ADALAH

2021 ANNUAL REPORT
2021 was a tumultuous year. We witnessed the fourth round of Israeli elections within two years, the violent events of May 2021, and the introduction of draconian anti-Arab anti-crime measures, including a bill to expand police powers to raid homes and businesses and seize property without a warrant; a decision to allow the Shin Bet intelligence agency and the army to operate in Arab towns; and a new undercover (mista’aravim) paramilitary unit set up to operate exclusively in Arab towns. Adalah is challenging these measures, which, if taken forward, would establish two separate tracks of law enforcement, one for Jewish and another for Palestinian citizens of the state.
In July, the Supreme Court upheld the Jewish Nation-State Basic Law despite multiple petitions from human rights organizations, including Adalah. The law enshrines Jewish supremacy and racial segregation as constitutional principles of the State of Israel, excludes Palestinian citizens of Israel (PCI), and denies the right of self-determination of the Palestinian people.

Despite the many challenges posed by these events, and still under the long shadow of the COVID-19 pandemic, Adalah’s team obtained major positive results from its legal and advocacy work. Successes included securing vaccines for vulnerable Palestinian groups – Bedouin in the Naqab, residents living behind the Wall in Jerusalem, and prisoners; and the publication of emergency health information in Arabic by public bodies. Adalah also won a prestigious international award from the World Justice Project for its work on behalf of PCI during the COVID-19 crisis.

In response to the May 2021 events, Adalah represented dozens of PCI protestors detained and brutally beaten by police, and secured their release from detention with more lenient conditions, including political leaders charged with incitement. We also helped draw international scrutiny to the violence and incitement against PCI by ultra-right wing Israeli Jewish vigilante groups and senior Israeli officials, which culminated in the opening of an unprecedented UN investigation into the events and their root causes on both sides of the Green Line.

Continuing the fight against forced displacement, Adalah successfully canceled evictions orders filed without notice against Bedouin residents of the government-planned town of Segev Shalom; halted the construction of a phosphate mine in the Bedouin village of al-Fur’a due to the associated health and environmental hazards; and contributed to the shelving of a plan revived by the Bedouin Authority to set up refugee camps for the evacuation of tens of thousands of Bedouin PCI in dozens of unrecognized villages.

Another milestone was the announcement by the Chief Prosecutor of the International Criminal Court of the opening of a criminal investigation into the “Situation in Palestine”. This watershed decision confirms what Adalah and many other human rights organizations have maintained for years: that Israel is committing war crimes against the Palestinian people, and that there is no accountability under the Israeli legal system.

Given the harsh, draconian measures taken by Israel against the Palestinian people, Adalah is all the more proud of these activities and achievements, through which we defended Palestinians’ human rights on both sides of the Green Line.

Yours Sincerely,

Prof. Mahmoud Yazbak, Chairman of Adalah’s Board of Directors
Dr. Hassan Jabareen, General Director of Adalah
Highlights of 2021

Human Rights and the Pandemic
Adalah continued to respond to the ongoing COVID-19 pandemic in 2021 by fighting against discrimination in rights and access to resources and services on the basis of equality by Palestinians, including access to vaccinations, and freedom of movement and political expression rights. Several legal actions sought to protect the most vulnerable groups, including a Supreme Court petition against the sweeping powers granted to the government by the Major Coronavirus Law.

At the end of 2020, Israel started administering COVID-19 vaccinations to the public, but excluded certain groups. Following Adalah’s legal interventions in January, the health funds opened new vaccination centers in numerous villages to serve tens of thousands of Bedouin PCI, and for some of the 150,000 Palestinians living in Jerusalem behind Israel’s Separation Wall.

The Public Security Minister ordered the Israel Prison Service (IPS) not to vaccinate prisoners, contrary to the Health Ministry’s directive. Only after five human rights groups - PHR-I, ACRI, Adalah, HaMoked and Rabbis for Human Rights – petitioned the Supreme Court in January did the IPS begin to vaccinate prisoners, including thousands of Palestinian prisoners.

The Health Ministry agreed to issue the COVID-19 “Green Pass” certificates with Arabic text, alongside Hebrew, following a petition by Adalah to the Supreme Court in March. The passes, which represent official proof of vaccination for or recovery from the coronavirus, now additionally carry parallel Arabic text.

The Magen David Adom (MDA) ambulance service added an Arabic-language website, in addition to its Hebrew and English sites, in response to a Supreme Court petition filed by Adalah in January 2021. Adalah demanded that the MDA provide essential COVID-19-related public health information to the Arabic-speaking Palestinian public in Israel and in East Jerusalem.

In August, Adalah published a tri-lingual report entitled ‘The Israeli Supreme Court and the COVID-19 Emergency’, analyzing decisions in 88 cases brought during the first wave of the COVID-19 pandemic in 2020. The report shows the Court’s unwillingness to intervene to protect human rights and to prohibit governmental rule-making without Knesset oversight. Adalah presented the report’s main findings at an online comparative law symposium convened by the International Commission of Jurists.
Highlights of 2021

International Award: For Adalah’s Legal Action during the Covid-19 Crisis
In May 2021, the World Justice Project (WJP) awarded Adalah its ‘Fundamental Rights and Non-Discrimination’ prize in recognition of its legal actions before Israeli courts and state authorities to obtain remedies for COVID-19-related discrimination faced by Palestinian citizens of Israel (PCI).

Adalah was one of six winners from around the world through the World Justice Challenge 2021, selected from a pool of 30 finalists and 425 submissions from 114 countries. The theme of this year’s competition was Advancing the Rule of Law in a Time of Crisis, in recognition of the winning organizations’ work to promote good practices and high-impact projects and policies that advance the rule of law during the global pandemic.

Adalah’s project was selected for its effectiveness in using legal remedies to address the discriminatory effects of the pandemic, leading to significant results in the struggle for fundamental human rights and non-discrimination against PCI.

“The COVID-19 pandemic struck the world in the midst of a growing rule of law crisis, as documented in WJP’s own research, and has underscored the importance of a just and inclusive recovery,” said Elizabeth Andersen, WJP Executive Director.

“That is why we wanted to shine a light on effective and innovative ways to tackle the governance challenges posed and exacerbated by this ongoing pandemic. The promising approaches shown by these six winning projects, and indeed by all 30 Challenge finalists, serve as a guiding light to changemakers the world over. We are honored to recognize their work and pleased to welcome them to the WJP network.”
The Violent Events of May 2021

Heavily-armed police at a protest in Haifa, May 9, 2021.

Photo: Maria Zreik, Activestills
May 2021 witnessed a deadly escalation in violence in Israel and the OPT. Hostilities were sparked by Israel’s violent repression of protests against the eviction of Palestinian refugee families from Sheikh Jarrah, and then intensified as Israeli police stormed and blockaded the Al-Aqsa Mosque complex, attacking worshippers. Renewed hostilities also broke out with Gaza, with Israel launching massive airstrikes that killed 240 people, of which at least 151 were civilians, including 65 children.

Palestinian citizens of Israel (PCI) took to the streets across the country to demonstrate in solidarity with Palestinians in Jerusalem and Gaza, and they were met by extreme violence by police and organized ultra-right wing Jewish vigilante groups who often operated with police protection and collusion. There were also some isolated cases of PCI attacking individuals, and vandalizing synagogues and public and private property, in response to which the Palestinian leadership in Israel called for restraint. Throughout the period, Adalah’s team worked around the clock to defend Palestinians’ human rights.

Protests by PCI in May 2021 were met by mass arrests and police brutality in a draconian clampdown on freedom of speech and assembly. Adalah’s lawyers provided legal advice and representation to the protestors and ran multiple hotlines around the clock. Adalah and volunteer lawyers secured the release of dozens of protestors. We successfully argued against harsh conditions of release, arbitrary bans on participating in protests, and even decisions banning protestors from their homes.

Adalah submitted complaints against rampant police attacks and brutal beatings of PCI, including inside a “torture room” in the Nazareth police station. Many detainees, including minors, were also denied medical treatment for their injuries.
Adalah provided legal advice and assistance to dozens of volunteer lawyers representing hundreds of PCI, arrested during demonstrations throughout the country. We held an emergency legal training workshop on representing protestors in Israeli police stations, attended by over 160 Arab lawyers in the midst of the violence in May 2021. Numerous participants immediately used their newly-gained skills to assist the protestors.

Adalah led a legal team representing Sheikh Kamal al-Khatib, a leader of the Islamic Movement in Israel, arrested on 14 May in a violent police raid on his home in Kufr Kanna, that left dozens of local residents wounded. He is indicted for incitement based on Facebook posts, none of which calls for violence. After a month in detention, the District Court overturned the lower court’s “unreasonable” decision to remand him. The case is ongoing.

Adalah also represented Mohammad Kana’neh, a leader of the extra-parliamentary movement Abnaa al-Balad, who was arrested on 14 June after speaking at a demonstration in Sheikh Jarrah, and for 20 old Facebook posts welcoming prisoner releases and condemning administrative detention. Kana’neh is also indicted for speech offenses. After a month, the Magistrates’ Court released him to home arrest. The case is ongoing.

We held a diplomatic briefing for 45 diplomats and members of international organizations together with Adalah, Mossawa, and MK Yousef Jabareen, as a representative of the High Follow-up Committee for Arab Citizens of Israel, to discuss the May 2021 events. The High Follow-up Committee called on the international community to intervene to protect Palestinian citizens’ lives.

In May, the UN Human Rights Council (HRC) established an independent commission of inquiry into the grave human rights situation in the OPT and in Israel, including root causes. This landmark decision marks the first time that the HRC will investigate systemic Israeli racial discrimination against Palestinians on both sides of the Green Line. Adalah provided information to the HRC on organized violence by Israeli Jewish extremist groups, police violence, and incitement by officials.
In May 2021, lawyers collected multiple sworn affidavits in which individuals testified to rampant, systemic Israeli police attacks and brutal beatings of PCI protestors, innocent bystanders, children, and even attorneys inside Nazareth’s police station during the period of protests in the city. The graphic testimonies from victims, attorneys, and paramedics on the scene tell a story of systemic Israeli police brutality and physical, verbal, and psychological abuse of PCI in the northern city, and indicate that Israeli officers ran a “torture room” inside the Nazareth police station – an informal term the initial use of which may be traced to the recent detainees and lawyers on the scene.

Adalah submitted a formal complaint to senior Israeli officials on 7 June 2021, regarding serious failures on the part of Israeli police and investigators in Nazareth that amount to grave criminal offenses, starting on 9 May 2021 and continuing for a number of days.

Omaiyer Lawabne gave Adalah the following testimony after being arbitrarily attacked and arrested by police on the eve of Eid al-Fitr soon after 9 pm after parking his car. Demonstrations were taking place in the area but he was not taking part.
I covered my face while begging the cops who surrounded me to release me because I hadn’t done anything. Suddenly, one of the cops started kicking me in the face and head, stepping with his boot on my head and then on my shoulder. Several cops gathered around me as I lay on the ground. They began to hit me, both kicking and punching. I felt intense pain all over my body, from my head to my legs. One of them started kicking me in the neck. At that moment, I thought I was going to die.

After a few minutes, two of the cops dragged me to the city police station. I tried to explain to them that I hadn’t done anything, but when I tried to speak they started punching me in the stomach... I saw that every detainee they brought into the station, they would slam his head against the door. I tried to keep my head away from the door as I didn’t want a scar that would stay with me for life but they still tried to slam my head against the door.

When we entered the [police] station, we continued straight and turned left through a doorway. One of the officers immediately started cursing me and my family, and another slapped my face. There were a lot of detainees in the room, and I was shocked to see that they looked like prisoners of war: they were forced to sit on the floor, with their legs folded under their bodies and their heads held down. One masked officer was walking around the room with an object in his hand – I couldn’t tell if it was a club or something else – but everyone who raised his head was hit on the head with this object. They pushed me down into a corner and I lowered my head and curled up. Nevertheless, the same police officer hit me hard on the head with that object.

Seconds later I felt a sharp pain in my head. I saw that there was a large amount of blood coming down from a head wound, and I felt very dizzy... When they saw this, the police dragged me out, and ordered me to put my head under a water faucet. I told them I wouldn’t put my head under the faucet because it would aggravate the pain and aggravate the bleeding, that they are also not doctors, and I didn’t need diagnosis by cops but rather professional medical treatment. One of the cops told me to shut up and hit me on the stomach. I felt threatened so I followed his orders and put just part of my head under the faucet, so that it wouldn’t harm the wound. The officer then told me to “put my whole head under the faucet”, held me by the neck, and forced me to put the wound under the faucet.

OMAIYER LAWABNE
A Nazareth resident who was arrested, detained and brutally beaten by police during the violent events of May 2021 while withdrawing money from an ATM.
The Right to Education

Highlights of 2021

Photo By: Mati Milstein
**Fairer Fees For After-School Programs**

In response to Adalah’s Supreme Court petition, the Education Ministry decided to re-examine its budgeting model for the ‘Nitzanim’ national after-school education program. The model had led to discrimination against children living in low-income Arab villages located within relatively wealthy Israeli Jewish-majority regional councils. The case has broad implications for similarly-excluded communities elsewhere in the country.

**Access to Basic Education**

In February, a Regional Council agreed to allow an Arab girl to attend kindergarten in a neighboring Jewish kibbutz, following Adalah’s intervention. The Council’s move to block the girl’s family from enrolling her in the kindergarten was an attempt to impose racial segregation.

In a related case, a six-year-old Arab child from the village of Iksal began first grade after being registered in school for the first time in November. The boy, whose mother is a PCI, and whose father is a Palestinian from the West Bank, had previously been denied access to school by local authorities due to his lack of an Israeli ID. A few days after Adalah initiated correspondence with the local authority, the child was registered and began attending school.

**Advanced Internet Access**

In October, the Communications Ministry issued a decision on ‘preferred areas’ for connection of advanced internet networks. Only seven Arab towns are included among the list of 244 localities, none of which is a Bedouin village in the Naqab. However, the Ministry unlawfully included about 70 West Bank settlements in the list. Adalah demanded that the decision be revoked, arguing that the exclusion of Bedouin towns threatens to even further widen the ‘digital divide’, and the existing, significant gaps in terms of education, healthcare, and social services, especially following the COVID-19 pandemic.
A six-year-old Arab child from the village of Iksal began first grade after being registered in school for the first time in November. The boy, whose mother is a PCI and whose father is Palestinian from the West Bank, had previously been denied access to school by local authorities due to his lack of an Israeli ID. A few days after Adalah initiated correspondence with the local authority, the child was registered and began attending school.
Everything has changed since my brother started attending school. Before, he would sit alone with his phone. Now he is learning to write, he is playing with other kids, and going outdoors.

We tried very hard to register him but no one would help us. He used to have speech problems and it took him time to get sentences out. He didn’t even speak to us [his family] or play with other children. Once he started attending school, his speech improved and he started socializing with people. Now he is different. He developed socially.

For five years he has been living with me and my mother, with no father. My mother has some health problems and I was helping her take care of him and trying to register him at a school. We were met with rejection everywhere we went. We tried to register him for kindergarten and school for three years. We went to all possible local or governmental authorities, the Ministry of Education, the Interior Ministry, the municipality, and the National Insurance Agency. They put us through exhausting processes. We also consulted a private lawyer whose fees were far too expensive for us.

We are very grateful to Nareman [Adalah’s lawyer]. After we spoke to Nareman, he was registered within a matter of days. My mother and I now have peace of mind. The huge worry that weighed heavily on us has been lifted and we’re now at ease.

He is almost seven years old now, and he’s very happy. Education is everything. Even though he lost time due to the delay in registration, his teachers say he’s now top of his class. He has developed socially and emotionally. He plays with other children. His whole life has changed. Before, he didn’t have a normal childhood, but now he does.”

MALAK AZAB
The boy’s older sister
Forced Displacement of the Bedouin in the Naqab

Photo: Mati Milstein
In 2021, the state continued to threaten the Bedouin in the Naqab with forced displacement from their land and homes via eviction and home demolition orders, the revival of the Bedouin Authority’s plan for refugee displacement camps for the evacuation of thousands living in the ‘unrecognized villages’, and from major infrastructure plans involving development-induced displacement. Adalah continued to fight against forced displacement by all available legal means.

In November, the Bedouin Authority revived its 2019 plan to set up ‘temporary housing’, or what appears to be more like refugee displacement camps, for the evacuation and forced displacement of thousands of Bedouin residents, citizens of Israel, living in the unrecognized villages in the Naqab. As with the earlier version, the new plan was withdrawn following strong objections from civil society organizations, including Adalah.

The Be’er Sheva District Court in March accepted 29 motions filed by Adalah on behalf of Bedouin families living in the government-planned town of Segev Shalom to cancel eviction orders against them. These orders were issued based on lawsuits filed by the state, without the residents’ knowledge or presence in court. The case is unique in that the affected families live in a government-planned town, and the master plan for the area is supposed to recognize their homes. Adalah is continuing to help the families to fight against their evacuation.

In October, the Supreme Court ruled on petitions requesting the cancellation of a phosphate mine in Bedouin village of al-Fur’a in the Naqab, including a petition filed by Adalah and partners on behalf of 168 villagers, including 60 women. Due to the litigation, the authorities agreed to conduct an impact survey to include health risks posed to the local Bedouin population. The construction of the mine as planned would result in home demolitions and the forcible displacement of thousands of residents.

Also in October 2021, the UN Special Rapporteur on the Right to Housing published the first part of his report on discrimination in housing worldwide, in which he found “persistent systemic discrimination and segregation in accessing the right to housing for Palestinian citizens/residents in Israel and the West Bank”, and found that in Israel, “judicial interventions have contributed substantially to the creation and maintenance of discrimination”. In the report, the SR cited a 28-page report submitted to him by Adalah in June 2021 focusing on the main systematic policies and practices of spatial segregation enforced by the State of Israel within the Green Line between PCI and Jewish Israelis.
Defending the right to vote

In February, Israel’s Central Elections Committee (CEC) rejected motions filed by extreme right-wing Israeli Jewish political parties to disqualify two Palestinian political parties – Ra’am and the Joint List - from participating in the March 2021 Knesset elections. Adalah represented both parties before the CEC in defending the rights of Arab citizens to stand for election and to vote.
No collective punishment for stone-throwing

In July, the Israeli Supreme Court accepted a petition in a 5-4 decision against a law denying social benefits to parents of Palestinian minors who have been convicted of offenses classified as security or committed with “nationalist motivations”, primarily stone-throwing, and froze the law. Adalah petitioned against the law in 2016 with NGO partners.
Shrinking Space for Palestinian Civil Society

On 19 October 2021, Israel’s Defense Minister Benny Gantz designated six prominent Palestinian civil society organizations as “terrorist organizations” under the 2016 Israeli Counter-Terrorism Law. The designation was made on the basis of “secret evidence”. The organizations were additionally declared to be “unlawful associations” under the colonial British-Mandate-era 1945 Defense (Emergency) Regulations by the Israeli military. Some of these groups are also the most vocal in resisting the Israeli occupation and its apartheid policies, and some are active before the International Criminal Court (ICC). The outlawing and designation of the six groups as terrorist organizations is a potentially devastating move for Palestinian civil society, and one that is typical of totalitarian and colonial regimes. Adalah is legally representing the “Palestinian 6” - Addameer, Al-Haq, Bisan Center, DCI-Palestine, the Union of Agricultural Work Committees, and the Union of Palestinian Women’s Committees - together with private lawyers, against Israel’s transparent attempt to silence, delegitimize and defund them and further shrink the space available to Palestinian civil society.
Ongoing Denial of Accountability and the Right to Life

Palestinian civilian victims of Israeli military actions continued to be systematically denied accountability as Israel refuses to grant an effective remedy in civil compensation cases, and conducts no genuine criminal investigations into these actions or prosecutions of perpetrators. Israel’s policy of total impunity for its armed forces permeates all levels of the Israeli legal system, as Adalah’s many complaints to the military and civilian authorities as well as the Supreme Court, have demonstrated. Numerous UN commissions of inquiry have investigated the killings of civilians and the extensive destruction of civilian property in Gaza, as well as the Israeli domestic investigatory system, and have found chronic, systemic failure and shortcomings. Many of these killing cases have been presented to the ICC and are currently under investigation.

In addition, Israel violates the right to dignity of the dead by refusing to return the bodies of deceased Palestinians to their relatives for a dignified burial, and by holding bodies as bargaining chips. As of 20 January 2022, Israel was holding 93 Palestinian bodies, assailants or alleged assailants killed by Israeli forces since 2016. In Adalah’s view, as well as that of several Supreme Court justices and UN human rights bodies, Israel may not withhold Palestinian deceased bodies as bargaining chips, as hostages or for any other reason.
Police Violence Against Palestinian Citizens of Israel

Having neglected the issue of internal violence within Palestinian communities in Israel for decades, Israeli authorities showed that they continue to view Palestinian citizens as ‘enemies’. In early 2021, PCI protested against the police’s systemic failures to deal with surging rates of internal violence crime in their towns, and dozens of protestors were wounded when police employed brutal violence against the anti-violence protestors, including rubber-coated metal bullets, tear gas grenades, and batons. Adalah demanded that the police stop dispersing the protests and employing excessive force, and condemned the police killing of 22-year-old nursing student Ahmad Hijazi in Tamra, after police opened fire with assault rifles in a residential neighborhood in February, and demanded that a gag order put on the case be lifted.

In 2021, the government proposed a series of draconian anti-Arab, anti-crime measures such as a bill to expand police powers to raid homes and businesses and seize property without a warrant; a decision to allow the Shin Bet and the army to operate in Arab towns; and a new undercover (mista’aravim) paramilitary unit set up to operate exclusively in Arab towns. Adalah is challenging these measures, which, if taken forward, would lead to the establishment of two separate tracks of law enforcement, one for Jewish and another for Palestinian citizens of the state. Adalah issued a series of complaints to the Police Investigations Department (PID or Mahash) about these events and in response to the violent repression of protests during May 2021.

The campaign of mass arrests by state authorities against PCI, including political leaders, that followed the May 2021 events starkly contrasted with the undue lenience or non-intervention shown towards violent and racially abusive right-wing Israeli Jewish extremists and settler gangs. Over 2,100 people were arrested by police during this campaign, 91% of whom were Arab – PCI and Palestinian residents of East Jerusalem.

At the same time as the state clamps down on Palestinian protestors, it continues in parallel to restrict their freedom of expression rights online. In April 2021, the Israeli Supreme Court authorized the continued operations of the State Attorney’s Office’s shadowy Cyber Unit in censoring social media platforms without due process, rejecting a petition filed by Adalah and the Association for Civil Rights in Israel. The decision means that the Cyber Unit will continue to conduct its quasi-judicial censorship, muzzling social media users and even getting their accounts suspended or taken down, and disproportionately targeting PCI.
Poverty and the Digital Divide

PCI are an economically-disadvantaged group in Israel, and in particular the Bedouin in the Naqab, who register the highest levels of poverty. Overall, according to a 2020 report of the National Insurance Institute, almost 36% of Palestinian families in Israel live beneath the poverty line, and a staggering 59% of Bedouin families in the Naqab. Amid the COVID-19 pandemic, the poorest communities, including a large proportion of PCI and Bedouin PCI, fared the worst. A wide ‘digital divide’ between Jewish Israeli citizens and PCI has grown to debilitating proportions as a result of the lockdowns enforced during the pandemic. As more and more educational and day-to-day services such as healthcare, unemployment services and other state welfare benefits, as well as banking, shift online and require digital literacy, disadvantaged individuals are increasingly left behind.

Tens of thousands of Bedouin citizens have been left unable to access basic state services because of their lack of access to the Internet, computers, and in some cases electricity. An estimated 150,000 PCI children were unable to participate in the state’s online distance learning program during periods of school closure during the COVID-19 pandemic. These cases are not only violations of the human rights to equality, social welfare and education, but also ‘digital rights’, given that certain disconnected communities are being left behind in almost all areas of life and at risk of ingrained, multi-generational poverty.
Adalah’s Staff & Board

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Adalah’s work in 2021 was supported by grants from foundations, development agencies, and hundreds of individuals. We appreciate the generous contributions of all of our donors to our work. The following major institutional donors to Adalah were:

Open Society Foundations
Swiss Agency for Development and Cooperation
New Israel Fund
The Foundation for Middle East Peace
The Glezerman Family Foundation
Bread for the World
Christian Aid
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Medico International
Mazon – A Jewish Response to Hunger
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For more information about Adalah, visit: www.adalah.org
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For 25 years, Adalah has been a leading actor in the most critical legal battles to defend the human rights of Palestinians in Israeli courts. This vital work depends on you fighting with us.

To follow our work, and for information about how to donate to Adalah, find us at:

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