on all road signs, the Government is in violation of Article 82 of the Palestine Order-in-Council, which provides that Arabic is an official language of the State. Further, this practice violates international human rights law which requires the State to respect the language of the minority. Relying on research conducted by the Technion: Israel Institute for Technology, Adalah also contended that excluding Arabic causes serious traffic-safety issues. To counter the Attorney General's argument that including Arabic in all signs will create a confusing "forest" of signs, Adalah argued that it was not clear why this claim is relevant as to Arabic and not English, which is not an official language of the State, but is used on almost all traffic signs.

The Supreme Court issued an order nisi in the case, requiring the Attorney General to submit a response to the petition in 60 days. As of this writing, the AG submitted her first response and offered a settlement, namely, to

include Arabic on all existing traffic signs within 5-7 years. The AG also promised that all new traffic signs added to roads will include Arabic. Adalah rejected the AG's offer because of the proposed lengthy timetable for implementation, and is waiting for the AG's response with a new offer.

## **Translating the Bagrut to Arabic**

Adalah submitted a pre-petition in July regarding the translation of the Bagrut to Arabic. Several Arab students who planned to take the Bagrut were informed by the Education Ministry that the exam would be offered only in Hebrew, as there were insufficient funds to translate the exam. Following Adalah's filing of the pre-petition, the Education Ministry agreed to translate the exam, and the students were able to take the test in their first language.

## **The Israeli Bar Exam**

Requiring Arab students to complete the Israeli bar exam, which is written in Hebrew, in the same amount of time as native Hebrew speakers, imposes unfair conditions on Arab would-be lawyers. It violates the principle of equality of opportunity for all. Adalah, as well as other individual lawyers, applied to the Israeli Bar to request additional examination time for those who speak Arabic as their first language. Granting an extension of time would keep the bar exam in line with the procedure for Israeli university exams, which is to give additional time to Arab students. In April, the Israeli Bar declared that it would adhere to these requests, and gave Arab students one additional hour to complete the exam.

## **Publishing Employment Ads in Arabic**

Adalah wrote to the Governmental Workers' Services Bureau to seek a cancel of its decision stop publishing job availability information in Arabic because of budget cuts. Adalah argued that budget problems are not a compelling reason to cease the production of Arabic language materials: Because Arabic is an official language of the State, the Bureau must continue Arabic publication. In response to Adalah's intervention, the Bureau rescinded its decision. Government Placed Ads in Hebrew in Arabic Newspapers

Adalah wrote to the Minister of Infrastructure and the Ministry of Finance in December 1997 regarding notices placed by each of the ministries in Hebrew in Ittihad (an Arabic language newspaper). The notices concerned the maximum price that gasoline stations could charge for fuel. Adalah reminded each of the ministries that the law required notices to be placed in Arabic, and that the notice requirement was not fulfilled by Hebrew language ads in Arabic newspapers. In response to Adalah's letter, the Ministry of Infrastructure stated that it is seeking an individual who can write or translate the ads into Arabic. Adalah also recently received a reply to its inquiries from The Ministry of Finance. Correspondence with the ministries is continuing on this matter.

## **No Tax on Locally-Produced Hebrew Language Books**

Adalah addressed the Finance Minister and the Attorney General concerning a bill which proposed to give a VAT (tax) exemption to locally-produced Hebrew books. The Attorney General replied that he would not provide his comments at this time, as the bill is not in process in the Knesset. Arab Women's Rights

Arab women constitute approximately 50% of the Arab minority in Israel. They face race-based and gender-based discrimination as members of the Arab community and as women in Israel. Although the Women's Equal Rights Law (1951) provides that any legal provision which discriminates against a woman on the basis of gender is invalid, and over the years, many specific laws which establish the principle of equality for women have been enacted,

nevertheless, in many areas, the legal status of women differs from that of men, and women are confronted with practices and policies which discriminate against them as a group. Differences between men and women as a whole and between Jewish and Arab women are quantified in the employment field, for example: Jewish women earn approximately 70% less than Jewish men for the same work whereas Arab women earn about 60% of what Jewish women are paid. Discrimination faced by Arab women in Israel is unique. It creates particular obstacles to Arab women's political, economic, and social development, and to their equal participation in the community.

## **The Right to Preventive Health Services for Arab Bedouin**

### **Women & Children in the Unrecognized Villages in the Negev**

Adalah filed this petition in December 1997 on behalf of 124 petitioners - 121 Arab Bedouin women and children and 3 NGOs: The Association of Forty, Al Tufula Center, and Adalah - against the Ministry of Health demanding that it establish Mother & Child health care clinics to supply preventative health services in the 10 largest unrecognized villages in the Negev. Over 50,000 Arab Bedouin live in unrecognized villages in the Negev, none of which have on-site Mother & Child health care clinics. To receive these services, women and children have to travel to clinics far from their homes, often needing to walk for hours in the desert, as there is no public transportation. By contrast, Mother & Child clinics are generally available for residents in neighboring Jewish towns.

According to Ministry of Health statistics, the infant mortality rate in unrecognized villages in the Negev is the highest in Israel (16 per 1000), and the immunization rate of these children is lowest. Moreover, approximately 50% of Arab Bedouin children living in these villages are hospitalized in the first year of their lives, and more than 50% suffer from anemia and poor nutrition.

Relying on substantial data provided by the Galilee Society and local and international experts, Adalah argued that under the National Health Insurance Law (1994), the Ministry is required to supply these preventative health services within a reasonable distance and traveling time of residence. Adalah also contended that the Ministry is violating the Basic Law: Human Dignity and Freedom (1992), which protects the right to life, as preventative health services aim not only to supply better conditions for life but to supply minimum conditions to protect the lives of women and children.

Further, Adalah provided affidavits from Arab Bedouin women and men, as well as experts, in support of its claim that the distant Mother & Child Clinics, combined with the traditional social obstacles which prevent Arab Bedouin women from leaving the village without a male relative, subordinate women's lives to those of men. Several of those who provided affidavits also asserted that where Arab Bedouin women left their villages unaccompanied to gain health services, they put their lives at risk, as their actions were viewed as threatening the "honor of the family." Some of these women were even forced to leave their families and to seek protection in women's shelters.

At a hearing on the case in February 1998, the Supreme Court issued an order nisi, requiring the Attorney General to respond to Adalah's petition in 45 days. The respondent replied on 5 May and suggested that six clinics could be provided within 2 1/2 years and one mobile clinic could start to operate immediately. Adalah was not satisfied with the respondent's proposal, and has asked the Court to hear the merits of the petition. The case is still pending.

## **The Right for Representation on Corporate Boards**

The 1995 Amendment to the State Services Law and the 1993 Amendment to the Government Corporations Law provide that women have the right to be fairly represented in government offices and corporations. In a recent landmark women's rights case, *Shdulat Hanasheem in Israel v. The Government of Israel*, which involved the right of women to be appropriately represented on government corporate Boards, the petitioners challenged the government's enforcement of these laws. While the Supreme Court could have relied exclusively on these laws in ruling on the case,

it went the beyond a strict and formal interpretation of the law and recognized the right of affirmative action for women as an integral part of the equality principle.

In May 1997, Adalah sent a letter to the Director of the Governmental Corporations Authority (GCA), in which it requested the representation of Arab women and men as a group on governmental and quasi-government corporate boards. Currently, there are only three Arab male citizens among hundreds who serve in this capacity. Adalah relied on the Supreme Court precedent of Shdulat Hanasheem in Israel, as well as caselaw from other countries, in arguing that at least Arab women must be represented as the law and the Court's decision speak about women - not only Jewish women. Adalah seeks the institution of affirmative action policies based on the 'systematic discrimination theory,' which focuses on the adverse effect of the policy and not its intent, and uses affirmative action as a remedy for historical discrimination.

The Director of the GCA responded to Adalah's letter by stating that the issue is of great importance, and must be put on the agenda of various governmental ministries vested with the power to appoint Board members. Adalah is waiting to see if Arab women and men will be added to the boards, and if not, Adalah will file a petition to the Supreme Court.

## **The Right to Travel**

Adalah filed a pre-petition in May 1997 against the Ministry of Interior on behalf of an Arab divorced woman who was prohibited from adding her daughter's name to her passport without the consent of her ex-husband. Many Arab women face this problem, even when they have custody of their children. Adalah argued that this practice unfairly discriminates against women. The Government is operating under a long-standing stereotype of a weak Arab woman who is unable to take charge of the fate of her child. The Law of Passports (1952) and its 1980 amendments do not include any provision regarding this restriction. Further, the policy may actually harm the interests of the child. In July 1997, the Interior Ministry agreed to give the petitioner a passport for her child, without the need of the father's consent.

## **Employment Rights**

Few Arab citizens hold positions in Israeli governmental offices or quasi-governmental corporations such as The Israel Electric Company and Bezeq (the telephone company). For example, in the Industry and Trade Ministry, there are 532 positions, none of which are filled by Arabs; in the Justice Ministry, among 950 employees only 2 are Arabs; and in the Housing Ministry, there are 622 positions with only 3 filled by Arab citizens of Israel. The Israeli government and quasi-governmental corporations do not have affirmative action policies nor do they employ any other methods for recruiting, hiring or promoting Arab workers. Military service is often a criteria used to afford preferences to Jewish workers, oftentimes to the exclusion of Arab workers. While 17,000 Arabs hold BA and MA degrees, and 400 hold PhDs, the vast majority of them are under-employed or unemployed. Very few institutions, other than NGOs, Arab municipalities and local councils, employ Arab professionals and academics.

## **Affirmative Action Required**

### **The Israel Electric Company**

Israel Electric is a governmental company which employs close to 13,000 workers. It grossed almost 2 billion shekels in sales in 1997. Employees of the company enjoy one of the highest wage scales and benefits packages available to governmental workers in Israel.

A newspaper article appeared in November 1997 regarding the employment of Arab workers by the Israel Electric Company. The article quoted the leader of the workers' union who stated that the reason there is a lack of Arab workers in the company is due to the concerns of the secret service (Shin Beit or Shabak). In response to the article, Adalah sent a letter to the managers of Israel Electric requesting information about the number of Arab employees, and whether there are any conditions which ban Arabs from working in the company.

The company responded to Adalah's inquiries in December. According to Israel Electric, only 5 out of 13,000 employees in the company are Arab citizens of the State. The company claimed that the reason for this low number is that a governmental decision has designated Israel Electric as a security area. Based on this information, Adalah requested a copy of the decision, and was later informed that the decision was taken in 1975 and that it is classified (secret).

After receiving this response, Adalah sent letters to the State Comptroller and the Attorney General requesting an investigation into the 1975 decision, the Shin Beit's policy, and the Electric Company's internal employment procedures. The AG's Office informed Adalah that it had checked the policy and had decided with the company to change all aspects which discriminated against Arabs and to eliminate any barriers which prevent their absorption into the workforce. Adalah welcomed this decision, however, it asked the IEC to implement an affirmative action plan. Although the IEC replied that it was currently reducing its workforce, Adalah again asked the company to recruit and hire new Arab workers when new positions open. Adalah is continuing to monitor the employment actions of the IEC.

## **Military Preferences**

### **Haifa Employment Agency**

Adalah found that a large private employment agency in Haifa, which sought employees for various private and quasi-governmental corporations, had included in many of its advertisements the condition that potential applicants had served in the army. One of the ads, which announced a position for an information operator with Bezeq (the telephone company), sought Arabic speakers who had performed military service. Adalah wrote to the employment agency to inform it that this condition violated the Equal Employment Opportunity Act (1988) which prohibits discrimination in employment. Moreover, one of the provisions of that law, states that any condition imposed for obtaining employment, unrelated to the actual work, will be considered discriminatory. As there is no connection between the work of a telephone information operator and that of army service, Adalah requested that the agency stop its practice and re-publish its advertisements without the condition. Adalah notified the agency that if it did not comply with this request, Adalah would initiate a civil suit in Labor Court against it. The agency responded to Adalah's letter by stating that it would cease this practice and re-publish the ads.

## **Equality in Labor**

Adalah is a member of the Equality in Labor Coalition which is comprised of The Association for Civil Rights in Israel, Shdulat Hanasheem (The Israel Women's Network), the Tel Aviv University Legal Center, and private labor lawyers. The Coalition is preparing a bill for the creation of a Governmental Authority to monitor and enforce Israeli labor laws. Adalah provided extensive information to the Coalition on discriminatory labor practices against Arab citizens of the State. Religious Rights

In Israel, there is no separation between religion and the State: Israel is a declared Jewish State. This is reflected in laws and policies which give special status to the Jewish religious community and to Jewish organizations, and which declare Jewish Sabbath and religious holidays as national days of rest. Activities aimed at bringing the public closer to the values of Torah (religious learning), mitzvot (religious duties), and Jewish traditions are manifested in educational curricula, media, and discretionary government programs. The Minister of Religion is Jewish and budgetary spending

is concentrated on Jewish religious services and yeshivot: A disproportionately small percentage of the Ministry's budget - 2% in 1997 and 1.86% in 1998 - is allocated to the Moslem, Christian, and Druze religious communities combined. The Religious Minister also retains the discretion to determine holy sites under The Protection of Holy Sites Law (1967), but successive Ministers have declared only Jewish holy places as holy sites. This determination is important, as it provides state funding to protect the sanctity of the holy sites and to preserve these religious/historical places from damage.

While there is no substantive equality between religious faiths, Israeli laws do protect freedom of religion, worship, and conscience, and the Supreme Court considers religious rights as fundamental. The 'non-Jewish' religious communities in Israel are permitted to maintain their places of worship, rest days and holy days, educational institutions, and a certain degree of autonomy in the religious court system where Moslems, Christians and Druze courts each have jurisdiction over personal status matters (i.e. marriage, divorce, custody, and inheritance). The Supreme Court of Israel is however empowered to review decisions of the religious courts, and religious courts must follow certain civil laws regardless of religious law.

## **The Budget of the Ministry of Religious Affairs**

Adalah filed this case, its first petition to the Supreme Court, in February. On behalf of five petitioners, leaders of the Arab Moslem, Christian and Druze (MCD) religious communities in Israel, Adalah filed suit against the Minister of Religious Affairs and the Minister of Finance concerning the 1997 budget of the Religious Ministry. The petitioners asked the Court to declare four provisions of the Knesset Budget Law (1997) unconstitutional based on the principle of equality, as these articles provided the MCD religious communities with only 2% of the total budget (US \$400 million), although they comprise close to 20% of the population. Adalah contended that the budget for the MCD religious communities should be calculated on the basis of their share of the population.

This is the first case to raise the important issue of whether the Basic Law: Human Dignity and Freedom (1992) includes the principle of equality. The petitioners asked the Court to rule that the principle of equality is protected by the Basic Law and that it was violated in the case, and to use its judicial power of review, for the first time, to strike down the provisions of the Knesset Budget Law based on the principle of equality. In terms of Israeli constitutional procedure, the petition called for a truly precedent-setting decision.

In addition to arguing that the Basic Law was violated in this case, the petition also relied on an Attorney General's opinion (1995) and the Report of the State Comptroller (1996), which pointed out that the disproportionate budget allocation of the Religious Ministry discriminates against Arab citizens of Israel.

A Supreme Court hearing was held on the case in late September. The Court emphasized at the hearing that the petition raised serious and substantial constitutional questions. However, as the petition related to the 1997 budget and it was late in the year to discuss 1997 budget allocations, the Court declined to rule on the merits. At the suggestion of the Court, Adalah agreed to withdraw the petition and to resubmit against the 1998 budget, should the same matters still be at issue.

Immediately after the Knesset passed the 1998 budget in early January, Adalah refiled the petition, raising the same arguments, together with a motion for an immediate hearing. Adalah's 1998 petition pointed out that the Knesset had allocated even less than in 1997 - only 1.86% of the Ministry's total budget (US \$430 million) - for the MCD religious communities.

In late January, a hearing was held on Adalah's petition regarding the Ministry's budget for 1998. The Court instructed Adalah and the Religious Ministry to negotiate a financial settlement based on the specific monetary needs of each MCD religious community, and adjourned the case for 3-4 months, with leave to request an immediate earlier hearing date if Adalah was not satisfied with the progress of the negotiations or the proposals set forth.

The petitioners submitted a report to the Ministry detailing their needs and the funds required to meet them in March 1998. The respondent did not negotiate with the petitioners and, as a result, Adalah asked for an immediate hearing

date. The Court heard the case on 3 May 1998 and ordered the parties to enter into substantial and serious negotiations, and to present a settlement to the Court within three months.

## **The Protection of Holy Sites**

### **The Designation of Holy Sites**

Adalah appealed to the Attorney General and the Minister of Religion regarding the practice of the Ministry under The Protection of Holy Sites Law (1967). Successive Ministers have declared only Jewish holy places as holy sites, and thus, Moslem, Christian, and Druze (MCD) holy sites do not receive funding for their protection and preservation. The Minister of Religion informed Adalah that he will consider the designation of MCD holy sites, if he receives specific requests from religious leaders. Adalah will continue to work with religious leaders to formulate their requests.

## **Political Rights**

### **Freedom of Speech**

#### **Arab Students' Rights on Campus**

Adalah filed an appeal to the District Court of Haifa on behalf of the Chairman of the Arab Students Committee of Haifa University against his conviction by the Haifa University Tribunal for participating in an illegal on-campus demonstration. Adalah argued that the Tribunal's decision was illegal in that it held the Chairperson responsible for actions of all the Arab students on campus. In addition, Adalah asked the Court to declare the following Haifa University regulations unconstitutional, as they abridge the freedom of expression: (1) that permission for a demonstration must be sought from the University eight days in advance; (2) that any announcements must be submitted to the University at least 24 hours before they may be posted on the student activities board; and (3) that pamphlets in Arabic must be submitted 4 days in advance to University security, if not translated to Hebrew, or 2 days in advance, if translated, before posting or distribution. These regulations impose more restrictive limits on speech than the Supreme Court generally allows. The Tel Aviv University Tribunal had recently declared similar regulations unconstitutional.

In May, Adalah and Haifa University reached a settlement on this case, subsequently approved by the District Court. Pursuant to this agreement, the student's sentence of 30 hours of university service was vacated and replaced by a warning, and the University agreed to set up an internal committee to review all University regulations relating to speech rights. The University promised that new regulations, consistent with fundamental rights of expression, would be drafted and put into effect by the 1998 school year.

## **Freedom of Association**

### **The Registration of Adalah**

In November, Adalah filed a request to the Registrar of Associations to register as an independent, not-for-profit association, pursuant to the Law of Associations (1980). After two weeks, Adalah contacted the Office of the Registrar to inquire as to the status of its application, and was informed that it must wait three months to receive confirmation of registration.

Following this inquiry, Adalah filed a pre-petition with the Attorney General against the Registrar, arguing that the extended delay in registration violates the rights of freedom of association and freedom of expression. Adalah



requested recognition of its status as an organization in one week, emphasizing that the Registrar must fulfill his or her duty immediately. Five days after filing the pre-petition, on 25 December 1997, Adalah received its confirmation of registration and thus became an independent NGO.

## **The Right to Demonstrate**

In September, The Follow-up Committee for Arab Education (FUCAE) organized a demonstration with Arab students and other community leaders to be held in front of the Prime Minister's Office in Jerusalem regarding the budget allocation of the Ministry of Education to Arab schools. The police initially granted a permit for the demonstration, but one day before the protest was to take place and after all of the preparations had been made, the police informed the FUCAE that the protest site must be moved, that the participants were to be limited to a specific number, and that the demonstration was to be restricted to a short period of time.

Upon learning of these changes, Adalah filed an immediate pre-petition to the Attorney General's Office emphasizing that these new and last minute restrictions on time, place, and manner illegally abridged the demonstrators freedom of expression rights. Two hours after the pre-petition was filed, the FUCAE received confirmation from the police that the demonstration could take place as originally granted by the permit.

## **Freedom of Information**

Adalah is a member of the Freedom of Information Coalition, which was initiated by Shatil in recent years. Prior to the enactment of the Freedom of Information Law, passed in early 1998, Israeli citizens had no right to obtain information gathered and held by the government on various issues. Adalah sent comments to the Coalition on the bill while it was pending in the Knesset, some of which were accepted and incorporated into the Law. The Freedom of Information Law will have a significant impact on the public's right to know and its ability to obtain information, formerly unavailable to Israel's citizens.

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## **Part II - Legal Education**

### **Adalah Legal Seminar Series**

Adalah and the Association for Civil Rights in Israel (ACRI) co-sponsored a joint legal seminar series held throughout 1997. Three events took place, two in Nazareth and one in Um El Fahem.

At the first, held in April and entitled "The Shaping of Arab Identity and its Effect on their Struggle for Human Rights," three speakers addressed an audience of approximately 200: Professor of Philosophy, Ramzi Sliman of Haifa University; Professor of Psychology, Sayid Zidani of Bir Zeit University; and Usama Halabi, Advocate, Member of Adalah's Legal Committee. The focused on the problematination of the definitioof the state as a Jewish and democratic state, and how this framework affects the struggle of the Arab minority. The speakers highlighted the insularity of the Arab minority community in Israel, and suggested several necessary changes that must be implemented by the government in order to improve the status of the Arab minority in Israel.

Five speakers participated in the second event, held in June and entitled "Who's Afraid of Freedom of Information?": Moshe Negbi, a leading legal commentator; Haim Baram, a journalist with Kol Ha'ir; Nazir Majali, editor of Ittihad; Muhammed Dahleh, Advocate, a member of Adalah's Legal Committee and now Board Chairperson; and Ra'if

Zureik, Advocate, Coordinator of Adalah's Legal Committee and now Board Deputy Chair. Israel did not have a Freedom of Information Act (FOIA) at the time of the seminar, and much information generated or held by the government is classified or not readily attainable by simple request.

The panelists spoke about the importance of the right for information, particularly for the Arab minority, as access to policy details of various government ministries would greatly strengthen and further focus demands for equality. The Arab minority is particularly affected by the restrictions on information as Arabs are significantly under-represented in the civil service where workers have some access to government data. The lawyers on the panel pointed out that oftentimes without such information it is impossible to prove claims of discrimination, while the journalists highlighted the public's lack of political decision-making power by the withholding of information. Approximately 100 people attended the event

The third event, entitled "Speech and Political Rights of the Arab Minority in Israel," took place in Umm El-Fahem (an Arab town in the Triangle, the center of the country), with the cooperation of the Cultural Department of the Municipality. Five panelists participated in the event: Saleem Salameh, a journalist for El-Sannara; Abd El-Hakim, a journalist from El-Hak; Dr. As'ad Ganim, a political science lecturer at Haifa University and the Director of SIKKUY; Yusef Jabareen, an advocate with ACRI; and Ibtihaj Mejali, a journalist with Kul Al-Arab. The panel was held as a community event for Human Rights Week in December, and informational materials about Human Rights Week and the activities of Adalah and ACRI were distributed to all participants. Umm El-Fahem was chosen as a location for the event because it is a town often neglected by other NGOs. The panelists discussed the right of freedom of speech as practiced by the Arab minority in Israel, focusing in particular on the areas of education, the media, women's leadership, and Arab political parties. Approximately 50 people attended the event. Conferences & Lectures Academic Forums and Lectures to Students

- In April, Adalah's General Director participated in a conference organized by Tel Aviv University and the Linguistics Center of Bar Ilan University on Israel's language policy. At that meeting, he presented a paper entitled, "The Status of the Arabic Language," and spoke about Adalah's efforts to promote and protect the language rights of the Arab community.
- In June, Adalah's General Director spoke at an international workshop on "Cause-Lawyering (public interest law) in National and Cross-National Perspectives." The workshop was organized by the Social Science Department of Tel Aviv University. At this event, he presented the experience of establishing Adalah, its initial cases, and the differences and similarities between Adalah's work and that being done by other civil rights organizations in Israel.
- In December, Adalah's General Director spoke at a Tel Aviv University Forum on strategies of policy and practice regarding the Rights of the Arab Minority in Israel.
- Adalah's General Director gave two lectures in Ramat Yeifaal College and one lecture at Manchester College to students about the legal status of the Arab minority in Israel.

## **Local NGO Events & Meetings of Public Institutions**

- In June, Adalah lawyer Jamil Dakwar spoke on the rights of disabled Arab citizens of Israel, the first session held on this issue in the Arab community. Organized by a committee of Arab social workers and other professionals, and held at the Galilee Society, the workshop brought together various specialists to address the particular needs of the disabled Arab community. Mr. Dakwar spoke about the legal basis of the rights of the disabled - statutes and caselaw - and how these laws and judicial decisions could be used to defend and improve the services offered to the Arab community. Adalah is working with the committee to develop a policy paper, strategy, and agenda for protecting the rights of disabled Arab citizens.
- In October, Adalah's General Director presented a paper on the Ronen Report and its implications on the Arab community in Israel to the High Follow-up Committee for the Arabs in Israel. This meeting was attended by over 100 Arab mayors and municipality leaders, local council heads, members of Knesset, and NGO activists. The High

Follow-up Committee requested that the Follow-up Committee on the Ronen Report and Adalah continue to work on the issues presented.

· In December, Adalah attorney Marwan Dalal attended a Knesset Parliamentary Committee, which convened to discuss the status of "absentee property." Pursuant to the Absentees' Property Law (1950), the State acquired control over all property which belonged to the Arabs who were expelled or fled their villages during the 1948 War, even if they remained in the country. Mr. Dalal advised the Committee regarding the issue, relying on material from the State Comptroller's reports, municipality documents, and records of the Custodian for Absentees' Property.

## **International Conferences & Meetings**

· In August, Mr. Ra'if Zureik attended a Human Rights Workshop for lawyers and activists in the Arab World, hosted by the UNESCO-recognized Cairo Institute for Human Rights Studies. Approximately 25 representatives from Egypt, Lebanon, Syria, Jordan, Israel, Yemen, Morocco, Tunisia, and Sudan participated in the workshop. Topics discussed included Islam and Democracy; International Advocacy; Identity and Human Rights; Terrorism, Palestine, and Human Rights; and Women's Rights Issues.

· In October, Adalah staff participated in a meeting held at the Arab Association for Human Rights with Mr. Edgard Kagan, Second Secretary of the United States Embassy in Tel Aviv. Adalah provided information on the legal status of the Arab minority in Israel and on its petitions to the Supreme Court. Several of the issues raised by Adalah's petitions are highlighted in the Israel section of the "US Department of State's Country Reports on Human Rights Practices for 1997."

· Adalah staff members also met with a group of approximately 25 American University students, who visited the region in the fall of 1997 as part of their Middle East studies course with Professor Simona Sharoni. Adalah staff presented information on Adalah's its legal work, and answered student questions on the legal situation of the Arab minority in Israel. Training New Lawyers

· Mr. Jamil Dakwar, a recent graduate of Tel Aviv University Law School, joined Adalah as a staff attorney for June and July 1997. He worked on the petition to the Supreme Court concerning the traffic signs, and issues regarding the lack of services to the unrecognized Arab villages, translation of the Bagrut exam to Arabic, and the rights of the disabled. The recipient of a New Israel Fund (NIF) Law Fellows Scholarship for 1997-1999, Mr. Dakwar traveled to the United States in August to study for an L.L.M. (Masters of Law) in Human Rights at American University. Mr. Dakwar spoke at various conferences and events on behalf of Adalah in Washington D.C. in late 1997, and will spend the second year of his NIF Fellowship working with Adalah.

· Mr. Marwan Dalal, a recent law graduate, joined Adalah in September 1997 as Adalah's first stager (legaapprentice). Mr. Dalal worked on aspects of Supreme Court preparation and attended all Supreme Court hearings on petitions filed by Adalah. Mr. Dalal played a key role in initiating legal work on the Ronen Report, military preferences in acceptance to medical school, language rights cases, and the Israel Electric Company case. Mr. Dalal also provided legal information to the Freedom of Information and Equality in Labor Coalitions, as well as appeared before the Knesset's Parliamentary Committee on Absentee Property. Mr. Dalal is the recipient of a New Israel Fund (NIF) Law Fellows Scholarship for 1998-2000, and Adalah expects that Mr. Dalal will return to Adalah for the second year of his NIF Fellowship.

## **Publications**

General Committee Mansur Kardosh - Coordinator Said Rabi Dr. Imbada Sim'ean Dr. Walid Zoa'by Hussein Tarabeah Sobhi Badarne Nimir Reyaheen Victor Mattar, Advocate Katy Jarjoura Saleem Khamis, Advocate Zahi Sa'ad

Executive Committee Mohammed Zeidan - Coordinator Mansur Kardosh Dr. Basel Ghattas Samer Mouallem

Legal Committee Ra'if Zureik, Advocate - Coordinator Ibtisam Mouallem Salim Wakeem, Advocate Hussein Abu Hussein, Advocate Usama Halabi, Advocate Muhammed Dahleh, Advocate Eiad Rabi, Advocate Samira Esmair, Advocate

Adalah Staff & Board Muhammed Dahleh, Advocate, Chairperson; Ra'if Zureik, Advocate, Deputy Chair; Hassan Jabareen, Advocate, General Director; Rina Rosenberg, Advocate, Director of Development; Basma Abu Jaber, Administrative Director; Marwan Dalal, Advocate; Jamil Dakwar, Advocate; Sarah Fort; Mo'eni Schlewit; Gadeer Nicola; Saida Baidseh, Advocate; Dr. Raid Egbariah; Samira Esmair, Advocate; Dr. Hala Hazzan; Yosef Jabareen; and Eyad Rabi, Advocate.