



Adalah's Litigation Docket

Pending cases and recent court decisions as of January 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 to be submitted in 1/12 to the District Court)
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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Planning 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

II. Civil and Political Rights

Supreme Court

10. 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)
11. 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

Magistrate Courts

12. 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 File 12318-12/09, State of Israel v. Mohammed Barakeh
13. 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

14. 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 File: 12879-08/10, State of Israel v. Sayyah al-Touri
(+ 9 additional criminal files)

III. Economic, Social and Cultural Rights

Supreme Court

15. Demanding the annulment of law that renders unemployed car owners and users ineligible for **income support payments**
HCJ 10662/04, Salah Hassan, et al. v. The National Insurance Institute, et al.
16. 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.
17. 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
18. 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.
19. 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

IV. Prisoners' and Detainees' Rights

Supreme Court

20. 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

21. 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

22. Re-petitioning the court to demand **conjugal visits** for political prisoner Walid Dakka, a Palestinian citizen of Israel serving a life-term in prison, in **order to father a child**
Nazareth District Court, Prisoner's Petition 54950-11-11, Walid Dakka v. Israel Prison Service

V. Occupied Palestinian Territory (OPT)

Supreme Court

23. 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
24. 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.

Administrative Court, Jerusalem

25. Petition filed 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
Administrative Case (Jerusalem) 31179-10-11, The Estate of Abu Said, et al v. The Minister of the Interior, et al.

Planning Committees

26. 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.
27. 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. Following Adalah's motion for contempt of court, in 4/11, the Supreme Court strongly criticized the Municipality of Natseret Illit (a mixed Arab-Jewish city in the north) for its refusal to comply with the Supreme Court's 2002 decision **requiring the use of Arabic on signs in the mixed cities** and ordered immediate implementation
HCJ 4112/99, Adalah, et al. v. The Municipalities of Tel Aviv-Jaffa, et al.
http://www.adalah.org/eng/pressreleases/pr.php?file=14_04_11
2. In 9/11, after years of legal struggle and a new Israel Land Administration decision, the Israeli Supreme Court ordered a community town in northern Israel to admit an Arab couple previously deemed to be "social unsuitable" to live in the town by the **admissions committee**.
HCJ 8036/07, Fatina Ebriq Zubeidat, et al. v. The Israel Land Administration, et al.
http://www.adalah.org/eng/pressreleases/pr.php?file=14_09_11
3. The Supreme Court, in 11/11, accepted Adalah's petition and sharply criticized the state for its failure to implement a 2005 Supreme Court decision which confirmed the state's commitment to pave a **safe road to the Arab Bedouin schools** in the unrecognized Naqab village al-Fur'a, Arab Bedouin children had been killed in tragic accidents on these dangerous roads.
HCJ 6673/05, Ali Afnan Jabouah, et. al. v. Ministry of Education, et. al.
http://www.adalah.org/eng/pressreleases/17_11_11.html
4. The Ministry of Health, in response to a petition filed by Adalah to the Supreme Court, announced in 11/11 that it will re-open the third of three **"mother and child clinics,"** closed in 2009. The clinics serve 18,000 Arab Bedouin citizens of Israel living in the **unrecognized villages** of Qasr el-Ser, Abu Tulul and Wadi el-Niam in the Naqab.
HCJ 10054/09, Wadad El-Hawashly, et al. v. Ministry of Health
http://www.adalah.org/eng/pressreleases/24_11_11.html
http://www.adalah.org/eng/pressreleases/pr.php?file=11_08_10
http://www.adalah.org/eng/pressreleases/pr.php?file=09_12_16
5. 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 el-Sabe Magistrates' Court, Different Motions 2137/09, Mousa Nasasra v. State of Israel
http://www.adalah.org/eng/pressreleases/06_12_11.html
6. 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.

7. 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
8. 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
9. The National Council for Planning and Building 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 to the National Council for Planning and Building (NCPB).
10. In 1/12, the Supreme Court rejected in a 6-5 decision Adalah's petition seeking to cancel the 2007 amendment to the **Citizenship Law** banning 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
HCJ 466/07, MK Zahava Galon v. The Attorney General, et al.
http://www.adalah.org/eng/pressreleases/12_1_12.html