

Adalah The Legal Center for Arab Minority Rights in Israel
عدالة المركز القانوني لحقوق الاقلية العربية في اسرائيل
עדאלה המרכז המשפטי לזכויות המיעוט הערבי בישראל



Adalah's Report of Activities January to June 2009

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Introduction

This report highlights Adalah's **main achievements and impact, as well as our key activities** conducted from January through June 2009, our thirteenth 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 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; civil and political rights; economic, social and cultural rights; religious rights; women's rights; and prisoners' rights, 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;
- Trains legal apprentices, law students, and new lawyers in the field of human rights.

The 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. Throughout the document, we have also included some initial reflections on the challenges faced by the organization during the first half of the year.

Legal Action

Highlights

Elections 2009 and the new Netanyahu Government



Pictured: Arab MKs and Adalah's General Director at the Central Elections Committee in 1/09.

In the run-up to the elections, right-wing Members of Knesset (MKs) submitted motions to the Central Elections Committee (CEC) in 1/09 to disqualify two Arab political parties - The National Democratic Assembly (NDA)-Balad and the United Arab List-Arab Movement for Change (UAL-AMC) - from running for election. The motions charged violations of section 7A of the Basic Law-The Knesset: that the NDA denies the existence of Israel as a Jewish and democratic state by calling for a "state for all its citizens", and that both the NDA and the UAL-AMC support terror organizations and 'enemy states' against Israel. Adalah represented the parties before the CEC arguing that there is no legal basis to disqualify either. The CEC voted to ban to the Arab parties, supported by the three main political parties - Kadima, the Likud and Labor.

Adalah filed a 500-page appeal to the Supreme Court on behalf of the NDA and the UAL-AMC arguing that the CEC's decision to ban political parties that call for equality was extremely unreasonable and in contradiction of the Basic Law, and that there can be no democracy if the national minority is banned from the Knesset. **An expanded panel of nine justices of the Supreme Court overturned the CEC's decisions in response to Adalah's appeals.**

[http://www.adalah.org/features/political/Briefing_paper_on_disqualifications_jan_2009\[1\].doc](http://www.adalah.org/features/political/Briefing_paper_on_disqualifications_jan_2009[1].doc)

🚩 See Adalah's General Director Hassan Jabareen discussing the disqualification cases <http://www.adalah.org/newsletter/eng/jan09/jan09.html>

The elections held in 2/09 brought an extreme right-wing government coalition to power. Many coalition parties, including the Likud and Yisrael Beiteinu, ran "anti-Arab" election campaigns. Yisrael Beiteinu's main campaign slogan was "No loyalty, no citizenship". With this clearly racist message, the party became the third largest party in the Knesset.

Avigdor Lieberman, the head of Yisrael Beiteinu, serves as Deputy Prime Minister and Foreign Minister in the new government. Yisrael Beiteinu now controls the ministries that deal with law enforcement, including the Ministry of Internal Public Security (the Police) and Lieberman recommended the appointment of Ya'akov Ne'eman, the Minister of Justice, who is expected to continue attempts to undermine the power of the Israeli Supreme Court. The Chairperson of the Knesset's Constitution, Law and Justice Committee is also from Yisrael Beiteinu.

Coalition members began their tenure by launching a **flood of "anti-Arab" legislative offensives.**

Specifically, these bills seek to undermine the ability of Palestinian citizens of Israel to participate in the political life of the country, turn citizenship from a right into a conditional privilege, criminalize political expression or acts that question the Jewish/Zionist nature of the state (e.g., the Nakba Law), and use the criterion of military service as a justification for discrimination. Adalah has undertaken legal and advocacy initiatives against these new bills, which are noted in the following pages. It is also monitoring their progress in the Knesset, and will take further action.

http://www.adalah.org/newsletter/eng/jun09/Adalah_HRA_Briefing_note_FINAL_4.6.09.pdf

Figures

	Planned 2009	Achieved Jan-June 2009
New impact litigation	15	6
New legal interventions	20+	29
Wins/losses	-	Wins - 6 Losses - 3
Follow-up on pending cases	40+	13

Main Achievements

Following Adalah's petition to the Haifa District Court, in 1/09 the **Municipality of Carmiel lifted its ban on teaching driving in the town on Saturdays and Jewish holidays**. The ban caused economic harm to Arab driving instructors and violated citizens' constitutional rights of freedom of movement and freedom of employment.
http://www.adalah.org/eng/pressreleases/pr.php?file=09_1_04

In 2/09, the Supreme Court confirmed an agreement reached between Adalah and the Municipality of Akka (Acre) for the **cancellation of municipal regulations which damaged Arab businesses**. The regulations prohibited business owners in Akka in mixed neighborhoods with a Jewish majority from trading on Saturdays.
http://www.adalah.org/eng/pressreleases/pr.php?file=09_02_25

As a result of a Supreme Court appeal filed on behalf of 32 residents of the Akbara neighborhood and the Galilee Society, in 1/09 the Safad Municipality authorized a bid for construction works to **connect Akbara to the sewage system**. Akbara is the only Arab neighborhood in the municipality and the only unconnected one. As of 7/09, the sewage system was almost completed.
http://www.adalah.org/eng/pressreleases/pr.php?file=09_01_26_1



Pictured: Mr. Abassi, the owner of Kull Shay, and his books.

Following a Supreme Court petition in 1/09, the owner of Kull Shay - the largest supplier of Arabic language books in Israel - was granted a one year renewal of his license to **import books from Egypt and Jordan** that were published in Syria and Lebanon. The state initially refused to renew the license, which he has held for 30 years, arguing that the import of the books amounted to "trading with the enemy", and a violation of this British

mandatory-era ordinance. The petition remains pending on Adalah's demand to cancel the application of the ordinance in relation to books.

http://www.adalah.org/eng/pressreleases/pr.php?file=09_01_27

See **LA Times** coverage of this case entitled "Israel: Reading with the enemy":
<http://latimesblogs.latimes.com/babylonbeyond/2009/02/israel-reading.html>

As a result of a petition filed by Adalah in 2008, Ma'atz (Public Works Agency) announced before the Tel Aviv District Court in 5/09 that it would plan for a road to connect the Arab town **Jizr al-Zarqa to the Tel Aviv-Haifa coastal highway**. Jizr al-Zarqa is the only Arab town along that roadway, and it is the only town that is not connected.

New Project: Palestinian Refugee Properties



Pictured: Palestinian refugee property in Haifa on the market to be sold (6/09)

In 2009, Adalah launched a new project regarding the property rights of Palestinian refugees. In 5/09 Adalah sent a letter to the AG demanding the cancellation of tenders issued by the Israel Land Administration (ILA) for the **sale of Palestinian refugee property in Israel**. From 2007 to 6/09, the ILA published close to 300 tenders for the sale of "absentee" properties in Nazareth, Haifa, Led (Lod), Akka (Acre), Rosh Pina and Beit She'an.

The Absentees' Property Law - 1950 was the main law used by Israel to take possession of land belonging to internal and external refugees. Assessments by Israel, Palestinian institutions and UN agencies estimate that two million dunams to 16 million dunams of land were seized. These properties were then transferred to the Custodian of

Absentees' Property for guardianship pending a political solution. Adalah argued that, "Selling these properties constitutes the final expropriation of the right to property of Palestinian refugees, despite the special legal, historical and political status of these properties, in violation of Israeli and international law" Adalah is awaiting a response.

— **Al Jazeera** video story on the sale of Absentees' Property:

<http://www.youtube.com/watch?v=Hm1fTLwKuWQ>

In 6/09 Adalah also launched a **new internet-based interactive map and database**, the first of its kind, which provides detailed information on land expropriations by Israel since the establishment of the state in 1948. Information on population and land ownership in 1945, the total amount of Palestinian refugee property transferred to Israel, and the land expropriations carried out under the Israeli Land Acquisitions Law - 1953 is provided. The database gathers primary source information from Israeli government, Palestinian and UN sources. Adalah's lawyers and planning professionals collected and reviewed the original land confiscation orders in Hebrew from the official government gazette. The database provides all of this information in an accessible format in Arabic, Hebrew and English.

http://www.adalah.org/eng/pressreleases/pr.php?file=09_06_22

Israel's Military Offensive on Gaza



Pictured: Gaza City home entirely destroyed during "Operation Cast Lead" (1/09).

On 27.12.08, the Israeli military launched an offensive against the Gaza Strip which continued until 18.1.09. During this three-week operation (Operation "Cast Lead"), UN and Palestinian NGOs in Gaza report that at least 1,440 Palestinians were

killed, including 431 children and 114 women, over 5,300 Palestinians were injured, and over 4230 homes were destroyed. The level of devastation is unprecedented, particularly given the ongoing closure and siege on Gaza since 2007.

Adalah undertook numerous legal actions during the military attacks on Gaza and in their aftermath, working alongside both Palestinian and Israeli human rights organizations.

Legal actions during the attacks

A letter sent to the AG and the Israel Prison Service (IPS) on 31.12.08 asking that around 1,000 prisoners from Gaza classified as 'security prisoners' and incarcerated in Israel be allowed to **use telephones** to check on the welfare of family members in Gaza. Following the letter, the IPS allowed each prisoner one call. No visits from family members from Gaza have been permitted since 2007; Adalah is challenging the 'no visits' policy before the Supreme Court.

http://www.adalah.org/eng/pressreleases/pr.php?file=08_12_31

Two letters submitted to the Defense Minister, Prime Minister and AG on 4.1.09 demanding an immediate halt to all military attacks (i) directed at **civilian population centers** and/or liable to result in the killing of civilians; and (ii) targeting **civilian infrastructure** including gov't and public buildings, as well as Hamas members who were not taking a direct part in the hostilities, in accordance with IHL. Adalah subsequently prepared and published a detailed **position paper** on these matters. No response was received.

http://www.adalah.org/newsletter/eng/feb09/Fatmeh%27s_Position_Paper_English_FINAL.doc

A letter sent in Adalah's name and on behalf of Al Mezan and Al Haq on 12.1.09 to the AG and the Military Advocate General (MAG) demanding an independent, impartial criminal investigation into the killing of dozens of Palestinian civilians during the **bombing of two UN-run schools**. The UN subsequently undertook investigations and has requested compensation from Israel.

http://www.adalah.org/eng/pressreleases/pr.php?file=09_01_13



Pictured: Ambulances under attack in Gaza during the course of "Operation Cast Lead" (1/09)

Two urgent petitions submitted jointly by HR NGOs based in Israel to the Supreme Court arguing IHL and IHRL violations: the first, filed by Adalah on 4.1.09, challenging the Israeli military's **firing at medical personnel and ambulances**, and preventing the evacuation of the injured and the dead; and the second, filed by Gisha on 7.1.09, demanding that Israel ensure the **supply of fuel and the repair of the electricity grid**. The electricity supply was cut off from about one million Gaza residents, hospitals, and vital systems; around 800,000 people had no water and raw sewage was flowing through the streets. The court rejected the petitions on 19.1.09 (after the end of the fighting) ruling that, "We must hope that the humanitarian array of measures [set up by the state] will operate as required and in accordance with its obligations" (paras. 23, 27). The court's decision indicates that it did not give serious consideration to its role of providing an effective legal remedy to victims.

http://www.adalah.org/eng/pressreleases/pr.php?file=09_01_07
http://www.adalah.org/eng/pressreleases/pr.php?file=09_01_19_1

A letter sent to the AG on 15.1.09 demanding that the Israeli army stop **dropping leaflets** on Gaza bearing photos of destroyed buildings and urging people to collaborate by providing data on the locations of rocket-launching sites and "terrorist gangs." Adalah argued that these actions constituted an illegal attempt to involve civilians in military operations.

http://www.adalah.org/eng/pressreleases/pr.php?file=09_01_18

Harassment of anti-War demonstrators in Israel

As soon as the military attack on Gaza began, Palestinian citizens of Israel went to the streets in protest. According to police records, about 230

demonstrations and protest events were held, and **831 protestors were arrested** (715 from Israel and East Jerusalem and the remainder from the OPT). Adalah played a major role in giving urgent **legal consultation** to detainees' families. Some families were referred to the public defenders' office or volunteer lawyers, and some detainees were represented by Adalah. Adalah represented two Arab actors who were arrested during a silent protest against the attacks on New Year's Eve in Haifa; on 1.1.09 the court released them. Adalah is also continuing to represent four protestors who took part in a demonstration in front of the Egyptian Embassy in Tel Aviv; they have been criminally indicted for illegal assembly, taking part in riots, disturbing police in the course of their duty, and assault on police officers.

During the military operation, Adalah also received tens of complaints from demonstrators who were harassed by the police. The complaints indicated that police sought to **demand permits for demonstrations** in cases in which they are not required by law. Adalah gathered all the complaints in this regard, and sent letter to the AG requesting that he update the police with his directives on the right to demonstrate.

On 31.12.08, Adalah sent a letter to the AG demanding that he instruct the **General Security Service (GSS) to stop harassing Palestinian political activists** for their protest activities during the military attacks. In 3/09 the AG replied that the GSS is authorized to question these activists in order to avoid disorderly conduct by protestors.

Legal actions: follow-up on the military attacks

A letter sent in cooperation with Al-Mezan in 4/09 to the Defense Minister, the AG and the MAG demanding a criminal investigation and prompt prosecution of military commanders who authorized soldiers to use **Palestinian civilians as human shields** during the offensive on Gaza.

Investigations into the use of three minors as human shields are underway. In a prior case brought by Adalah, the Supreme Court ruled in 2005 that the Israeli army's use of Palestinian civilians as human shields in military operations constituted a violation of IHL and banned the army's use of this practice.

<http://www.adalah.org/newsletter/eng/apr09/6.php>

A demand for a criminal investigation sent to the AG and the MAG by Adalah in its own name and on behalf of Al-Mezan and Al-Haq in 6/09 to **investigate the killing of two girls**, Suad and

Amal Abed Rabbo, at close range by Israeli soldiers during the offensive.

http://www.adalah.org/eng/pressreleases/pr.php?file=09_06_14_9

Legal actions against the siege

A pre-petition filed on behalf of a Lebanese ship owner to the AG in 2/09 demanding that Israel release his **ship with humanitarian aid** bound for Gaza, which was seized by the Israeli navy and subsequently held. As of 7/09, the ship remains in Israeli custody; private lawyers now represent the ship owners.

<http://www.adalah.org/newsletter/eng/feb09/6.php>

A letter sent with Al Mezan in 4/09 to the Directors of the Bank of Israel, the National Insurance Institute (NII), and the Finance Minister demanding they transfer all outstanding **disability payments to around 730 eligible Palestinian workers from Gaza**. These workers were injured at work inside Israel and they paid national insurance fees and taxes prior to their injuries; NII payments have been made by Israel to these workers in past years. The NII claims that it cannot make payments because the Bank of Israel has halted all business with all banks in Gaza.

http://www.adalah.org/eng/pressreleases/pr.php?file=09_04_23

A letter sent in 5/09 to the Defense Minister on behalf of a group of **Arab journalists**, citizens of Israel, and the Ilam Media Center requesting permits to enter Gaza to report first-hand on the situation. The applications for entry were denied.

<http://www.adalah.org/newsletter/eng/may09/8.php>



Pictured: Boat of Gazan fisherman after being rammed by an Israeli gunship while fishing off the coast of Gaza City. (Courtesy of FreeGaza.org)

Two letters sent to the Defense Minister and the MAG in 5/09 demanding that they prohibit the opening of fire on the **Palestinian fishermen** by the Israeli navy, release ships that were seized,

and increase the fishing area available from 3 to 20 nautical miles as previously agreed between the PA and Israel. The fishing industries provide the basic necessities of life for around 35,000 people in Gaza. In recent months, the navy has escalated its harassment of and assaults on the fishermen.

<http://www.adalah.org/newsletter/eng/may09/7.php>

New impact litigation and legal interventions

Land and Planning Rights

An appeal filed on behalf of the Sawa'ed family to the Regional Planning and Building Appeals Committee - Northern District in 1/09 against a decision of the Misgav Regional Council's Local Planning and Building Committee to continue to deny the Sawa'ed family **licenses for building a home** on their privately-owned land in the Jewish town of Kamoun. In 3/09, the Regional Committee decided to return the case to the local committee.

http://www.adalah.org/eng/pressreleases/pr.php?file=09_01_26_2

A petition submitted in 3/09 to the Haifa Administrative Court on behalf of 43 Arab residents of Daliyat al-Carmel against a decision by the planning authorities to approve the **new local master plan** for the village, and demanding that a new plan be developed. The implementation of the plan would lead to the demolition of some 600 homes and curtail the future residential and economic development of the village.

<http://www.adalah.org/newsletter/eng/mar09/1.php>

A letter sent to the ILA, the AG and the Finance Minister in 5/09 demanding that they repeal an ILA decision which grants a **discount to reserve soldiers on the price of land** intended for building by reducing the customary payment rate by 15%. The ILA decision is based on the National Priority Areas plan, which was voided by the Supreme Court in 2006 following Adalah's legal challenge.

<http://www.adalah.org/newsletter/eng/may09/1.php>

A letter sent to the AG in 6/09 demanding directives against two community towns in Misgav in the north of Israel which are changing their bylaws to demand that the town's residents testify in writing that they believe in **Zionist values, celebrate Jewish holidays, and support the settlement of 'Eretz (Greater) Israel**.



Pictured: Israeli police checkpoint outside the village of Tarabeen al-Sana in the Naqab in 5/09.

A letter sent in 5/09 to the head of the police in the south demanding the immediate dismantling of **police blockades and checkpoints** set up at the entrances to the Arab Bedouin village of Tarabeen al-Sana ('Amra) in the Naqab. Villagers have also been subjected to random stop and searches.

<http://www.adalah.org/newsletter/eng/may09/2.php>

A letter sent to the Justice Minister, the AG, and the ILA in 6/09 demanding that the new legislative process to approve **'individual settlements'** - vast areas of state-controlled land held by individual Jewish families in the Naqab - be stopped as the land holdings were established contrary to approved local and regional plans, and without the necessary building permits and the publication of bids. Adalah's petition filed to the Supreme Court in 2006 against the 'Wine Path Plan' which approved these settlements remains pending for decision.

http://www.adalah.org/eng/pressreleases/pr.php?file=09_06_30_1_9

Social, Economic and Education Rights

Employment

A lawsuit filed in 4/09 to the Tel Aviv Regional Labor Court by Adalah and Sawt el-Amel (the Laborers' Voice) on behalf of two Arab workers fired by the Israel Railway Company (IRC). Adalah argued that the IRC may not use the criterion of military service for the hiring or dismissal of the **railway workers**. If the decision is not cancelled, the 130 Palestinian Arab workers currently employed by the IRC stand to lose their jobs. Case pending decision on request for injunction.

<http://www.adalah.org/newsletter/eng/apr09/14.php>

A letter sent on behalf of the Regional Council for the Unrecognized Villages in the Naqab (RCUV) to the Ministry of Agriculture in 2/09 demanding that the implementation of the policy of requiring **tax statements of Arab Bedouin farmers**, as a condition for obtaining pasture land for grazing their

cattle, be delayed to allow farmers to prepare themselves and avoid huge financial losses.

http://www.adalah.org/eng/pressreleases/pr.php?file=09_02_23_1

Health

A letter sent to the Health Minister and the AG in 2/09 demanding that **MRI scans for breast cancer** be included in the basket of health services provided by the health funds in Israel. Adalah is awaiting additional substantive responses from the Health Ministry.

http://www.adalah.org/eng/pressreleases/pr.php?file=09_02_15

A letter sent with PHR-I to the Health Minister and Kupat Holim Clalit (KHC - health fund) in 5/09 demanding that **pediatricians and gynecologists** be employed in the 11 KHC centers in the unrecognized Arab Bedouin villages in the Naqab for the thousands of people who use their services. The MOH and KHC responded that the existing family doctors are enough, and that villagers can travel to clinics in neighboring Jewish towns.

Education

A letter sent in 3/09 to the Education Minister demanding immediate 'special measures' to bring an end to the extremely **high rate of illiteracy among Arab Bedouin women** in the Naqab. Case development in cooperation with Sidreh, an Arab Bedouin women's rights organization.

<http://www.adalah.org/newsletter/eng/mar09/6.php>

A letter sent to the Prime Minister, the Chairman of the Ministerial Committee for Legislation and the Education Minister in 6/09 demanding that they reject a draft bill authorizing the **double-funding of private Jewish religious (Haredi) schools** by the Education Ministry and local education authorities as it discriminates against private Arab Christian and Muslim schools. The bill was rejected in 7/09.

http://www.adalah.org/eng/pressreleases/pr.php?file=09_06_30_9

Social rights

A letter sent in 3/09 to the AG demanding the cancellation of a Likud-Shas agreement according to which families with children who do not regularly attend school or who have not received the immunizations recommended by the Health Ministry (MOH) would no longer be provided with **child allowances**. This provision would mainly affect Arab Bedouin children with the lowest socio-economic standard of life. In 7/09, the Knesset's Finance Committee decided to postpone voting on this financial restriction until next year.

<http://www.adalah.org/newsletter/eng/mar09/9.php>

A letter sent in 4/09 to the Director of the National Insurance Institute (NII) seeking to expand the applicability of the National Insurance Law - 1995, to eliminate discrimination between Jews (who immigrate to Israel under the Law of Return) and "non-Jews" (who cannot immigrate to Israel under the Law of Return but who have residency status in Israel through family unification, primarily Arabs) in **disability allowances**. The NII responded that new Jewish immigrants to Israel are entitled to special rights and benefits in the Jewish state.
<http://www.adalah.org/newsletter/eng/apr09/15.php>

A pre-petition submitted to the AG in 5/09 demanding that the Education Ministry (MOE) resume funding an assistant to work full-time with a ten year-old **disabled Arab Bedouin child** so that he can exercise his right to education. Due to MOE cutbacks, the child is forced to leave his school early every day.
http://www.adalah.org/eng/pressreleases/pr.php?file=09_04_09_1

Prisoners and Detainees' Rights / Political Protest

Following a petition filed by Adalah on behalf of a Palestinian political prisoner to the Nazareth District Court in 5/09, the Israel Prison Service (IPS) in 6/09 **reversed its decision to ban bringing books into prisons**. The IPS stated that it had developed a new system to provide books by request from the prison canteen. Following Adalah's objections, the court ordered the IPS to promulgate clear regulations on the entry of books into prisons.
http://www.adalah.org/eng/pressreleases/pr.php?file=09_06_28_9

The above-noted petition was filed following these legal actions:

An urgent letter sent to the Justice Minister in 3/09 demanding that he avert any attempt to impose further **restrictions on the rights of Palestinian political prisoners incarcerated in Israeli prisons** and detention centers. Recommendations included banning: all family visits, academic education and school matriculation examinations, watching television and reading newspapers. These recommendations followed the breakdown of talks between Israel and Hamas over the release of captured Israeli soldier Gil'ad Shalit.
http://www.adalah.org/eng/pressreleases/pr.php?file=09_03_19

In 4/09, a pre-petition and a letter were sent to the AG and the IPS challenging two new policies that

worsened conditions of confinement for Palestinian prisoners in Israeli prisons: a total **ban on bringing books** in the prisons and a **prohibition on the broadcast of Arabic television channels**.
<http://www.adalah.org/newsletter/eng/apr09/1.php>

A letter sent to the Justice Minister in 2/09 demanding that he cancel Article 3 of the Court Procedures directives, which allows district courts to **hear petitions filed by prisoners inside prisons** rather than in public courtrooms.
http://www.adalah.org/eng/pressreleases/pr.php?file=09_02_23

A letter sent to the IPS and the Minister of Internal Security in 6/09 demanding the immediate closure of the **solitary confinement** ward in Neve Tirtza, and a criminal investigation into the prison administration and guards responsible for abusing and torturing women prisoners confined in that prison. The letter was sent in Adalah's own name and on behalf of Physicians for Human Rights-Israel, Al-Mezan, and the University of Haifa's Legal Clinic for the Rights and Rehabilitation of Prisoners. The organizations also demanded that the practice of shackling the women to their beds as a form of disciplinary punishment be prohibited.
http://www.adalah.org/eng/pressreleases/pr.php?file=09_06_29_9



Pictured: Protest against "Operation Cast Lead" in Tel Aviv (1/09).

Adalah also represented 15 detainees before the courts who had been **arrested while participating in demonstrations** against the 2006 Lebanon War and recent attacks on Gaza. In all cases, Adalah argued that the police had arrested the protestors illegally to prevent their participation for political reasons. Some of the detainees sustained serious physical injuries during arrest. The details of these cases are confidential.

In 2009, Adalah began to represent Arab MKs in pre-indictment hearings before the AG and senior

members of the AG and the State Prosecutor's Offices. The **MKs face criminal charges for 'political offenses'**, including organizing a pilgrimage for Druze religious leaders to Syria (considered an 'enemy state' under Israeli law) and assaulting riot police and military officers during demonstrations against the Wall in the West Bank and the 2006 Lebanon War. Adalah argued that the MKs acted in fulfillment of their duties as elected political leaders towards their electorate and that the charges are the result of false and negligent police investigations.

Follow-up on major pending cases

At a hearing held in 1/09 on a petition filed by Adalah, the Supreme Court instructed the state to respond as to why **admissions committees** that overwhelmingly exclude Arab citizens of Israel from living in around 500 community towns based on "social suitability" criterion are not illegal.

<http://www.adalah.org/newsletter/eng/jan09/4.php>

Hearings were held in 1/09 and 2/09 before the Tel Aviv District Court on a petition challenging Tel Aviv University's **age restrictions on admission to its medical school** that discriminates against Arab students. The case is now proceeding on a civil lawsuit track; next hearing in 12/09.



Pictured: A demolished Arab Bedouin home in the unrecognized village of Khisham Zina in the Naqab.

Evidentiary hearings were held before the Beer el-Sabe Magistrate Court during the first half of 2009 on cases filed by Adalah seeking the cancellation of **evacuation lawsuits** against about 1,000 Arab Bedouin residents of the unrecognized village of Atir-Umm el-Hieran and **home demolition** orders against 33 homes in the village. Evidentiary hearings were also held on cases challenging orders to demolish all of the homes in Al-Sura.

See feature by Adalah's Ran Shapira, "It takes a village," *Haaretz English Edition*, 6.3.2009
<http://www.haaretz.com/hasen/spages/1068985.html>

In 2/09, the National Labor Court upheld the **suspension of an Arab woman employee** - a senior-level health professional who has worked for the Health Ministry for over 30 years and received numerous awards for excellence - for participating in a demonstration against the siege on Gaza. Following subsequent hearings before the civil service commission disciplinary body, negotiations are underway for a settlement.

<http://www.adalah.org/newsletter/eng/feb09/1.php>

The Supreme Court held hearings in 1/09 and 3/09 before an expanded panel of seven justices on a petition challenging amendments to the Criminal Procedure Law, which legislate severely **harsh pre-trial detention conditions** for security suspects. The petition was filed in 3/08 by Adalah, PCATI and ACRI. In a rare step, the organizations withdrew the case in 3/09 following an illegal and unprecedented decision by the court to hear GSS secret evidence in this constitutional law case.

<http://www.adalah.org/newsletter/eng/mar09/3.php>

After five years of litigation, in 3/09 the Supreme Court rejected a petition filed by Adalah on behalf of Muslim religious leaders to compel the Minister of Religious Affairs to promulgate regulations for the protection of **Muslim holy sites** in Israel. Approximately 135 sacred places have been declared as holy sites, *all* of which are Jewish. The court ruled that the state's commitment to designate a small budget for the maintenance of Muslim holy sites was sufficient and that designating Muslim holy sites would be a "sensitive matter."

<http://www.adalah.org/newsletter/eng/mar09/2.php>

A motion submitted in 4/09 to the Nazareth District Court objecting to the state's presentation of secret evidence for review by the court in the absence of the petitioner, in a case involving the request of a political prisoner, a Palestinian Arab citizen of Israel, for **conjugal visits** with his wife so that he may father a child. The state sought to present secret evidence on the grounds that it clarifies the state's opposition to his request.

<http://www.adalah.org/newsletter/eng/apr09/12.php>

An expanded seven-justice panel of the Supreme Court held a hearing in 3/09 on Adalah's petition challenging new amendments to the **Citizenship and Entry into Israel Law** (Temporary Order) - 2003, which expanded the ban on family unification between Palestinian citizens of Israel and

Palestinians from the OPT to include a prohibition on spouses from Lebanon, Syria, Iran and Iraq, defined in the law as 'enemy states'. With its closing arguments, Adalah submitted three expert opinions from the Open Society Justice Initiative and lawyers in South Africa and the UK. Case pending for final judgment.

http://www.adalah.org/eng/pressreleases/pr.php?file=09_03_09



Pictured: At the Israeli Supreme Court before the hearing on the Citizenship Law case in 3/09.

📄 See Adalah Attorney Sawzan Zaher discussing the Citizenship Law case

<http://www.adalah.org/newsletter/eng/mar09/mar09.html>

Hundreds of affected persons, Palestinian NGOs and mayors attended a hearing at the Jerusalem Planning Committee in 4/09 on an objection filed by Adalah in cooperation with the Civic Coalition for Defending the Palestinians' Rights in Jerusalem against the **Eastern Ring Road**. The hearing was postponed as the municipality failed to send a representative to defend against the objections. No new date has been set.

<http://www.adalah.org/newsletter/eng/apr09/5.php>

In 5/09, the Supreme Court heard a petition for the first time filed by Adalah, PCHR-Gaza and Al-Haq in 2007 demanding criminal investigations into the **killing of civilians and the extensive home demolitions** during two Israeli military operations in Gaza: "Operation Rainbow" (May 2004) and "Operation Days of Penitence" (October 2004). The state argued that the case should be dismissed on the grounds that its arguments are over-general; Adalah countered that the petition provided an abundance of evidence of grave breaches of the 4th Geneva Convention and that it was the state's responsibility under international law to investigate these crimes. Case pending for decision.

http://www.adalah.org/eng/pressreleases/pr.php?file=09_05_06

A hearing was held before seven judges of the National Labor Court on a case filed by Adalah demanding the amendment of the **pension insurance agreement** to extend its application to all workers over the age of 18. Case pending for decision.

In 6/09, the Supreme Court instructed the National Insurance Institute (NII) and the Ministry of Industry, Trade and Labor (MITL) to explain why anyone who owns or uses a car should be denied **income support payments** according to new amendments to the Income Support Law - 1982. The order nisi was issued in response to a petition filed by Adalah, Sawt el-Amel and income support recipients in 3/08.

http://www.adalah.org/eng/pressreleases/pr.php?file=09_06_18_9



Pictured: The Big Mosque in Beer al-Sabe (6/09)

The Supreme Court held a hearing in 6/09 on a petition filed by Adalah in 2002 demanding the reopening of the **Big Mosque** in the city of Beer el-Sabe (Beer Sheva) to worshippers. The court gave the parties an additional 60 days to reach an agreement acceptable to both before the court issues a final decision. The municipality claims "opening the mosque for prayer would undermine the city's public safety." Since the establishment of the state, the municipality has prevented prayer in the mosque; it was used as a courtroom, prison and museum until its closure in 1991, when it was left derelict.

http://www.adalah.org/eng/pressreleases/pr.php?file=09_06_07_9

International Advocacy

Highlights

Occupation, Colonialism, Apartheid? A re-assessment of Israel's practices in the OPT under international law: The Human Sciences Research Council (HSRC) of South Africa commissioned this study to test a hypothesis posited by Professor John Dugard in his report to the UN Human Rights Council of January 2007, in his capacity as UN Special Rapporteur (SR) on the human rights situation in the OPT. Professor Dugard posed the question: "Israel is clearly in military occupation of the OPT. At the same time, elements of the occupation constitute forms of colonialism and of apartheid, which are contrary to international law. What are the legal consequences of a regime of prolonged occupation with features of colonialism and apartheid for the occupied people, the Occupying Power and third States?" Al Haq, Adalah and a team of lawyers and legal academics from the Ireland, Israel, South Africa, the UK and the West Bank contributed to the writing of this 300-page study.

The Executive Summary and the Full Report: http://www.hsrc.ac.za/Media_Release-378.phtml



Pictured: At the London launch of the report in 5/09.

International Advocacy Director Rina Jabareen gave a presentation on the implications of the report's findings for international advocacy at the launch held at the School for Asian and Oriental Studies (SOAS) in London in 5/09. She also gave a presentation at the House of Commons at a special session organized by the Britain-Palestine All Party Parliamentary Group. Participation supported by the HSRC. Conferences and seminars will be held on the report in the West Bank, Israel and South Africa during the second half of 2009.

The **UN Committee Against Torture (CAT)** issued its Concluding Observations (COs) on Israel in 5/09. The COs raised many of the issues contained in the oral and written interventions submitted by Adalah, Al-Haq, Al-Mezan, DCI-Palestine, Physicians for Human Rights-Israel, and the Public Committee Against Torture in Israel as the United Against Torture Coalition. Adalah contributed research and writing on ten issues of torture and cruel, inhuman or degrading treatment. The organizations submitted joint reports to CAT in 9/08 and 4/09 and attended the Committee's review sessions on Israel in 5/09 (Adalah Attorney Fatmeh El-'Ajou) in Geneva. In the COs the Committee raised serious questions involving what it categorized as "numerous, ongoing and consistent allegations" of torture and ill-treatment by Israel against Palestinians and called for an independent investigation into operation 'Cast Lead' in Gaza. Meetings were also held with human rights officers working with the UN SR on Torture; the UN WG on Arbitrary Detentions; the UN SR for the OPT; and the Head of the UN Treaty Bodies section and the Head of the Civil Society Unit of the Office of the High Commissioner for Human Rights (OHCHR). Reporting and participation supported by the European Commission.

<http://www.adalah.org/features/gaza/Final%20CAT%20Press%20Release%2020%20May%202009.pdf>

All documents related to the review of Israel are available at:

<http://www2.ohchr.org/english/bodies/cat/cats42.htm>

Figures

	Planned 2009	Achieved Jan-June 2009
Reports/interventions/advocacy to UN/EU	8-10	12
Briefings for embassies and MPs	Frequent meetings	5+ regular updates
US advocacy		Planned for Fall 2009
Participate in international human rights conferences/seminars/networks/donor-related events	10-12	8

Briefings for Diplomats and Embassy Representatives



Pictured: Human rights leaders meet with former US President Jimmy Carter in Jerusalem in 6/09.

Adalah General Director, Hassan Jabareen, together with the General and Legal Directors of the leading human rights organizations in Israel met **former US President Jimmy Carter** in 6/09 in Jerusalem. President Carter held a series of meetings in Israel and the OPT concerning recent political developments in the US and Israel.



Pictured: Meeting with the South African Ambassador to Israel at Adalah in 6/09.

Adalah hosted the new **South African Ambassador to Israel, Ismail Coovadia**, at our office in 6/09.

Adalah General Director Hassan Jabareen and International Advocacy Director Rina Rosenberg, together with small group of human rights advocates, met the **Swiss Ambassador to Israel, Walter Haffner**, at his residence in 6/09.



Pictured: NGO leaders and the mayor of Rahat Municipality meet the US Ambassador in 6/09.

Adalah Attorney Morad El-Sana met the **US Ambassador to Israel, James Cunningham**, at a meeting held with the mayor of the Rahat municipality and NGO leaders in the Naqab in 6/09.

Adalah regularly sent out updates and information to embassies and consulates in Israel and the OPT concerning our legal actions and reports, and held meetings with country representatives on request.

UN Advocacy

Adalah closely followed UN developments and investigations during and in the aftermath of the Israeli military offensive on Gaza in December 2008 - January 2009. Adalah submitted materials on our legal work dealing with Gaza to **UN Special Rapporteurs (SR)**, including Prof. Richard Falk, the UN SR on the OPT, who wrote and submitted reports to the UN Human Rights Council (HRC) in 3/09. To view the UN reports, see:

[http://www.adalah.org/features/opt/A.HRC.10.20.p
df](http://www.adalah.org/features/opt/A.HRC.10.20.pdf)

[http://www.adalah.org/features/opt/A.HRC.10.22.p
df](http://www.adalah.org/features/opt/A.HRC.10.22.p
df)

In 5/09, Adalah Attorney Fatmeh El-'Ajou gave testimony in Geneva about Adalah's work on the Gaza crisis to the **'Goldstone Commission.'** which has been mandated by the HRC to investigate these events. In 6/09, Adalah and other human rights organizations based in Israel provided a joint submission to the Goldstone Commission on results of investigations, major findings and legal work on the Gaza attacks and crisis.

[http://www.adalah.org/eng/pressreleases/pr.php?fil
e=09_06_30_2_9](http://www.adalah.org/eng/pressreleases/pr.php?file=09_06_30_2_9)

The UN Independent Expert (IE) on Minority Issues, Gay MacDougall, presented a set of recommendations on the subject of **minorities and the right to education** to the HRC in 3/09. Adalah played an active role in the formulation of the recommendations by providing extensive comments and suggestions to a draft version in the context of our participation in the inaugural session of the new Forum on Minority Issues, held in Geneva in 12/08. Adalah Attorney Sawsan Zaher participated in this session as an UN-selected expert in the field. As a result of Adalah's input, the IE added four new articles to the recommendations, and significant amendments/additions were made to strengthen a total of 14 other articles, tackling compound discrimination against female members of minorities, the cultural rights and narratives of minorities, and other issues. The intention is that these recommendations will be adopted as a new General Comment by the CERD Committee, and thus, will become the authoritative interpretation of international human rights law on this matter. <http://www.adalah.org/newsletter/eng/mar09/5.php>
To view Gay MacDougall's report and the final draft of the recommendations, see: <http://daccessdds.un.org/doc/UNDOC/GEN/G09/11/1/77/PDF/G0911177.pdf?OpenElement>
<http://www2.ohchr.org/english/bodies/hrcouncil/docs/10session/A.HRC.10.11.Add.1.pdf>

Adalah Board member, Fouad Sultani, participated as an **observer in the Durban Review Conference (DRC)** held in Geneva in 4/09. His participation was supported by the UN. Badil, Al-Haq and Adalah wrote to the UN High Commissioner for Human Rights to express our disappointment and concern that the DRC neglected the victims of severe racial discrimination, in particular the Palestinians, and drastically limited any meaningful civil society participation in the conference. http://www.un.org/durbanreview2009/pdf/Durban_Review_outcome_document_En.pdf

EU Advocacy

The **EU-Israel Association Council (AC)** decided at its meeting in 6/09 to put the upgrade of the EU's relations with Israel on hold. For the first time in an AC statement, the EU stated that it, "reiterates the need for a continued discussion with the Israeli side on human rights situations of common concern, in particular the protection of the Palestinian population and Israeli Arab minority ..." (para. 29). Adalah and the Arab Association for Human Rights (HRA) sent a letter to the EU and EU member states in 6/09, prior to the AC meeting, informing

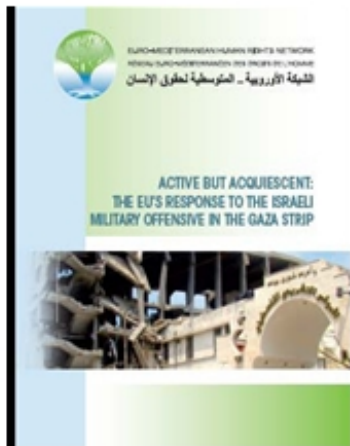
them about the **flood of new proposed legislation since the new Netanyahu government took office that threaten the rights of Arab citizens of Israel**. International Advocacy Director, Rina Jabareen, participated in a series of **advocacy meetings in Sweden** in 6/09, together with colleagues from B'Tselem, Al Haq and the Euro-Mediterranean Human Rights Network (EMHRN), immediately prior to the AC meeting. At these meetings, organized by Diakonia, the organizations urged EU member states to support accountability for Gaza, the dismantling of and construction freeze in the settlements, and respect for the rights of Palestinian citizens of Israel.

Prior to the AC meeting, Adalah General Director Hassan Jabareen, HRA General Director Mohammed Zeidan, and the Chairman of the High Follow-up Committee for Arab Citizens of Israel, Muhammed Zeidan, met with **EC officials in Tel Aviv** to discuss the "anti-Arab" legislation and the deterioration of the human rights situation of Palestinian citizens of Israel. By invitation of the Swedish embassy, which chairs an **informal working group of embassies on human rights**, Adalah Attorney Orna Kohn and representatives of the HRA and Mossawa briefed embassy staff on these issues in 6/09.

The letter of Adalah and HRA to the EU: [http://www.adalah.org/features/var/Adalah_HRA_EU_upgrade_letter_FINAL_4.6.09\[1\].pdf](http://www.adalah.org/features/var/Adalah_HRA_EU_upgrade_letter_FINAL_4.6.09[1].pdf)

Adalah Attorney Fatmeh El-'Ajou joined a delegation of the EMHRN Palestine/Israel Working Group for a **series of advocacy meetings in Denmark** with government officials, parliamentarians, academics and NGOs in 3/09. Adalah Attorney Sawsan Zaher participated in a similar **set of advocacy meetings in Sweden** in 5/09, in the run-up to the Swedish Presidency of the EU beginning in 7/09. Participation supported by EMHRN.

Adalah's International Advocacy Director Rina Jabareen participated in a meeting of the **EMHRN's Working Group on Palestine/ Israel** in Jerusalem in 4/09, where she was selected to be the facilitator of the group.



EMHRN Report: Active but Acquiescent - The EU's Response to the Israeli Military Offensive on Gaza

Adalah was a member of the Steering Committee for this report, published in 5/09. The EMHRN WG briefed NGOs, the European Commission and embassies of EU member states on the initial findings of this report in 4/09. In 5/09, the EMHRN launched the EU-Gaza report in Brussels, and in Tel Aviv and Ramallah in 6/09 with a series of briefings for embassies, consulates, and journalists. Full report:

<http://www.euromedrights.net/usr/00000026/0000027/00000028/00000156/00002935.pdf>

Adalah Attorney Sawsan Zaher participated in a meeting of the **EMHRN's Working Group on Gender** in Sweden in 5/09, which also included lobbying activities and a public event. Attorney Zaher is the facilitator of the WG. She also participated as a consultant on gender-mainstreaming in the **EMHRN's Working Group on Justice** meeting in Paris in 6/09. Participation supported by EMHRN.

EU Regional seminar on thematic instruments and programmes: reinforcing civil society.

Adalah's International Advocacy Director participated in this two-day seminar held in Cairo in 5/09. The seminar brought together more than 100 NGO representatives from around the region for a consultation on the EU's financing of thematic programs.

International HR Conferences and Networking

Adalah's International Advocacy Director Rina Jabareen participated in the **Global Strategy Exchange Convening Conference**, organized and

funded by the US Human Rights Fund. The conference, held in New Orleans, in 1/09 was attended by 140 people from 12 countries. The purpose of the conference was for HR advocates to share experiences about their domestic HR work and to strategize on developing transnational advocacy projects. Rina gave a presentation on the October 2000 killings case and Adalah's international and transnational advocacy in this regard.

http://www.ushumanrightsfund.org/resources/global_advocates

The Chairperson of Adalah's Board of Directors, Dr. Mahmoud Yazbak, gave a lecture on Adalah's Democratic Constitution at a conference entitled **"Israeli Democracy and the Conflict's Solution: One Democratic Country or Two-States?"** The conference was hosted and supported by The German-Palestinian Society and the Protestant Academy Hofgeismar in Germany in 2/09.

A conference on **"Universal Jurisdiction in England & Wales: Dispelling Myths & Learning Lessons"** was hosted in London in 3/09 by SOAS, FIDH, PCHR-Gaza and Hickman and Rose Solicitors. Adalah's International Advocacy Director Rina Jabareen participated in the conference, which brought together academics, lawyers and representatives of HR organizations. Participation supported by Hickman and Rose.

Diakonia published a report in 5/09 on its conference "Palestine/Israel: Making Monitoring Work - Re-Enforcing International Law in Europe," held in Brussels in 9/08. A summary of Adalah General Director Hassan Jabareen's presentation on the **failure of domestic remedies in cases of killings of Palestinians by the Israeli security forces** is published in the report.

<http://www.diakonia.se/sa/node.asp?node=3027>

Adalah Attorney Sawsan Zaher attended **OxfamNovib's Budget Monitoring** workshop in Georgia (former USSR) in 5/09. The workshop included a small group of NGO representatives in the region working on litigation against discrimination in budgets, budget analysis, economic development, women's rights and budgeting, and the role of civil society in budget monitoring, to share the concepts and tools they use in their work.

Legal Education

Highlights



In 6/09, Adalah published the fifth volume of its flagship law journal, **Adalah's Review**. This volume, titled "On Criminalization", opens its pages to an examination of the ways in which forms of political activity and resistance are criminalized by the State of Israel on pretexts of 'security offenses' or 'terror'. The articles contained in this volume examine a range of channels pursued by Israel to this end, including holding political trials of Palestinian political leaders, legislation aimed at further entrenching the criminalization of political dissent, the operation of the military court system, and the creation of the category of 'security prisoner' within the Israeli prison system, which imposes additional restrictions and punishments on incarcerated Palestinian political prisoners. The discussion of criminalization is then expanded to the US and the arrest and administrative detention of large numbers of Arab and Muslim men within a system of immigration-related detention following the attacks of September 11th. The volume closes by considering the development of universal criminal jurisdiction as a means of imposing international criminal accountability on government officials for war crimes. Contributors to this volume include Palestinian, Israeli and international lawyers and law professors.

Table of contents and order form:

<http://www.adalah.org/eng/ar%20eng.php>

Introduction:

<http://www.adalah.org/newsletter/eng/jun09/ar09intro.pdf>

Figures

	Planned 2009	Achieved Jan- June 2009
Seminars & Conferences	3-4 events	1 roundtable
	2 academic workshops	Planned for fall
	20-30 lectures	25 lectures (In Israeli NGOs; the Bar, universities)
Publications & Reports	12 vols. of Newsletter; increase subscribers	Published 6 vols. of newsletter; about 29,000 subscribers
	Website	18,000 unique visitors in 5/09; avg. 16,000 monthly visitors
	Adalah's Review	Published 1,500 copies in 6/09; began sale and distribution
	Makan	Completed texts; sent to graphic designer in 6/09
	Videos	3 clips; stages of production for 3 videos for 'Inequality Series'
Media Outreach	Issue 60+ press releases & interviews	Issued about 70 PRs; 6 cases widely covered
	Protest ads	Initiated 1 ad & co-signed 2 ads
Training for law students		New partnership with Faculty of Law, Haifa Univ. for prisoners' rights legal clinic
	Host 1-2 stagaires	Hosted 3 stagaires
	Training workshops	Planned for 10/09 & 11/09
	4 th Annual Law Students Conference	Reunion held & Conference planned for 10/09
	Work with law student externs	Al-Quds HR Clinic, Harvard, Yale, Hastings, Cornell, King's Inns Dublin
	Seek and host LLM fellows	Hosted OSI-CEU LLM fellow and Harvard BA

Seminars



Pictured: Roundtable participants at Adalah, 2/09

In 2/09, Adalah held a roundtable discussion for around 25 Palestinian and Israeli lawyers, academics and human rights professionals from Israel and the OPT to examine the possible means of **enforcing international law** both in international courts and foreign national courts, in the aftermath of Israel's military attacks on Gaza during December 2008 - January 2009.

http://www.adalah.org/newsletter/eng/feb09/Roundtable_International_Law_English.doc

By invitation, Adalah lawyers and Adalah's urban planner gave **25 lectures** at university and law school symposia and seminars, Israel Bar Association meetings and conferences, and NGO events. Presentations included: political participation and restrictions on free speech; the disqualification cases; Gaza; the Arab minority in Israel: status & rights; structural planning & home demolitions; land reform; dilemmas in prisoners' rights litigation; family unification and citizenship; torture; and new discriminatory law bills.

Publications & reports

Adalah published **6 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. Multi-media items included video clips of staff and Board members discussing legal issues and photo slideshows.

Jan., Vol. 56: Political Participation in Elections and Military Attacks on Gaza

<http://www.adalah.org/newsletter/eng/jan09/jan09.html?navi=/newsletter/eng/jan09/jan09.html>

Feb., Vol. 57: International Criminal Law

<http://www.adalah.org/newsletter/eng/feb09/feb09.html?navi=/newsletter/eng/feb09/feb09.html>

March, Vol. 58: Citizenship Rights

<http://www.adalah.org/newsletter/eng/mar09/mar09.html?navi=/newsletter/eng/mar09/mar09.html>

April, Vol. 59: Prisoners' Rights & Memorial for Riad Anees

<http://www.adalah.org/newsletter/eng/apr09/apr09.html?navi=/newsletter/eng/apr09/apr09.html>

May, Vol. 60: The Legal Saga of Abu Nakba

<http://www.adalah.org/newsletter/eng/may09/may09.html?navi=/newsletter/eng/may09/may09.html>

June, Vol. 61: Palestinian Refugee Property and International Day against Torture

<http://www.adalah.org/newsletter/eng/jun09/jun09.html?navi=%2Fnewsletter%2Feng%2Fjun09%2Fjun09.html>

Newsletter Subscribers: The average number of monthly subscribers to the newsletter numbered around **29,000** during the first half of 2009.

Thousands of non-subscribed readers also view the Newsletter each month from the websites of Arabs48 and other media outlets, solidarity groups and NGOs where the Newsletter or popular articles and commentaries are re-posted. One piece which received much attention was a story of satire written by Adalah's General Director, Hassan Jabareen and published in our 5/09 newsletter, entitled "**The Legal Saga of Abu Nakba**". The story was re-printed in the Weekend Supplement of *Haaretz* English Edition.

<http://www.haaretz.com/hasen/pages/1090645.html>

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. In the first half of 2009, the number of average monthly users who visited our websites was nearly **16,000**. The highest number of unique users - 18,000 - visited the websites in 5/09.

Video Advocacy: Adalah began production on a series of three short documentary films entitled "The Inequality Series". The films will highlight the various fields and forms of inequality between Arab and Jewish citizens of Israel. The first film, entitled **Targeted Citizen**, is in final post-production stages and features Adalah lawyers and experts, the Palestinian Arab hip-hop group DAM and the comedy-duo Shamas-Nahas. Adalah is working with documentary filmmaker, Rachel Jones, on these videos. The videos, together with a report on inequality, were commissioned by Christian Aid as part of a wider world study to be launched at the end of 2009.

Adalah also produced three video clips for our website and newsletter during the first-half of the year. The first documented Adalah's General Director Hassan Jabareen in 1/09 who discussed the attempt by right-wing political parties to disqualify the National Democratic Assembly-Balad and Ra'am-Ta'al Arab political parties from the 2009 Knesset elections.

To watch the video:
http://www.youtube.com/watch?v=drSOP1CQYiQ&feature=channel_page

In 2/09, Adalah filmed Dr. Hala Khoury-Bisharat, an international criminal law expert and a member of Adalah's Board of Directors. She spoke about the ground-breaking decision by the Spanish National Court in 1/09 to probe Israel's killing of Salah Shehadeh and 14 civilians in Gaza in 2004.

To watch the video:
http://www.youtube.com/watch?v=slWKSlaQ-Eg&feature=channel_page

The third clip documented Adalah Attorney Sawzan Zaher in 3/09 speaking about Adalah's petition challenging the Citizenship and Entry into Israel Law. This law bans family unification of Palestinian citizens of Israel with Palestinians from the OPT and with citizens of "enemy states" defined by law as Syria, Lebanon, Iraq and Iran.

To watch the video:
http://www.youtube.com/watch?v=BmC_11HK6H0&feature=channel_page

Makan: During the first half of 2009, Adalah completed the editing process for all articles and other texts for the 2nd volume of *Makan - Adalah's Journal for Law, Land and Planning*. This volume, provisionally entitled "Narratives and Spaces", was delivered to the graphic designer in 6/09 and publication is expected in the fall of 2009.

Media outreach



Pictured: Al Jazeera filming Adalah's General Director, Hassan Jabareen, for a documentary on the ban on family unification, 2009

Between January and June 2009, Adalah published and tracked coverage of around **70 press releases** written in Arabic, Hebrew and English on our work.
<http://www.adalah.org/eng/pressreleases2009.php>

Adalah's work appeared in the Hebrew language press and websites in Israel such as *Haaretz*, *Ynet*, *Walla*, *Ma'ariv*, as well as Hebrew radio Reshet Bet and Galatz Sahel. Some TV coverage was obtained for major cases. In general, however, the Hebrew media is hostile to Arab citizens. It continued to be very difficult to receive coverage at all, as the dailies substantially cut back on legal reporting and 'anti-Arab' discourse prevailed.

Due in part to the decline in Hebrew coverage, there was also a decrease in the English-language coverage of Adalah's work. In the past, wide coverage in Hebrew translated into more coverage in English both locally and internationally. There was also an increase in English articles against Adalah and other HR organizations based in Israel from right-wing extremist organizations such as the NGO monitor. Adalah re-assigned a staff member in the international advocacy department in 7/09 to focus on pro-actively soliciting **international media coverage**.

All of the Arabic newspapers and websites in Israel covered Adalah's work each week. Adalah achieved marked **success with frequent features on Arabic international** satellite TV stations, such as *Al Jazeera*, *BBC Arabic*, *Abu-Dhabi TV*, *Al Arabiya* and others. Major international Arabic

newspapers such as *Al Quds Al Arabi*, *A-Sharq Al-Awsat*, and *Al Hayat* also often covered our work.

Six of Adalah's cases attracted widespread media attention in the first half of 2009. Cases that received the most coverage included:

- The **banning of the Arab political parties** by the Central Elections Committee (CEC) from running in the Knesset elections. The Supreme Court later overturned this decision enabling the parties to participate. Of all of Adalah's legal representations, these cases received the widest coverage by the Hebrew media. All the daily newspapers - *Haaretz*, *Yediot Aharonot*, *Ma'ariv*, *Israel Today* - as well as independent news websites covered Adalah's work. The Arabic media, both local Palestinian and international, also gave much attention to these cases.
- Legal actions undertaken by Adalah together with other Palestinian and Israeli HR organizations against the **Israeli military offensive on Gaza**. Correspondents from *Al Jazeera*, *Al-Arabiya*, *Abu-Dabai* and others attended the Supreme Court hearings and interviewed Adalah's lawyers. Israeli radio, TV and print, although less enthusiastic, covered the filing of the petitions and the Supreme Court hearings.
- Adalah's case challenging the **Citizenship and Entry into Israel Law**. On the day of the Supreme Court hearing, Adalah and other petitioners brought some of the families torn apart by the law to the court. The media showed much interest in the victims' stories and a number of channels and websites broadcast long interviews with them including Channel 1 TV, *Al-Jazeera*, *Walla!* and more.
- Letters to the Attorney General and the MAG, in cooperation with Al Mezan in Gaza, demanding the opening of criminal investigations against military commanders due to the soldiers' use of Palestinian civilians as **'human shields'** during the Gaza offensive, and letters to the National Insurance Institute and the Bank of Israel demanding the transfer of **disability allowances to workers in Gaza** who are entitled to receive them had almost no coverage in the Israeli Hebrew media, but were widely discussed in the Arabic media. These letters received extensive coverage in newspapers and websites that do not routinely report on Adalah's work.
- Adalah's letter to the AG revealing the sale of **Palestinian refugee properties** by Israel obtained much attention. Adalah held in press

conference in Jerusalem in 6/09 on this issue and to release our new internet-based database on land confiscations. Many international Arabic TV channels - *Al-Jazeera (Arabic and English)*, *MBC*, *BBC Arabic*, *Al-Mustaqbal*, *LBC*, *Al-Manar*, *The Palestinian TV* and others - broadcast comprehensive reports on the absentees' properties in the mixed-cities; all the major Arabic newspapers also wrote extensively on the subject. A few articles appeared in the international English media, primarily in real estate and property journals.

Protest Advertisements

In 3/09, in the run-up to the Supreme Court hearing on the **Citizenship and Entry into Israel Law** case, Adalah initiated an ad in *Haaretz* in Hebrew protesting against the law. The ad was joined by 10 other leading HR organizations in Israel. The ad played on Avigdor Lieberman's racist election slogan, "No loyalty, no citizenship" to convey its message that without the loyalty of the state to the rights of all of its citizens, there is no equality, no democracy and no justice.

Adalah co-signed several protest ads published in *Haaretz* during the December 2008 / January 2009 Israeli **military offensive on Gaza**.

Adalah also co-signed an ad placed by **New Profile** in *Haaretz* in 4/09. The ad demanded that the criminal investigations opened against New Profile activists for promoting draft dodging be stopped immediately.

Training for law students

Adalah and the Faculty of Law Haifa University started a new partnership in 3/09 to run a **legal clinic for promoting prisoners' rights**. The clinic, the first of its kind in Israel, will train about 15-20 law students each year by offering hands-on experience as part of the students' legal studies, and contribute to advancing prisoners' rights in Israel via legal representation, research, community projects, roundtables and workshops for policy change. The clinic will focus on conditions of confinement, the Release Committee, aspects of life post-incarceration, and rehabilitation frameworks. Adalah Attorney Abeer Baker is the legal advisor / clinician running the program and Dr. Khalid Ganaim is the Haifa University faculty member in charge of academic content.

Ms. Haneen Naamnih, a graduate of the Faculty of Law University of Haifa, completed her **legal apprenticeship** in 2/09. She passed the Israeli Bar exam and began working with Adalah as a new lawyer in 6/09. Mr. Salem Abu Medeghem, Adalah's Naqab field researcher for eight years, graduated from the Netanya College of Law and completed his legal apprenticeship with Adalah in 4/09. He is currently working with Adalah as a legal assistant in our Naqab office. Mr. Morad Khatib, a graduate of the Academic College of Management, began his legal apprenticeship with Adalah in 1/09. Two law students also interned with Adalah during the first half of 2009: Maria Jamal and Rawofeih Kasem.

Adalah continued to provide weekly **media training** to Ms. Marwa 'Abed, an undergraduate media and communications student at Haifa University.

LLM fellow, Ms. Rana Abed-Asali, is working as an attorney with Adalah through the Open Society Institute-Central European University (**OSI-CEU**) **program** for 2008/2009. Ms. Belkis Wille interned with Adalah for six months in 2008/2009 on a graduate scholarship from Harvard University.

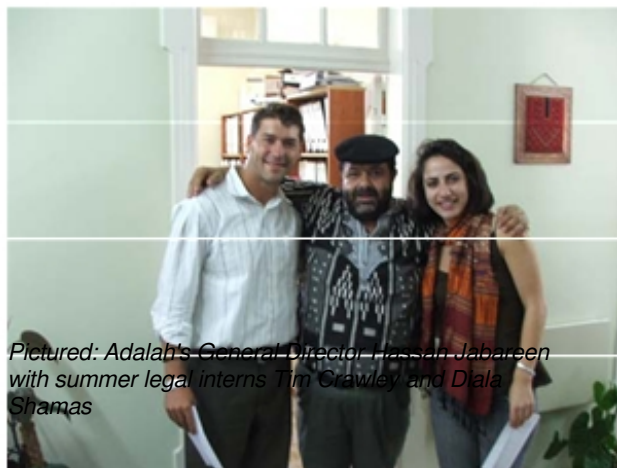


Pictured: Adalah law student conference alumni discuss a film on prisoners' rights (6/09)

In 6/09, Adalah held a **reunion** for alumni from Adalah's law student conferences. Around 15 students attended the reunion, which featured a film and discussion on prisoners' rights and a brainstorming session on panels and activities for the 4th Annual Law Student Conference upcoming in 10/09.

During the first half of 2009, Adalah hosted four **legal interns**: Mr. David Jacobus, on an externship from Cornell University Law School; and two summer legal interns - Ms. Diala Shamas from Yale Law School and Mr. Tim Crawley from Hastings Law School; Legal interns assist Adalah attorneys with comparative legal research and international advocacy staff with reporting and publications.

Adalah lawyers also worked together with the **Al Quds University Human Rights Clinic** by giving lectures to the law students on Israeli law and Supreme Court jurisprudence, and undertaking a joint advocacy project on the Eastern Ring Road.



Pictured: Adalah's General Director Hassan Jabareen with summer legal interns Tim Crawley and Diala Shamas

Institutional Development

Highlights



Board-Staff workshop

The Board of Directors held **3 meetings** during the first half of 2009. One of those meetings consisted of a **Board-staff two-day workshop** held in Jerusalem in 1/09. Major decisions included: (i) to go forward with a new partnership with the Faculty of Law of Haifa University to jointly run the Prisoners' Rights and Rehabilitation Legal Clinic for law students; (ii) to produce a report on the mass arrest and police violence against demonstrators, overwhelmingly Arab citizens of Israel, against the military attacks on Gaza and to conduct training for new lawyers on various aspects of legal representation in emergency detention cases; (iii) to continue to study and discuss Adalah's possible role in international criminal litigation concerning the OPT; and (iv) to initiate a visit to Amman for fundraising and networking. Other main topics of discussion included: upcoming international advocacy and conferences, including Adalah's role

in the UN Durban Review Conference; activities and spending in 2008, the 2009 budget, and building the foundation for new fundraising initiatives.

Fundraising

In response to the continuing global financial crisis and the stiff competition for funds among NGOs, Adalah has rigorously undertaken new fundraising initiatives in 2009. Our main focus has been to attempt to recruit new donors and individual contributors, forge new partnerships, and take full advantage of funding opportunities as they arise.

- *Finance projections for 2009*

Adalah's estimated budget for 2009 is US \$1,230,000. To date, Adalah has secured \$1,050,000 or 85% of the budget.

- *New grants awarded in 2009*

In partnership Adalah, Physicians for Human Rights-Israel and Al Mezan in Gaza were awarded a three-year EUR 627,500 grant from the European Commission **to combat and prevent torture and ill-treatment** of Palestinian prisoners in Israeli jails and civilians in the OPT. The organizations will utilize their complementary skills, expertise, and positioning to most effectively work on these issues.

The Public Committee Against Torture in Israel and Adalah received an emergency grant from ICCO in the Netherlands for a project focusing on **prisoners from Gaza** who were detained during the military attacks at the beginning of the year and who are incarcerated in Israel.

Christian Aid (CA) commissioned Adalah to work on an **Inequality Project** that it is undertaking in 2009 in Colombia, Burundi and Israel. As part of this initiative, Adalah will produce a report on inequality against Arab citizens of Israel and three videos. Adalah has used this opportunity to gain more experience in conceptualizing and producing advocacy videos together with a documentary filmmaker. Adalah will also widely distribute the videos and intends to partner with other NGOs to use the videos for debate and discussion in schools in Israel. CA will publish and launch the "Inequality Project" reports and videos in London at the end of the year.

The Welfare Association commissioned Adalah to research and write a report on the implementation of Israeli **land and planning laws in East Jerusalem**. Adalah will complete the report in Arabic this summer.

- *Grant renewals achieved*

Naomi and Nehemiah Cohen Foundation (2009-2010) and Federal Department of Foreign Affairs - Switzerland (2009).

- *Fundraising and networking visit*

The Chairman of the Board of Directors, Dr. Mahmoud Yazbak, General Director Attorney Hassan Jabareen, Attorney Suhad Bishara, and Office Manager, Fathiyya Hussein traveled to Amman, Jordan in 4/09 for a fundraising and networking visit. They met with the Director of the Welfare Association and a member of the Board of Trustees of the Arab Human Rights Fund, Dr. Ata Khuttab; the Middle East Program Director of OSI, Mr. Gregor Meiering and the Program Officer for Rights and Governance, Mr. Ammar Abu Zayyad; and human rights organizations.

- *Reports*

Adalah's Annual Report of Activities and Audited Financial Report for 2008 were completed and sent to all donors. These reports were accepted and found to be of high quality by our partners.

- *On-Line Donations*

In order to begin to solicit contributions from individuals in Israel and abroad, Adalah decided that one of the first steps was to take was to ease the method of gift-giving, and thus, the organization contracted with credit card companies to accept donations for Adalah. Individuals in Israel who wish to give a gift to Adalah can do so now on-line; international capability is forthcoming.

Interns/Fellows

Belkis Wille, a recent graduate of Harvard University, interned with Adalah from 9/08 through 2/09; immediately thereafter and in the wake of Operation Cast Lead, she went to Gaza to work with partner organization Al Mezan. **David Jacobus**, joined Adalah for three months in 2009, on an externship program from Cornell University Law School. **Iyad Fattom**, who completed his studies in International Relations and Economics at the University of Virginia, joined Adalah in 3/09. He will be interning with Adalah for one-year. Two legal interns joined Adalah in 5/09 for the summer: **Diala Shamas**, originally from Jerusalem, is studying for a JD at Yale Law School, and **Tim Crawley**, is pursuing his JD studies at Hastings College of Law in California.

Staff Honors

The Director of Adalah's Naqab Office, **Attorney Morad El-Sana**, was awarded a two-year fellowship from the US Fulbright Program) to undertake his SJD studies at the American University Washington College of Law in Washington, DC. Morad will begin his studies in the fall semester of 2009.

Appreciation

The activities of Adalah are generously supported by: The Ford Israel Fund (US); The Open Society Development Foundation (Switzerland/US); OxfamNovib (The Netherlands); The New Israel Fund (US); EED (Germany); The European Community (Belgium); Foundation for Middle East Peace (US); Ministry of Foreign Affairs (Switzerland); Naomi and Nehemiah Cohen Foundation (US); The Welfare Association (Jordan/Switzerland); Christian Aid (Great Britain), and contributions from private local and international donors. We sincerely appreciate and thank all of the foundations and individuals for their support.

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



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

- *International Advocacy Department*
Director: Rina Jabareen, Esq.
Coordinator: Katie Hesketh
International Media: Gabrielle Rubin
Publications Editor: Manar Mahmoud
Interns: Iyad Fattom

- *Administration and Finance Department*
Finance Director: Ghassan Kharouba
Office Manager: Fathiyya Hussein
Assistants: Christine Nasrallah and Sawsan Daoud
Housekeeper: Suhair Khayal



- *Founder and General/Legal Director*
Attorney Hassan Jabareen

• *Legal Department*

Attorneys: Rana Abed-Asali (OSI-CEU Fellow), Adel Badir, Abeer Baker, Suhad Bishara, Fatmeh El-Ajou, Morad El-Sana, Ala Mahajnah (from 7/09), Haneen Naamnih, Orna Kohn, Sawsan Zaher

Urban Planner: Hana Hamdan

Legal Assistant (Naqab): Salem Abu-Medeghem

Stagaires: Morad Khatib, Salem Abu-Medeghem (through 4/09), Haneen Naamnih (through 2/09)