



Adalah's Litigation Docket

Pending cases and recent court decisions as of April 2012

I. Land and Planning Rights

Supreme Court

1. Demanding the cancellation of an Israel Land Administration (ILA) policy permitting the marketing and allocation of **Jewish National Fund (JNF)**-controlled lands by the ILA through bids open only to Jewish Individuals
HCJ 9205/04, Adalah v. Israel Land Administration, et al.
2. Demanding the **cancellation of new "Admission Committee Law"** which legitimizes "admission committees" and the use of "social suitability" criterion to determine whether to accept or reject individuals who wish to live in these towns.
HCJ 2504/11, Adalah, et al v. The Knesset, et al.
3. Motion for permission to appeal to the Supreme Court against the decision of the Beer Sheva (Beer el-Seba) District Court to **evict Arab Bedouin from their homes in the unrecognized villages of Umm el-Hieran and Atir**, with the knowledge that the state authorities intend to build a new Jewish town named "Hiran" on the same land.
Motion for Perm. to Appeal 3094/11, Ibrahim Farhood Abu al-Qi'an et al. v. The State of Israel

District and Magistrates' Courts

4. Seeking the cancellation of **evacuation lawsuits** against about 1,000 Arab Bedouin citizens of Israel living in Atir-Umm el-Hieran in the Naqab and demanding recognition for the unrecognized village
Beer el-Sabe Magistrates' Court, Civil File 1769/08, The State of Israel and the Israel Land Administration v. Ibrahim Farhood Abu el-Qian, et al. (+ legal representation on 26 additional civil files) (see Motion for Permission to Appeal 3094/11 above)
5. Motions to cancel **ex parte demolition orders** against 33 homes in the unrecognized Arab Bedouin village of Umm el-Hieran in the Naqab
*Kiryat Gat Magistrates' Court, Different Motions 2136/09, Abu el-Qian Sabri, et al. v. The State of Israel (court rejected motions in 12/11 but stayed the decision).
Appeal submitted in 1/12 to the Beer Sheva District Court, Abu el-Qian, et al. v. The State of Israel (case pending).*
6. Representing Arab Bedouin family in an **appeal by Moshav Nevatim** against a District Court decision upholding the right of a Jewish Israeli family to rent their home to them, despite the moshav's racist objections
Beer el-Sabe District Court, Civil File 5018/08, Moshav Nevatim et. al. v. Zakai Wazman et. al.

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Land Planning and Governmental Committees

7. Seeking cancellation of **master plan for Metropolitan Beer el-Sabe** (Beer Sheva) **14/4 (Amendment No 23)** and recognition for Arab Bedouin village of Umm el-Hieran-Atir
Objection filed in 10/07 by Adalah and Bimkom
8. Objection submitted to the detailed regional plan for **K'far Vradim, a Jewish village in the Galilee near the Arab village of Tarshiha.**
Objection filed in 10/10 by Adalah and Arab Center for Alternative Planning
9. Objection submitted against the "Yatir Forest Plan 11/03/264," which would **destroy the unrecognized Arab Bedouin village of Atir** and establish a forest in its place.
Objection filed by Adalah and Bimkom to the District Committee for Planning and Building – Southern District in 12/11
10. Objection filed against government plans to build "**Intelligence City**", a consolidation of several military bases in the south to also include lands on which unrecognized Arab Bedouin lie.
Objection submitted by Adalah, Bimkom and the Regional Council for the Unrecognized Villages in the Negev (RCUV) to the District Committee for Planning and Building – Southern District in 3/12
11. Reservations filed against the **Prawer Plan Law**, which envisions the dismantling of the unrecognized Arab Bedouin villages and the forced displacement and relocation of tens of thousands of residents to recognized settlements, and the insufficient recognition of Arab Bedouin ownership of lands.
Submitted by Adalah and the Association for Civil Rights in Israel to Minister Benny Begin, the Prime Minister, the AG, and the Justice Minister in 4/12

II. Civil and Political Rights

Supreme Court

12. Petition submitted with the Association for Civil Rights in Israel (ACRI) and MK Haneen Zoabi (National Democratic Assembly-Balad) to cancel the Knesset's decision to **revoke some of her parliamentary privileges** due to her participation in the Gaza Freedom Flotilla in May 2010.
HCJ 8148/10, Zoabi v. The Knesset (court expanded panel to 7 justices)
13. Response in 2/12 on behalf of MK Haneen Zoabi to a petition filed by far-right MK Michael Ben Ari to the Supreme Court demanding that the Attorney General criminally indict MK Zoabi for her participation in the **Gaza Freedom Flotilla** in May 2010. In 12/11, the AG announced that no indictments would be filed against Israeli citizens who participated in the Flotilla.
HCJ 97/33/11, Ben Ari et al v. Attorney General et al.

14. Representing MK Ahmad Tibi (Ra'am-Ta'al) in a petition to the Supreme Court against the Knesset's decision to **disqualify legislative bill that he proposed prohibiting Nakba denial**, following the enactment of the new "Nakba Law"
HCJ 5478/11, MK Ahmad Tibi v. The Speaker of the Knesset, MK Reuven Rivlin
15. Petition to cancel the "**Anti-Boycott Law**" enacted in 2011 filed by Adalah and ACRI on behalf of leading human rights organizations in Israel, as well as associations calling for an economic boycott of the settlements in the West Bank or of Israel.
HCJ 2072/12, The Coalition of Women for Peace, et al v. The Minister of Finance, et al.

District and Magistrate Courts

16. Representing **Arab MK Mohammed Barakeh** (Democratic Front for Peace and Equality-Hadash) on a criminal indictment charging him with four alleged offenses of assaulting or insulting police officers resulting from his participation in anti-Wall and anti-War demonstrations between 2005 and 2007. The court accepted Adalah's arguments concerning parliamentary immunity, and dismissed two of four charges in 10/11.
Tel Aviv Magistrate Court, Criminal Case 12318-12/09, State of Israel v. Mohammed Barakeh
17. Submitting a torts lawsuit on behalf of Prof. Nadera Shalhoub-Kevorkian of the Hebrew University against the Israel Airports Authority for **humiliating and demeaning treatment at Ben Gurion Airport**.
Tel Aviv Magistrate Court, Civil Case 6783-11/09, Nadera Shalhoub-Kevorkian v. Airports Authority
18. Representing **residents of Al-Araqib** and human rights activists on 10 criminal indictments related to protest activities concerning the repeated demolition of the Arab Bedouin village of Al-Araqib in the Naqab
Beer el-Sabe Magistrate Court, Criminal Case: 12879-08/10, State of Israel v. Sayyah al-Touri (+ 9 additional criminal files)
19. Representing **Arab MK Sa'id Naffaa** on a criminal indictment charging him with traveling illegally to Syria, defined as an enemy state by Israeli law; assisting in organizing a visit of around 300 Arab Druze clerics on a pilgrimage to Druze holy places in Syria; and being in contact with a foreign agent in Syria in September 2007. MK Naffaa denies the charge of contact with a foreign agent, and maintains that all his activities fall within the framework of his duties as an elected public official.
Nazareth District Court, Criminal Case: 47188-12-11, State of Israel v. Sa'id Naffaa

III. Economic, Social and Cultural Rights

Supreme Court

20. Challenging a discriminatory law excluding Arab Bedouin towns in the Naqab from **income tax benefits**
HCJ 6901/05, Mayor of Rahat Municipality, et al. v. Minister of Finance, et al.

21. Seeking the inclusion of the Arab village of Aramshe on the list of communities eligible for lucrative **egg production and marketing subsidies** (only Jewish towns now receive these benefits)
HCJ 3815/08, Eyad el-Mugheys, et al. v. The Minister of Agriculture
22. Petition and motion for contempt of 2007 state commitment to open the **first high school in the unrecognized villages** in the Naqab for 750 Arab Bedouin students
HCJ 7562/09, Fatmeh Abu Sbeli, et al. v. Ministry of Education, et al.
23. Demanding the annulment of amendment No. 113 to the National Insurance Law, which states that if a child does not receive vaccinations mandated by the Health Ministry, his/her state-funded **child allowance payments** will be decreased by 60 percent.
HCJ 7245/10, Adalah v. Minister of Welfare and Social Affairs
24. Submitting a second appeal in 3/12 to the Supreme Court for Arab Bedouin living in the unrecognized village of Umm al-Hieran for access to water. The appeal follows the Haifa District Court's decision, which rejected the villagers' demand to be connected to the water network. This rejection followed a landmark [Supreme Court decision](#) delivered in 6/11 ruling that all citizens possess the right to minimal water access, regardless of the legal status of their community.
C.A. (Civil Appeal) 2541/12 - Salib Abu al-Qi'an vs. The Government Authority for Water and Sewage
25. Petition to the Supreme Court in 4/12 against the Ministry of Culture and Sports demanding that it offer **free cultural programs to all children** - Jewish and Arab - during the Passover and Easter holidays. The Ministry is funding the full cost of plays and cultural events for children in 110 Jewish towns in peripheral areas, outside of the big cities, but not one Arab town is included on the list, although Arab schools are also closed for spring vacation during the Easter holiday.
HCJ 2728/12, Adalah, et. al v. Ministry of Culture and Sport

IV. Prisoners' and Detainees' Rights

Supreme Court

26. Demanding the **cancellation of a sweeping exemption** in law granted to the Israeli police and the General Security Services (GSS) **from the duty to make audio and video recordings of their interrogations** of individuals suspected of security offenses.
HCJ 9416/10, Adalah v. Ministry of Public Security

District Court

27. Petition demanding that the Israel Prison Service (IPS) permit Palestinian prisoners classified as "**security prisoners**" to **continue with their higher academic education**
Nazareth District Court, Prisoner's Petition 16207-09-11, Rawi Sultani v. Ministry of Public Security (petition rejected in 3/12)
Motion for Permission to Appeal (Supreme Court), Rawi Sultani v. Ministry of Public Security (3/12)

V. Occupied Palestinian Territory (OPT)

Supreme Court

28. Adalah and ACRI as amicus curiae before the Supreme Court challenging the unprecedented revocation of **Jerusalem residency status** of Palestinian parliamentarians elected on the Change and Reform List to the Palestinian Legislative Council (PLC) in 2006
HCJ 7803/06, Khalid Abu Arafah, et al. v. Minister of Interior
29. Motion submitted to the Supreme Court in 1/11 asking for status as amicus curiae to join several petitions challenging the **application of the Absentees' Property Law in East Jerusalem**
Civil Appeal 2250/06, On the Issue of the Custodian for Absentee Property and the State of Israel v. Dkkak Noha et al.

Planning Committees

30. Objection to the **Eastern Ring Road** Plan for Jerusalem, designed to create a segregated road system and to encircle Palestinian neighborhoods in East Jerusalem, in violation of international and Israeli law
The objection was filed on behalf of Palestinian NGOs and four municipalities in cooperation with the Civic Coalition in 3/08.
31. Objection to the **Jerusalem Regional Master Plan** that will further restrict development of Palestinian neighborhoods, entrench the settlements and alter the city's demographic composition
Objection filed to the National Council for Planning and Building in 11/08 in cooperation with the Civic Coalition

VI. Recent Decisions

1. In 6/11, after almost 10 years of deliberations, the Supreme Court issued a 40-page ruling on a petition filed by Adalah on behalf of religious and community leaders demanding the re-opening and the right to pray in **Big Mosque** in Beer el-Sabe (Beer Sheva). The court rejected the Beer Sheva Municipality's position that the mosque should be used as a general museum but ruled that the Ottoman-era building be opened as a museum of "Islamic culture". Since the ruling, the Municipality has held a "Wine and Beer Festival" on the grounds of the museum and has launched an exhibition about the history of the Negev, all in violation of the court's judgment. Adalah filed a pre-petition to the Attorney General in 3/12 highlighting the Municipality's contempt of court.
HCJ 7311/02, Association for Support and Defense of Bedouin Rights in Israel, et al. v. The Municipality of Beer Sheva, et al.
http://www.adalah.org/eng/pressreleases/pr.php?file=24_06_11
http://www.adalah.org/eng/pressreleases/8_3_12.html
2. In a precedent-setting decision delivered in 12/11 and following Adalah's motions, the Kiryat Gat Magistrate's Court ordered the immediate **cancellation of 51 demolition orders** for the homes of 500 residents in the **unrecognized Arab Bedouin village** of Al-Sura in the Naqab.
Beer Sheva Magistrates' Court, Diff. Motions 2137/09, Mousa Nasasra v. State of Israel
http://www.adalah.org/eng/pressreleases/06_12_11.html
3. In 12/11, the Supreme Court dismissed a petition on procedural grounds filed by Adalah, al-Haq, and PCHR demanding criminal investigations into Israeli military commanders and government officials responsible for **killings and extensive home demolitions** in Rafah, Gaza in 2004.
HCJ 3292/07, Adalah et al. v. The Attorney General, et al.
<http://www.adalah.org/newsletter/eng/feb12/docs/Gaza%20Case%20Review%20English%20Final.pdf>
4. In 1/12, the Supreme Court dismissed Adalah and ACRI's petition to declare **the "Nakba Law" unconstitutional**, rejecting the arguments that it violates the rights of freedom of speech and equality, and severely infringes on Arab citizens' rights to preserve their history and culture. The Court ruled that the case was pre-mature, as the state had not yet applied the law to any of the petitioners by cutting their budgets.
HCJ 3429/11, The Alumni Association of the Arab Orthodox School in Haifa et al. v. The Minister of Finance, et al issued 01/12.
http://www.adalah.org/eng/pressreleases/5_1_12.html
5. The National Labor Court rejected in 1/12 Adalah's petition demanding that **pension insurance agreements** apply to all workers over the age of 18.
Collective Agreement 52/09, Adalah and ADVA v. The Histadrut National Federation of Labor Unions, et al.
http://www.adalah.org/eng/pressreleases/11_1_12.html
6. The District Committee for Planning and Building – Southern District rejected an objection in 1/12 submitted by Adalah, Bimkom, and the Arab Bedouin residents of

Umm al-Hieran **against the building of a new Jewish town to be called "Hiran"** (Plan 15/02/107) on the land on which Atir-Umm al-Hieran is located (the Nahal Yatir area). *Objection filed by Adalah, Bimkom and the Arab Bedouin residents of Umm al-Hieran in 1/11. Adalah and Bimkom will file a motion for permission to appeal to the National Council for Planning and Building (NCPB).*

http://www.adalah.org/eng/pressreleases/pr.php?file=13_01_11

7. In 1/12, in a 6-5 decision, the Supreme Court rejected four petitions, including one filed by Adalah, seeking to cancel the **Citizenship Law**, which bans family unification in Israel between Palestinian citizens of Israel and Palestinian residents of the OPT and/or "enemy states" defined by law as Syria, Lebanon, Iran and Iraq. This decision follows the Supreme Court's 6-5 judgment issued in May 2006, which also upheld the law. *HCJ 466/07, MK Zahava Galon v. The Attorney General, et al.*
http://www.adalah.org/eng/pressreleases/12_1_12.html
8. In 2/12, in a landmark ruling, the Supreme Court accepted a petition filed by Adalah and other social rights NGOs and voided a law prohibiting **state income support recipients from owning or using cars**. *HCJ 10662/04, Salah Hassan, et al. v. The National Insurance Institute, et al.*
http://www.adalah.org/eng/pressreleases/28_2_12_2.html
9. In 2/12, the Nazareth District Court rejected a second petition submitted by Adalah demanding **conjugal visits** for political prisoner Walid Dakka, a Palestinian citizen of Israel serving a life-term in prison, in **order to father a child**. The court relied on "secret evidence" in making its ruling. *Nazareth District Court, Prisoner's Petition 54950-11-11, Walid Dakka v. Israel Prison Service (case rejected).*
http://www.adalah.org/eng/pressreleases/28_2_12.html
10. Petition filed in 10/11 on behalf of 13 Gaza residents and Palestinian and Israeli human rights organizations against the **ban on Palestinian residents of Gaza from entering Israel to access the courts** for tort damages cases against the Israeli security forces; prevention of entry is resulting in the dismissal of hundreds of lawsuits, effectively exempting Israel from all damages claims. Petition withdrawn in 2012; to be re-filed in the Supreme Court. *Administrative Case (Jerusalem) 31179-10-11, The Estate of Abu Said, et al v. The Minister of the Interior, et al.*
http://www.adalah.org/eng/pressreleases/27_10_11_1.html