

## Adalah at the UN: An Interview with Adalah Attorney Orna Kohn



Adalah Attorney Orna Kohn

(Picture by Huw Williams)

From 14-16 February 2012, Adalah Attorney Orna Kohn represented Adalah at the [United Nations Committee on the Elimination of Racial Discrimination \("Committee"\)](#) in Geneva. The Committee convened to review Israel's compliance with its international human rights obligations under the [International Convention on the Elimination of Racial Discrimination \(CERD\)](#), which Israel ratified in 1979.

The Committee last reviewed Israel five years ago in 2007. At that time, the Committee issued important [Concluding Observations](#) urging Israel *inter alia* to revoke the Citizenship Law banning family unification, dismantle the Separation Wall, bind the Jewish National Fund (JNF) to anti-discrimination principles and recognize the unrecognized Arab Bedouin villages in the Naqab (Negev). Adalah raised most of these issues in its [reports to the Committee](#) at the time, and participated in those sessions. In fact, the Committee was the first human rights body that Adalah worked before, with our first report, "[Legal Violations of Arab Minority Rights in Israel](#)."

In January 2011, Israel submitted [a new report](#) to the Committee on its record of anti-discrimination measures. Adalah submitted an [NGO Report](#) in December 2011, detailing racial discrimination by the state against Palestinian citizens of Israel. In January 2012, the Committee released the [List of Themes](#) that it considered with the Israeli governmental delegation in February 2012.

The Committee's review included two sessions with the Israeli delegation, and one official NGO session, where Attorney Kohn presented an [Oral Statement](#). In addition, Attorney Kohn briefed human rights officers of several UN Special Rapporteurs including experts on Indigenous Rights, Minority Rights, Torture and the OPT about our key concerns. Adalah coordinated briefings with partner organizations FIDH, the Norwegian Refugee Council, Al Haq, the Palestinian Center for Human Rights, Badil, and the Israeli Committee Against House Demolitions (ICAHN).

Read below as Attorney Kohn explains Adalah's aims at the UN CERD review, her impressions of the session, and the importance of working before UN human rights bodies.

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*Q: What were Adalah's main objectives for the CERD review?*

*OK:* Adalah took the opportunity of this CERD review to urge the Committee's experts to call on Israel to revoke [discriminatory legislation](#) against Arab citizens of Israel such as the [Citizenship Law](#), the [Nakba Law](#), the [Admissions Committees Law](#), as well as laws conditioning a host of social and housing benefits on military service. We also asked the Committee to issue recommendations to Israel to stop the legislative process of the pending [Prayer Plan Bill](#) that if passed, will lead to the forced displacement of up to about 70,000 Arab Bedouin from their homes in the unrecognized villages in the Naqab, their traditional lands. We raised these key concerns at every opportunity, and feel confident that at the very least, the international community is aware of the blatant institutionalized discrimination against Palestinian citizens of Israel.

*Q: What were the most striking claims made by the Israeli delegation at CERD session?*

*OK:* I would strongly encourage everyone to read Israel's [opening statement](#) delivered on 15 February 2012. The diplomatic game is a fascinating one to watch. First, Israel insisted that none of the human rights conventions to which it is a signatory (meaning it is bound by international law not to violate the provisions) apply to the Occupied Palestinian Territory (OPT). Israel's position is exemplified by the State's complete rejection of the International Court of Justice's [Advisory Opinion](#) concluding that the Separation Wall in the OPT violates international law. And so, at every UN session, the Committees repeatedly insist that the Conventions do apply, indeed that human rights apply to everyone and everywhere, and Israel simply disagrees. Now, with regard to discrimination against Palestinian citizens of Israel, the Israeli delegation paints a picture of a State making ongoing progress to address "a few challenges". Not surprisingly the delegation omits the important fact that such progress is not a result of proactive anti-discrimination measures instituted by the State, but rather, it is a response to and a result of the ongoing efforts of NGOs to promote and protect the rights of Palestinians.

*Q: What is Adalah's role and relationship with the UN human rights bodies?*

*OK:* Adalah is an active participant in the work of the UN human rights treaty bodies and with UN Special Rapporteurs. As the only Arab legal center in Israel, we have an important contribution to make at the UN. Adalah has been sending NGO reports and making in-person interventions before the UN committees charged with monitoring Israel's human rights record since 1997. By raising our concerns in writing to these bodies, we hope to ensure that human rights violations against Palestinians citizens of Israel and Palestinians living under occupation are front and center at the UN. Our physical presence at the UN ensures that our human rights concerns is presented directly to the legal experts from around the world on the Committee, to counter Israel's claims that no violations occur, or that the violations are somehow proportionate to threats against its security. Finally, Adalah integrates the UN human rights committees' recommendations into our daily work before the Israeli courts and with the state authorities. The Concluding Observations are professional and objective assessments of laws and policies, and for Adalah, these findings and recommendations have become very important tools for litigation and advocacy in Israel.