



## Adalah's Narrative Report of Activities 2019

Prepared 4 April 2020

This report presents the key outcomes and activities undertaken by Adalah during the past year in the areas of (1) Legal Action; (2) International Advocacy; (3) Legal Education and Media Outreach; and (4) Institutional Development. The report opens with a discussion of the context in which we worked during 2019.

### I. CONTEXT

**A year of elections, blockage in the legal system.** A state of political impasse and uncertainty continued throughout 2019, as both the April and September 2019 elections proved inconclusive. The elections were held in an extremely volatile environment and amid widespread attempts by the Likud to suppress the vote of Palestinian citizens of Israel (PCI). They entailed virulently inciting rhetoric against PCI, including by Prime Minister Netanyahu against whom Adalah submitted a complaint to the Elections Committee and the Attorney General; attempts by the Kahanists to disqualify the Arab Joint List; efforts by the Likud to pass legislation ("cameras bill") to place cameras at polling stations in Arab towns and villages, which ultimately did not succeed; and thwarting attempts to facilitate access to polling stations as a legitimate form of political participation and representation, e.g. in the Naqab/Negev desert, among other tactics aimed at keeping PCI away from the polls. Adalah undertook numerous legal representations in advance of the April and September 2019 elections.

Throughout the year, Netanyahu and the Likud party remained in power in a caretaker capacity, taking various decisions without the authority an elected administration. The courts and the legal system in general continued to be beset by blockages, which affected many of Adalah's legal cases. For example, the state requested the postponement of its responses and court hearings in Adalah's most high-profile cases currently pending before the Israeli Supreme Court, such as our challenge to the Jewish Nation-State Law, and that the Court delayed major decisions, including on petitions against the Settlements Regularization Law. The ongoing delays in the formation of the next government has resulted in political uncertainty, extensive court delays, and the lack of resolution of urgent issues for affected individuals and communities. (Note: Following the March 2020 elections and the onset of the coronavirus pandemic, it is likely that a government will be formed in April 2020 under the leadership of Netanyahu, which will also include Benny Gantz).

**Acceleration of forced displacement plans against Bedouin in the Naqab (Negev).** In January 2019, the Bedouin Authority announced plans to displace 36,000 Bedouin from their homes and land in the unrecognized villages, couched as a necessary measure against "trespassers" and to expand military areas and implement socio-economic development throughout the Naqab (Negev). While the plan was not implemented during the year, the state moved ahead and accelerated plans of displacement. These plans, using different tools and methods, are more difficult to track, as they do not come under a proposed unified law or plan, which makes these measures less visible and legal action and advocacy against them more complex. The numerous mechanisms of displacement being used by the state included: (1) the Five-Year Socio-Economic Plan for 2017-2021 (Government Resolution No. 2397), which in fact conditions state funding on the execution of home demolitions; (2) various laws such as the "Kaminitz Law" and the Jewish Nation-State Law; (3) development plans for military

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industries, railways, the expansion of Road 6, phosphate mine, among others, which confiscate large tracts of Bedouin land; (4) zoning regulations; (5) home demolitions and evictions at the level of individual homes or villages, such as Ras Jeraba; and (6) temporary housing (“refugee displacement camps”) plans of three to six years, without permanent, just housing solutions. Adalah also found throughout the year increasing numbers of people willing to negotiate with the state to move from their villages, and/or to demolish their own homes in order to avoid exorbitant state-imposed fines or extreme violence during state-led demolition operations. The situation is critical, with large number of Bedouin communities at high risk of displacement. Adalah is representing many different Bedouin communities, NGOs and others against these plans and laws.

**Strong, undisguised push to annex the West Bank, expand settlements:** The government’s intention to annex and expand the settlements and the US administration’s strong support for this project was clearer than ever in 2019. Prime Minister Netanyahu pledged to annex Jewish settlements in the OPT if he wins the elections, and promised to prevent the establishment of a Palestinian state by “controlling the entire area” (The Guardian, April 2019). He further committed that “No settlement or settler will be uprooted. That is over.” (The Times of Israel, July 2019). Further, Israel’s Attorney General stated in responses before the Supreme Court (SCT) that there are many legal tools available to legalize the settlements (resulting in the confiscation of private Palestinian land), such as using the principle of “good faith” in land sales and the “appropriation of private property” for the needs of settlers. All of these moves come in the context of the 2018 Jewish Nation-State Law, which states that the “Land of Israel” is the historical homeland of the Jewish people (only) (Article 1), and that Jewish settlement is a “national value” to be encouraged and strengthened (Article 7).

The US Ambassador to Israel, David Friedman, stated that Israel has a right to annex at least some of the West Bank (NY Times, June 2019). US Secretary of State Mike Pompeo stated that, “settlements in the West Bank [are] not per se inconsistent with international law” (The Times of Israel, 18 November 2019). Pompeo’s statement was a precursor to US President Donald Trump’s “deal of the century”, announced on 28 January 2020, which gives a green light to Israel’s illegal annexation of large parts of the West Bank (and a “population swap” of PCI in the Triangle to the PA). While the EU continued to oppose all settlement activity as illegal and to reiterate that it erodes the viability of atwo-state solution, the EU did not take any steps to stop Israel in this regard. Adalah’s work focused on scrutinizing and legally challenging legislation, the AG’s legal opinions, military orders, and decisions of the Israel Land Authority (ILA).

**The context for international accountability overall deteriorated in 2019.** With unbridled support for Israel from the US, and shifts in power blocks within the EU, the situation for international accountability deteriorated in 2019. While the Trump administration has given the Netanyahu government a ‘blank check’, EU member states remain divided and Israel’s strategy of delinking the EU’s economic relationship from human rights issues has been successful with most member states. Countries such as Hungary and Poland will even block any criticism of Israel and the EU is finding it harder to issue any unanimous statements or positions. A few exceptions to this deterioration have emerged, including: the March 2019 report of the UN Commission of Inquiry (UN COI) into the 2018 Protests, which found evidence of international law violations, particularly the Israeli military’s use of live ammunition against civilian protesters during the Great March of Return in Gaza. Adalah is following up on the implementation of the UN COI-2018 recommendations, as Adalah worked extensively before the COI. The Chief Prosecutor of the ICC stated in December 2019 that her preliminary examination into the “Situation of Palestine” found evidence of war crimes (e.g., Gaza 2014, Gaza 2018, settlements), and then requested that the Pre-Trial Chamber determine if the ICC had jurisdiction, so that she could pursue a criminal investigation. While Adalah does not work before the ICC, part of its work before Israeli courts and state and military authorities relates to issues before the ICC. These decisions are indicative of some positive developments internationally.

## II. LEGAL ACTION

### Key Outcomes

#### 1. Protecting the rights of PCI in Israel's national elections

Adalah succeeded in several legal representations in the run-up to the Knesset elections in April and September 2019 to protect the right to elect and be elected of PCI. In March 2019, following Adalah's appeals, the Israeli Supreme Court (SCT) ruled that two Arab political party lists – Hadash (Jabha)-Ta'al and Ra'am-Balad – and Dr. Ofer Cassif (a Jewish Israeli member of Hadash), could run in the elections held on 9 April. Adalah represented the two lists and Dr. Cassif on disqualification motions submitted against them by the Likud, former Defense Minister Avigdor Lieberman, and far-right Kahanist political parties, before the Central Elections Committee (CEC) and the SCT. In its appeals, Adalah called for the CEC to be disbanded, as a political body that has been exploited by MKs for over 20 years as a means of delegitimizing the political representatives of the Palestinian citizens in Israel and attacking their positions deemed unpalatable to the right-wing. Adalah called for the CEC to be replaced with an independent, professional body. [Press Release 1](#) / [Press Release 2](#)

- [Courtroom drama exposes the paradox of Israel's claim to be Jewish and democratic](#), Middle East Eye, 17 March 2019
  - [High Court disqualifies Ben-Ari; rules Ben-Gvir, all Arab parties eligible](#), JPost, 17 March 2019
  - [Supreme Court debates election disqualification of Jewish far-left candidate](#), Times of Israel, 13 March 2019
  - [High Court hears petition to disqualify two Israel-Arab parties](#), JPost, 13 March 2019
- March: **Adalah held a very well-attended press briefing for about 30 journalists from leading international media outlets on “Arab citizens and the Israeli elections”** in Jerusalem with Adalah's General Director, Deputy Director and two Palestinian women candidates running for election, MK Aida Touma Suleiman (Hadash-Ta'al) and Hiba Yazbek (Ra'am-Balad). *This briefing led to extensive international and local media coverage in English.* E.g., Ruth Eglash and Loveday Morris, [Israeli electoral committee bans Arab candidates, allows extreme right to run](#), Washington Post, 7 March 2019
  - March: Adalah staff member Amjad Iraqi, [Netanyahu is right: Israel is a nation with no interest in equality](#), The Guardian, 13 March 2019; and [Netanyahu Tells Arab Citizens They're Not Real Israelis](#), Bloomberg, 13 March 2019
  - April: In Adalah's view, Israel crossed an alarming red line in these elections in attacking the rights of Palestinians in Israel and in the Occupied Palestinian Territory (OPT). See **Adalah's Post-Elections Newsletter, “The Israeli Elections are Over, Now What?”**, [here](#).

Adalah sent a letter to the CEC and the Interior Ministry demanding the provision of **polling stations for thousands of Bedouin citizens living in unrecognized villages to enable them to vote in the Israeli elections, and/or transport to their assigned voting locations.** The request was rejected, based on a claim that voters could travel on their own to vote at polling stations located in government-planned townships. [Press release](#) (Note: Following this case, Zazim organized minivans to bring Bedouin voters from their villages to their assigned polling stations. The Likud party also tried to prevent Zazim from transporting Bedouin voters but the CEC rejected its complaint).

- [Thousands of Bedouin won't be able to vote in upcoming Israeli elections: report](#), i24 News, 12 February 2019
- [Calls for Israel to place ballot boxes in unrecognised Bedouin villages in the Negev](#), Middle East Monitor, 8 February 2019

In April 2019, Adalah sent an urgent letter to senior Israeli legal officials, two days after the elections, demanding a criminal investigation into the Likud party's planting of at least **1,200 hidden cameras in polling stations in Arab communities**. Media reports documenting the use of hidden cameras were brought to the attention of the CEC by the Hadash-Ta'al party, and the CEC Chairman Justice Melcer issued instructions calling for the return of the cameras and equipment to their owners, and imposed a ban on photography at polling stations except in exceptional cases. Article 119 of Elections Law designates election interference a criminal offense. Justice Melcer's response did not address the criminal aspects of these actions. [Press Release](#)

In the run-up to the second elections, Adalah sent a complaint to the CEC Chair, Justice Melcer, and to the AG in July 2019 asking why no criminal investigation was opened into these actions. Adalah additionally asked the CEC Chair to issue regulations prohibiting the placement of cameras, since it was discriminatory and undermined Arab citizens' right to vote. In August 2019, the CEC Chair decided to ban political parties from deploying cameras in polling stations on 17 September, the date of the second elections. The CEC's decision supported Adalah's arguments that the Likud's actions constituted ethnic profiling of Arab citizens and were intended to deter them from voting. The CEC Chair also found that the Likud's camera operations during the April 2019 elections were an illegal disruption of the Election Day process.

- [No Cameras This Time](#), Haaretz, 31 July 2019
- [Netanyahu's party steps up tactics to suppress Arab voters before election](#), The National UAE, 6 August 2019
- [How Likud weaponized cameras in Arab polling stations and intends to do so again](#), The Times of Israel, 8 August 2019
- [CEC holds hearing over Likud's hidden camera op. in voting stations](#), JPost, 9 August 2019
- [Israeli Elections Committee bans cameras at polling stations](#), Israel Hayom, 27 August 2019
- [Cameras forbidden in polling stations](#), The Jerusalem Post, 27 August 2019
- [Israeli PM's bid to place cameras at polling stations fails](#), AP and The Washington Post, 9 September 2019

In August, the SCT unanimously rejected the Jewish Power party's request to disqualify Arab Joint List from running in the second round of elections, accepting Adalah's appeal. The radical right-wing political party "Jewish Power" asked the Central Elections Committee (CEC) in early August 2019 to disqualify the Arab Joint List from participating in the September elections. Adalah represented the Joint List before the CEC, and again before the SCT, arguing that the request to disqualify the Joint List was rooted in racism and is not supported by the Basic Law: Knesset, which governs the disqualification of candidates and party lists. The SCT accepted Adalah's arguments and rejected the appeal, and the Joint List ran in the elections, winning 13 seats, the third largest party in the Knesset. [Press Release 1](#) / [Press Release 2](#)

- [Far right Otzma, Likud file appeal demanding Arab parties be disqualified](#), JPost, 20 Aug 2019
- [Israel's Election Committee meets to discuss disqualification of "racist" candidates](#), i24 News, 14 August 2019
- [Central Election Committee discusses Otzma Yehudit disqualification amidst row](#), Ynet News, 14 August 2019
- [Racist Israel group tries to block Arabs from running for Knesset](#), Arab Daily News, 13 Aug 2019

In September, following Adalah's legal intervention, the CEC broadened the criteria for hiring new elections unit observers. While the CEC banned cameras in polling stations, Justice Melcer agreed to establish an elections observer unit with body cameras that could be used during ballot counting, and

not during the vote itself. An ad was published to hire these observers with the requirement that applicants have completed military service; most Arab citizens are exempted by Israeli law from military draft and service for reasons of national belonging. Adalah sent letters to the CEC and the Team 3 Security Firm, contracted to provide the service, arguing that the military service requirement is discriminatory, a code used by employers seeking to avoid hiring Arab citizens; and that the job of elections oversight is supervisory in nature and not security-oriented. Adalah called for fair and equal hiring practices, and the criteria for hiring was consequently expanded. [Press release](#)

*Other elections-related legal interventions, legal advice:*

- September: Adalah filed a complaint on behalf of the Arab Joint List to the CEC and the AG against **Netanyahu following his Facebook post that “the Arabs want to destroy all of us.”** This statement was made in an exchange of digital messages with party activists regarding how to appeal to the Israeli public in election campaign telephone calls. Adalah asked the CEC to issue a restraining order banning Netanyahu from any further dissemination of racist propaganda, and the AG to open a criminal investigation for **incitement to racism**. Following the submissions, Netanyahu took the statement down from his Facebook page. [Press Release](#)
  - [PODCAST: Will Netanyahu’s attempt to suppress the Palestinian vote backfire?](#), +972 Magazine, 13 September 2019 (Interview with Adalah Deputy GD Sawsan Zaher)
  - [Netanyahu’s campaign warns Israeli voters: “Arabs want to annihilate us all”](#), Middle East Eye, 11 September 2019
- September: Following the wave of attempts to suppress Arab voting, Zazim – Community Action volunteers operated an Arabic-language telephone hotline on Election Day 17 September 2019 with Adalah providing legal counsel. Adalah answered questions from Zazim during the day; there was not deemed to be a need for further legal action. [Press Release](#)

## 2. Fighting racial discrimination and segregation at the Afula Public Park

In July, the Afula Municipality agreed to re-open its large public park to all visitors, following Adalah’s petition. The petition was filed in response to a decision made by the Mayor of Afula to prohibit entry into the park by non-residents of Afula. The Nazareth Court for Administrative emphasized that the municipality lacked authority to prevent visitors from entering the public park for any reason, and that its actions contravened the prohibition on collecting fees for entry into public parks, let alone on blocking entry into them. The municipality’s decision to prohibit park entry to non-residents was formulated against the backdrop of an explicit election promise made by the Mayor to act against what he deigned “the conquest of the park” by Palestinian citizens. Adalah submitted a petition against the municipality’s ban on 1 July 2019 on behalf of our colleague, Adalah Attorney Nareman Shehadeh-Zoabi, who was refused entry into the public park with her infant son by a security guard. Adalah argued that the closure of the park was a discriminatory move motivated by racism, and that the municipality’s acts were illegal. The court did not address the racist motives behind the municipality’s decision. [Press release 1](#) / [Press release 2](#)

- [Entry ban at Israeli city park provokes apartheid warnings](#), Middle East Eye, 9 July 2019
- [Israeli court halts park entry ban deemed racist by Arab citizens](#), Reuters, 14 July 2019
- [Israeli city ends park ban seen racist by Arab citizens](#), The Daily Mail, 14 July 2019
- [After Accusations of anti-Arab Racism, Israeli Town to Reopen Park to General Public](#), Haaretz, 14 July 2019

### 3. Securing the opening of a new high school in the unrecognized village of Al-Zarnouq

Following legal actions by Adalah, a new high school opened in the unrecognized Bedouin village of Al-Zarnouq (pop: 5,000) in the Naqab (Negev) serving 300 students. Adalah sent a legal letter to the Israeli state authorities in November 2018 demanding that they open a high school, as these pupils had to travel unreasonable distances to other villages (up to 90 kilometers) for school, an obstacle that rises to the level of a violation of their right to accessible education. The result has been low levels of educational achievement and high drop-out rates, limiting the subsequent ability of students to integrate into the labor force. In April 2019, the Education Ministry approved the establishment of the school, and the Neve Midbar Regional Council proceeded to construct it with portable buildings prior to the start of the school year. However, the right-wing organization Regavim petitioned the Beer Sheva Administrative District Court to prevent the school from opening, arguing that the building was in breach of planning and building regulations. Adalah represented the villagers before the District Court at a hearing in August 2019, demanding the rejection of Regavim's petition. Adalah also attended a session of the planning committee in Beer Sheva in August 2019 for the issuance of the final permissions and licenses for the school. In September 2019, the District Court rejected the petition and ordered Regavim to pay legal expenses to Adalah. The high school opened at the end of September, and is currently serving 300 students for the 2019-2020 school year, a number that is expected to rise to around 500 next year.

- [Al Zarnouq hearing \[photo\]](#), 29 August 2019 (2,556 reached; 8 shares; 127 reactions/comments; w/o boost - FACEBOOK)

### 4. Upholding the right to mourn

In June 2019, following Adalah's petition to the SCT, the state agreed to allow 70-year-old Salwa Salem Copty to visit the grave of her father in the Christian cemetery in Ma'alul, a destroyed Palestinian village in the Galilee. In January 2019, Adalah petitioned the SCT on behalf of Ms. Copty and her 93-year-old uncle Sohbi Mansour against the Defense and Interior Ministries and the Israel Land Authority, demanding that they be granted access to visit the grave and the cemetery where Copty's father and other family members are buried. An Israeli air force base was built around the cemetery and the authorities have barred the displaced Palestinian residents from visiting their families' graves ever since. Following Adalah's legal intervention, the Israeli military agreed to allow Copty and Mansour, and two family members, up to three visits a year to the cemetery with advance coordination. The military has also agreed to allow them to rehabilitate the desecrated cemetery, which has been neglected for years. Ms. Copty and her uncle visited the grave in August. [Press Release 1](#) / [Press Release 2](#)

- [Palestinian Woman Petitions Israel's Top Court to Visit Father's Grave Inside Military Base](#), Haaretz, 15 January 2019
- [NGO: Let Christian Palestinian Grandma visit father's grave on army base](#), JPost, 14 Jan 2019
- Jack Khoury, ["Arab Israeli Woman Wins Decades-long Battle to Visit Her Father's Grave on an Israeli Army Base,"](#) Ha'aretz, 24 June 2019
- [Palestinian grandmother wins legal battle to visit father's grave in Israeli army base](#), Middle East Monitor, 25 June 2019
- [Palestinian grandmother finally enters Israel military base to visit grave of father she never met](#), Middle East Monitor, 21 August 2019
- [Salwa Salem Copty cemetery visit \[video\]](#), 16 August 2019 (26,000 views; 57,787 reached; 61 shares; 592 reactions/comments; w/24 hour 50 shekels boost FACEBOOK)

## 5. Securing the return of fishing boats confiscated by Israel to Gaza's fishermen

Following a SCT petition filed by Gisha, Adalah and Al Mezan, the state returned one large boat in July 2019, and declared that it intended to return another 65 fishing boats to Palestinian fishermen in Gaza. The Israeli navy seized and confiscated these boats over the last three years in Gaza's territorial waters. The petition was filed in January 2019 on behalf of fisherman Abdel Ma'ati Habil, whose boat was seized by the Israeli navy in September 2016. The petitioners argued that the seizure of Habil's boat and other boats currently held by Israel was illegal and conducted without any legal authority, and caused severe harm to the livelihood and property of fishermen and their families. The petitioners demanded that the court immediately order the Israeli military to return the fishing boat and all equipment, as well as all other fishing boats seized by the Israeli military. Following its declaration in May 2019 before the Supreme Court that it was returning 65 fishing boats that it had seized and confiscated from Gaza fishermen in the Strip's territorial waters over the last several years, during July 2019, the State of Israel returned 66 fishing boats. [Press Release](#) / [Press Release 2](#)

- [NGOs get state to agree to release 65 Gazans' boats confiscated by the IDF](#), JPost, 22 May 2019
- [Israel to return 65 confiscated fishing boats to Gaza](#), Middle East Monitor, 22 May 2019
- [Israel Says It Will Return Dozens of Seized Fishing Boats to Gazans](#), Haaretz, 21 May 2019
- [Israel to return dozens of impounded Gaza fishing boats — report](#), Times of Israel, 21 May 2019
- [Israel returns 20 Gazan fishing vessels](#), The Jerusalem Post, 4 July 2019
- Walid Mahmoud and Muhammed Shehada, [“How Israel returned a Gaza fishing boat back to its owner,”](#) Al Jazeera, 6 July 2019
- [Years Later, Israel Returns Gaza Fisherman's Boat – Damaged, Without a Motor](#), Haaretz, 6 July 2019

## 6. Cancellation of a “forced urbanization plan” to increase the population of the Arab town of Jadeidi-Makr five-fold

Adalah filed an objection to the plan to planning committees, together with planning rights organization Bimkom, on behalf of 200 people in March 2019. The Givat Tantour “forced urbanization” plan, intended to increase the population of Jadeidi-Makr in the Galilee, in the north of Israel from 21,000 to 100,000, through the construction of very densely built high-storey buildings. The objection highlighted the use of an unreasonably accelerated planning process for the establishment of the city, without legal authority. The organizations argued that the forced urbanization plan would result in an overly-dense, crowded, and economically deprived area, and is intended to deter Arab citizens from moving to predominantly Jewish towns. The plan was cancelled in the fall of 2019 following objections from Adalah and Bimkom, as well as other objections. A new plan is being developed for the town in closer coordination with the municipality and residents; Adalah is following developments [Press release](#)

## **Selected Major Legal Representations**

### **A. Land and Planning Rights Unit**

Adalah continued to assist Bedouin residents of the Naqab against emerging cases of forced transfer, as well as other Palestinian citizens of Israel facing discrimination in land, planning and housing rights. It also represented Palestinians in the occupied West Bank facing the further annexation of their land via new land-grab policies implemented by the Israeli Government.

## Unrecognized Villages

### **Forced transfer of the Bedouin**

Adalah issued a press release [Israel announces massive forced transfer of Bedouin citizens in Negev](#), on 30 January 2019, which includes a translation from Hebrew of [The Strategic Plan of the Bedouin Development Authority](#). This statement received media coverage and interest from international decision-makers and the public.

- [Israel planning to forcibly relocate Negev Bedouins](#), Anadolu Agency, 31 January 2019
- [Demolition highway: Israel plans to force Bedouin from homes](#), Al Jazeera, 27 January 2019

**Challenging construction of a phosphate mine on Bedouin land:** (NEW) Following a hearing in February 2019, the Supreme Court issued an *order nisi* (order to show cause) requiring the state to explain why the construction of a phosphate mine in the Bedouin village of al Fur'ah (pop. 6,000), which will result in home demolitions and grave health risks for the villagers and surrounding neighbours, is legal. Adalah, together with Bimkom, Physicians for Human Rights-Israel, the Association for Civil Rights in Israel, and the Regional Council for the Unrecognized Villages in the Naqab, submitted a petition to the Supreme Court in January 2019 with the aim of halting the construction of the mine, known as the Sde Barir mine. The order nisi indicates that the court views the petitions' arguments as substantial and convincing. Despite the fact that al Fur'ah received official recognition from the state in 2006, and that the planning authorities entrusted the development of the master plan for the village to engineering offices in 2009, there has been no progress in the master plan. Further, the state has initiated legal proceedings against the residents of the village, who are being charged with building houses without permits. Meanwhile, various master plans that will directly and negatively affect the villagers, resulting in home demolitions and the confiscation of land, as well as increased environmental pollution, have been expedited, to the detriment of the villagers' rights, including the Sde Barir mine plan. The case is ongoing, and the people of al Fur'ah who are at risk of being forcibly displaced as a result of the implementation of the plan currently remain in their homes (case pending).

- [Bedouin Families, Human Rights Groups Demand End to Construction of Dangerous Phosphate Mine in Negev](#), IMEMC News, 28 February 2019
- [Israel Supreme Court urged to halt 'dangerous' phosphate mine in Negev](#), Middle East Monitor, 26 February 2019
- [Israeli Supreme Court to start hearing on petition by Bedouins against phosphate mine in Naqab](#), Wafa, 26 February 2019

**Demanding rejection of plans for the forced transfer of Bedouin citizens to refugee displacement camps:** (NEW) In October 2019, Adalah sent a letter to the Israeli authorities calling on them to reject proposed plans allow authorities to immediately evict and transfer Bedouin citizens to the new refugee displacement camps for a period of three to six years, and stop them from advancing. The letter – sent in Adalah's name and on behalf of the Regional Council for the Unrecognized Villages in the Negev (RCUV), Shatil, and the Negev Coexistence Forum for Civil Equality (NCF) – was addressed to Southern District Planning and Building Committee. According to the plans – 652-0767921 and 624-0765792 – “Temporary Residential and Public Building Solutions for the Bedouin Population in the Negev”, Israel is attempting to “urgently” forcibly displace tens of thousands of Bedouin citizens from unrecognized villages in the Naqab to refugee displacement camps to make way for military and other development projects, without offering any permanent housing solutions. Israel's Southern District Planning and Building Committee convened on 6 October 2019 to discuss the plans, which are intended “to provide temporary housing solutions for the unregulated Bedouin population, in cases where the population is urgently required to move from their living sites before permanent buildings are established”. Once approved, the plans would enable the “temporary” structures to remain for a period of up to six years. [Press Release](#)



- [Jonathan Cook: Bedouin mass eviction is part of Israel's concerted efforts to drive Palestinians from their historic lands](#), The National, 15 October 2019
- [Israel Prepares to Turn Bedouin Citizens into Refugees in their own Country](#), The Palestine Chronicle, 18 October 2019
- [Bedouin camps \[meme\]](#), 10 October 2019 (8878 reached; 145 shares; 546 reactions/ comments; w/o boost - FACEBOOK)

**Challenging plans to evacuate 500 residents of Ras Jerabah in the Naqab:** (NEW) As Israel moves to evict dozens of Bedouin families in Ras Jerabah, an unrecognized village, Adalah is representing 103 residents in 10 eviction lawsuits filed against them by the state. In its lawsuit to the Magistrates' Court, filed in May 2019, the state, through the Israel Land Authority, demanded that the court order the evacuation for the purpose of expanding the adjacent city of Dimona and to "use the land for the public good". The plan, if carried out, would result in the disastrous displacement of the entire village. In response to the lawsuits, Adalah submitted defense arguments in November 2019. Adalah argued that the residents have lived in Ras Jrabah for generations, even before Dimona was established, and that any attempt to portray them as "invaders" or "trespassers" is false. Most of the villagers work in Dimona and nearby Israeli cities, and are heavily reliant on the health and welfare services provided in Dimona, of which they consider themselves to be an integral part. The objective of these evictions is to resettle them in another Bedouin village. Expanding Dimona on the ruins of Ras Jrabah, without giving any weight to the legitimate rights and interests of its residents poses a serious danger to their lives, and violates their constitutional rights to dignity, property, housing, and equality, and disproportionately discriminates against the basis of national belonging, and thus must be rejected. The state's plan for Ras Jrabah is part of a wider plan of "development induced displacement" of Bedouins in the Naqab. Hearings in these cases are scheduled to start in May 2020 and continue every month (cases pending).

### **Occupied Palestinian Territory**

#### **Challenging the AG's position on "good faith" to confiscate Palestinian land**

(New) In May 2019, Adalah filed a request to the Israeli SCT to submit an *amicus legal opinion* in a case that was pending before the court on the question of 'good faith' and the confiscation of Palestinian privately-owned land in the West Bank. While Israel has been confiscating private Palestinian land for decades, constructing settlements and other civilian and military infrastructure upon it, in recent years it has been taking steps to retroactively 'legalize' these confiscations – under Israeli domestic law – with a view to keeping it in permanent Israeli possession. Adalah argued that the state is deliberately exploiting the 'good faith' argument from contract law and acting in 'bad faith'. In these cases, the State of Israel transferred private Palestinian land to the World Zionist Organization (WZO), a quasi-governmental agency acting on the state's behalf, and subsequently claimed that it did not know that the land was in private hands. Rather than returning the land to its owners, the state claims that it acted in 'good faith' in transferring the land in question, in order to retroactively legalize the confiscation. As such, Adalah argued in the request that the AG's position violates both Israeli administrative law and international law. The SCT **rejected Adalah's request** on the grounds that the opinion was submitted too late.

Following the court's ruling, Adalah sent a **legal opinion on the question of good faith** to the Israeli AG in September 2019, with a request for his substantive response. We have not received a response. Adalah also used this legal opinion as the basis for a position paper in English on good faith that was released in December 2019. [Position Paper Update](#): The SCT delivered a ruling on the pending case in January 2020, but not on the legal question of good faith.

#### **Proposed military order facilitating purchase by Israeli Jewish citizens of land in the West Bank**

(New) In October, Adalah sent a principle letter to the AG and the head of the military's Central Command to reject a proposed military order that seeks to change in the Jordanian Law in place in

the West Bank on Leasing and Selling Real Estate to Foreigners No. 40 (1953). This change would remove existing restrictions on Israeli Jews from purchasing land in the occupied territory, and would allow the commander of the Israeli military's Civil Administration to "permit any person – generally or specially – to acquire, to receive, and to use real estate in the area, even if the conditions specified in Sections 3 and 4 of the [Jordanian] Law are not met, including the conditions relating to the scope and purpose of the acquisition." As Adalah wrote: "This order blatantly serves the illegitimate political interests of [the occupying] power, and seeks to expand and facilitate its illegal settlement enterprise in the occupied territories." The Israeli Military Attorney General (MAG) confirmed Adalah's assertion: "...it is clear that the security issue is irrelevant", and it would be difficult to justify the proposed order as intended "to improve the situation of the Palestinian population – which [is considered] the local population according to international law." IHL prohibits Israel, as an occupying power, from utilizing occupied territories for political or civilian needs, including the construction of settlements. [Press Release](#)

**Follow-up on Supreme Court petition against the Settlements Regularization Law:** This petition was submitted with the JLAC and Al Mezan on behalf of 17 Palestinian local councils in the WB to the Supreme Court in February 2017 against the law, which aims to retroactively legalize Israeli Jewish settlements/outposts built on privately-owned Palestinian land, and to confiscate the land. In December 2017, the Court issued an *order to show cause* demanding that the Government explain why the law is not illegal. The Court held a widely-publicized day-long hearing on 3 June 2018 before an expanded panel of 9 justices, and Adalah and partners submitted supplemental arguments in July 2018. Yesh Din, ACRI, and Peace Now filed a separate petition challenging the law, which the Court has joined with Adalah's petition for argument. The state responded in the case in August 2018 that the Knesset was authorized to make laws everywhere in the world, and can violate sovereignty of foreign states. In December 2018, the AG requested to submit an update to the court regarding other tools at the state's disposal to allow it to "regularize" settlements, including the "good faith" argument and the mechanism used in the appropriation of private Palestinian land for an access road to the illegal WB settlement of Horsha. In January 2019, Adalah responded that such an update from the AG was irrelevant in this case since the law involves a different and separate procedure and that the Court should not address or deliberate on the legality of such tools within the current petition. Case is pending, awaiting a decision. There remains a positive interim result on the case, since an injunction freezing the implementation of the law remains in place. The implementation of the law is frozen, despite the state's request for it to be lifted, while the case is pending. [Briefing Paper](#)

## **B. Civil and Political Rights Unit**

### ***Identity of the state, right to self-determination***

**Petition to the SCT challenging the Jewish Nation-State Basic Law (JNS Law):** Adalah followed up on its petition against the law, filed in August 2018, calling for the cancellation of the JNS Law, enacted by the Knesset in July 2018. The law constitutionally enshrines – for the first time – the identity of the State of Israel as the national home of the Jewish people only. The law identifies *Eretz Israel*, or the "Land of Israel", as the area to which it applies. *Eretz Israel* includes all of the West Bank, including East Jerusalem. The petitioners, the Palestinian leadership in Israel, argue that, by providing that the state views Jewish settlement as a national value, and will act to encourage, promote and consolidate its establishment, the law thereby institutes segregation as a new legal norm. The law also may give legal justification to the establishment and retroactive legalization of the settlements, and further and existing annexations and related laws constitutional backing. In addition, the law's application to East Jerusalem and the Syrian Golan Heights also stands in violation of international law. The case was scheduled to be heard in January 2019, but the state has repeatedly requested delays in responding to the petition (as well as 14 other pending petitions against the law) due to elections, and now due to the coronavirus. The SCT ruled that the case will be heard before an *expanded panel of 11 justices*. See [Adalah's Website page on the JNS Law](#)

- Adalah's General Director, Dr. Hassan Jabareen, and Senior Attorney Suhad Bishara, wrote an article about the implications of the Jewish-Nation State Law that was published in the Journal of Palestine Studies. See Hassan Jabareen and Suhad Bishara, "The Jewish Nation-State Law: Antecedents and Constitutional Implications", *Journal of Palestine Studies*, Vol. 48, No. 2, Winter 2019: read it [here](#).

### ***Freedom of expression, political participation rights***

#### **Demanding closure of the State Attorney's "Cyber Unit" for illegally censoring user content.**

On 26 November 2019, Adalah and the Association for Civil Rights in Israel petitioned the Israeli Supreme Court following two years of complaints by Adalah that the Israeli Cyber Unit has been, and continues to unlawfully issue requests to major social media providers to censor content on their websites. The mechanism for issuing these requests includes appeals to content intermediaries like Facebook and Google to remove, restrict or suspend access to certain content, pages or users, based on an alleged violation of domestic laws as well as the intermediaries' own Terms of Service. This form of censorship is conducted without any legal procedure and without granting targeted users the right to be heard in the decision, and is sometimes implemented without the users' knowledge. Hearing scheduled for 15 June 2020.

**Following Adalah's appeal, David Yellin College of Education cancelled unjust disciplinary punishments against two Palestinian students.** In June 2019, Palestinian students at the teachers' college in Jerusalem, wrote "Ramadan Kareem" on a student chalkboard. This same chalkboard was being used for commemorative notes for Israel's Memorial Day. Members of right-wing Im Tirtzu, filmed the incident and launched a campaign against the students, claiming that they had desecrated the memory of fallen Israeli soldiers. As a result, the college's Disciplinary Committee punished the students for inappropriate conduct. Two of the students, both of whom are permanent residents, were banned from entering the college campus until August, and were ordered to complete community service and to apologize. Further, one student's academic distinction was revoked, and the other student's second semester academic coursework and grades were nullified. Adalah appealed the decision and demanded its cancellation. Adalah argued that the actions constituted freedom of expression, and that there was no legal authority to revoke these educational achievements. Further, the writing of 'Ramadan Kareem' on a communal chalkboard is not a crime, and the imposed penalties are unjust and unreasonable. Following a hearing, the Disciplinary Committee in July 2019 agreed to cancel most of the penalties against the students. [Press Release](#)

**Challenging restrictions on Knesset members travel for legitimate political activity.** Adalah followed up on a petition to the SCT filed in April 2018 on behalf of MK Yousef Jabareen challenging a March 2018 amendment to the Knesset's Code of Ethics that allows the parliament to prohibit a MK from traveling overseas if funding for the trip is provided by a body that knowingly publishes a call or participates in a boycott of the State of Israel or the settlements. The Ethics Committee banned MK Jabareen from traveling to the US on a lecture tour sponsored by Jewish Voice for Peace (JVP). Adalah argued that the amendment violated the rights of freedom of expression and movement of MKs, was intended to limit the legitimate parliamentary activity of MKs solely due to political opinion, and exceeded the Knesset's legal authority to sanction MKs (case pending)

### ***Criminal justice, cultural rights***

**Israeli authorities announce reconsideration of criminal law enforcement prohibiting the picking of plants used in traditional Palestinian cuisine, Za'atar, Akoub and Maramiya in August 2019.** These plants are among the most well-known in Palestinian national cuisine and culture. Palestinians have picked these plants for centuries and used them in several national dishes. All three herbs have been designated as protected plants under Israeli law, and as a result, it became a criminal offense to pick, possess or trade in them. Those who pick these plants thereby became lawbreakers, and there have

been many related indictments and convictions. All of those criminalized by these laws are Palestinian. Despite the law, the picking of the plants continues, and many who do so regard it as an act of resistance and protest. In January 2019, Adalah sent a letter to the AG, the State Attorney and the Environmental Protection Minister to demand the cancellation of these laws, and the freezing of their enforcement. Adalah also sent freedom of information act (FOIA) requests seeking information on the number of indictments, and background materials regarding the declaration of these plants as protected plants. Adalah issued follow-up letters in May 2019 and Adalah conducted extensive media outreach. [Press Release / video](#)

- [Reversing Decades-old Policy, Israel to Allow Some Harvesting of Wild Herbs](#), Haaretz, 6 Aug 19
- [Akoub case in Haaretz \[link\]](#), 7 August 2019 (1,770 reached; 8 shares; 78 reactions/comments; w/o boost FACEBOOK)
- [For Israelis and Palestinians, a battle over a humble plant](#), Salon, 18 February 2020

### ***Freedom from Religion***

**Follow-up on SCT petition opposing the Health Ministry's ban on leavened bread in hospitals during Passover.** The petition was filed in 2018, and the SCT rejected our request for an injunction to prevent the enforcement of the ban or to schedule an urgent hearing prior to Passover in April 2018. Adalah argued in the petition that the policy discriminated against non-Jewish visitors, who should not be forced to comply with Jewish religious laws. In January 2019, following a hearing, the SCT issued an *order nisi* (order to show cause), requiring the state to explain why the ban is legal. A hearing was held in July 2019, and the SCT encouraged the state to find solutions. [Press Release](#)

- [Editorial // Is That a Sandwich in Your Bag?](#), Haaretz Editorial, 7 March 2019
- [High Court Slams Government Plan for Non-kosher for Passover Areas at Hospitals](#), Haaretz, 7 March 2019
- [Israel's Rabbinates Backs Compromise to Let People Eat Chametz on Hospital Grounds During Passover](#), Haaretz, 28 February 2019

### ***Accountability and Right to Life - OPT***

#### **Supreme Court appeal for compensation for serious wounding of Palestinian boy in Gaza**

(New) Adalah and Al Mezan filed an appeal to the SCT in February 2019 against a ruling of the Beer Sheva District Court in November 2018 that Israel was not liable for damages for the shooting and serious wounding of an unarmed 15-year-old Palestinian boy, Attiya Nabaheen, in Gaza near his home in November 2014. Nabaheen was returning from school. He was not armed and was not involved in any violence. As a result of the shooting, he was paralyzed and confined to a wheelchair for the rest of his life. The District Court further ruled that Gazans are not entitled to seek compensation for damages from Israel as they live in an "enemy territory", as Israel declared Gaza to be in September 2007.

In the appeal, Adalah and Al Mezan argued that the 2012 amendment to the Civil Wrongs Law is unconstitutional since it provides blanket immunity to the state, and that Israeli and international law require that protected civilians be entitled to effective legal remedies, including compensation. According to Article 5/B-1 of Amendment the amended Civil Wrongs Law (State Responsibility), residents of a territory declared by the Israeli government as "enemy territory" – as Gaza was declared in 2007 – are not eligible to seek compensation from Israel for any reason. A hearing before the SCT is scheduled for 20 May 2020. [Press Release](#)

- [NGO asks High Court to strike down immunity law for IDF harming Gazans](#), JPost, 11 Feb 2019
- [Rights groups take Israeli denial of compensation to Gazans harmed by army to Supreme Court](#), Wafa, 11 February 2019

### **Letter to Israeli authorities regarding newly-revealed military document exposing illegality of Israel's open-fire policy on Gaza protesters**

(New) In June 2019, Adalah sent a letter to the MAG and the AG calling on them to immediately cancel the open fire rules of engagement targeting “key instigators” and refrain from continuing to use lethal gunfire against demonstrators in Gaza. The letter came in response to a document released by the Israeli military to the 2018 UN COI, which describes how snipers may open fire on protesters in Gaza it calls “key instigators” or “key rioters” – *even when they move away from the crowd or are resting*. This document was not presented to the Israeli Supreme Court in 2018.

Prior to the release of the document, the Israeli military had kept secret its vague definition of this invented category. The document openly reveals that this category was created retroactively in order to justify the shootings of demonstrators. It clarifies that “key instigators” are active for extended periods of time and snipers must choose the timing for shooting at them, so snipers can act “as a person temporarily moves away from the crowd or rests before continuing with his activity.” The UN COI found that “the use of live ammunition by Israeli security forces against demonstrators was unlawful”, as the protestors did not pose any threat to the lives of Israeli soldiers or civilians or participate directly in hostilities. Adalah further demanded that the Israeli authorities implement the recommendation made by the UN COI. [Press Release](#)

The MAG responded in August 2019, with general claims that the army's open-fire policy complied with international law, and Adalah responded in October 2019, requesting a direct response. Adalah is also considering a new challenge to this policy before the SCT in a follow-up to its 2018 petition, in the aftermath of the conclusions and recommendations of the UN COI-2018, and following the December 2019 announcement of the ICC prosecutor. [Press Release](#)

### **III. Economic and Social Rights**

Adalah continued to demand state provision of socio-economic services and access to education for the Bedouin, as well as demanding lower prices for water.

#### ***Education, Health services, Water***

**Demanding a pre-school for 140 children in the unrecognized Bedouin village of Al Rowais (pop: 2000) in the Naqab:** Adalah sent a letter in September 2019 on behalf of the Al Rowais local committee to the Al Qasum Regional Council and the Education Ministry demanding a pre-school in the village, as none currently exist, and bus drivers for older students hired by the Regional Council contend that the law does not allow them to transport these pre-schoolers. Adalah argued that, given the harsh unpaved road conditions, these children should remain in the village for pre-school and transport outside should not be considered as a viable alternative. The Regional Council responded informally that they do not know of any children in Al Rowais. Adalah has compiled a list of the children that do not enjoy their right to education, and will demand a formal response.

**Adalah sent a legal letter in April 2019 to the Health Ministry and Clalit Health Provider demanding the establishment of a health clinic in Tel Arad, an unrecognized Bedouin village in the Naqab:** The village is home to 2,500 residents, but has no health clinic on site; the nearest health clinic is approximately 20 km away, and there is no public transportation available from Tel Arad. As a result, many patients, particularly women, children, and the elderly, have to walk several kilometers in order to catch a bus, to either the Jewish town of Arad or the Bedouin township of Kseiffe, which severely compromises their enjoyment of their right to health. Clalit responded in November 2019, finding no need to open a clinic. Adalah responded to Clalit, pointing out that their is based on false assumptions. A copy of the letter was also sent to the Ministry of Health. Adalah followed up with a letter to the Ministry of Health, reminding the ministry of its responsibility to provide health services

to all its citizens, and that leaving the decision up to Clalit is a neglect of this responsibility. Adalah is continuing to follow this case.

**Challenging the highest water prices in the country paid by Bedouin living in unrecognized villages in the Naqab.** Together with ACRI and the Negev Coexistence Forum, Adalah sent a letter to the Water Authority demanding the equal pricing of drinking water in December 2019. The current method for water pricing relies on a distinction between the recognized amount of consumption (which is priced at a low rate) and an excessive amount of consumption (which is priced at a high rate - almost the double of normal rate). Since there are no private water connections in the unrecognized villages, the Water Authority automatically charges these residents with the higher rates, treating them *absurdly* as water wasters, when in fact, they constitute the group with the most limited access to water. Meanwhile, the Water Authority treats Kibbutzes (agricultural communities in which only Jewish Israelis live) in a totally different way. Although there are no individual household connections to water (in many kibbutzes in the Naqab), these residents pay normal water prices based on declarations re: the number of persons in each household. In the letter, the organizations' argued that the Water Authority's policy lacks a legal basis, is arbitrary and discriminatory.

**Demanding implementation of state commitment to construct safe school bus stops.** In 2019 Adalah followed up on the implementation of a state commitment made in May 2018 to fund bus stops adjacent to 47 schools in Naqab Bedouin villages for approximately 20,000 Bedouin children during a hearing before the Beer Sheva District Court. The commitment came in response to a petition filed by Adalah in 2017 demanding that the authorities construct the bus stops to allow children to be transported to school safely. This commitment exceeds the 11 schools included in Adalah's petition. In July 2019, Adalah sent two letters to the Ministry of Education and the Neve Midbar and Al-Qassoum Regional Councils to ask about any progress made. The responses revealed that the required funds had not been transferred because the Ministry had been waiting for a budget request from the regional councils that the latter were not aware they had to submit. The Ministry and the regional councils all stated that they would now deal with the necessary budgetary requests. The Ministry of Education additionally stated that it did not transfer funds directly to the regional councils, but to the Bedouin Authority. Adalah is continuing to follow the case and to press for the resolution of the case.

### ***Poverty programs***

**Demanding information on state-sponsored poverty programs.** In December 2019, Adalah filed a petition to the Jerusalem District Court, sitting as court of Administrative Affairs, against the Ministry of Labor and Social Affairs demanding that the court order the Ministry to respond to FOI Act requests submitted by Adalah in 2019 concerning seven different programs of the Ministry which are intended to reduce poverty in Israel. Adalah is seeking information about the implementation of the programs, including which localities are benefiting from the programs, the budgets allocated and spent, the number of families served, and a breakdown of this information for Israeli Jewish and Palestinian citizens of the state. Adalah argued that the respondents have violated and continue to violate the FOI Act by not providing answers to our requests. *Update:* In January 2020, the Ministry provided most of the information requested, with additional information to be provided in mid-February 2020. Adalah is continuing to follow the case. (*case pending*)

### **Occupied Palestinian Territory**

**Challenging Israel's refusal to grant/renew visas of international faculty at Birzeit University** (New) In April, Adalah, Al Haq and Birzeit University (BZU) sent a letter to the Israeli Interior Minister, the AG, the MAG, and COGAT demanding that Israel cease its policy of visa denial for international academics teaching at Palestinian universities. For the past two years, Israel refused to renew work visas for full-time international lecturers at BZU, has denied entry to international academics, and

failed to issue a single visa to international faculty for the 2018-2019 academic year. The murky and arbitrary Israeli practices leave international lecturers and their families in constant uncertainty.

The partners argue that BZU – despite operating under Israeli military occupation – must be guaranteed the right to determine its curriculum, including its faculty, as part of its academic freedom and right to educate under international law, and that by denying visas, the State of Israel, as the Occupying Power, is violating this right. The partners demand that Israel: lift the restrictions preventing international academics employed by BZU from staying and working in the West Bank; refrain from imposing arbitrary restrictions on the duration of stay or extension of stay for international academics; and order the publication of a clear and lawful procedure for issuing entry visas and work permits for international academics in the West Bank, which will enable the university to manage and maintain its academic freedom. [Press Package](#), released 8 July 2019. Adalah continued to correspond with Israeli authorities in the fall of 2019.

See [Website of Bir Zeit University](#), linking extensive press coverage and many supportive statements from academic institutions and professional associations against the restrictions. Examples of media coverage includes:

- Tom Sperlinger, "[Concrete Conditions](#)," London Review of Books Blog, 6 August 2019
- Elizabeth Redden, [No Passage to Palestinian Universities](#), Inside Higher Education, 26 July 2019
- Amira Hass, "[As Israel Tightens Entry Rules, Foreign Lecturers at Palestinian Universities Forced to Leave](#)," Ha'aretz, 13 July 2019
- Tovah Lazaroff, "[NGO: Israel restricting visas to academics at Palestinian universities](#)," Jerusalem Post, 12 July 2019

#### **Challenging Israeli aerial herbicide spraying along Gaza fence**

(New) In January 2019, Al Mezan, Gisha and Adalah sent a joint letter to Defense Minister, the MA and the AG demanding an end to this practice, as reported in the media in December 2018 and due to the severe damage to crops and the risk to the health of Gaza residents caused by the poisonous spraying. Contrary to Israel's official position, whereby the military only sprays herbicides over Israeli territory, farmers in Gaza report that the planes spray over the Strip's aerial space. The letter further notes that even if the spraying were to in fact take place only on the Israeli side, the chemical agents used are carried by wind over to the Gaza Strip. A variety of crops grown in fields near the fence inside the Strip were reportedly damaged as a result. [Press Release](#)

- [Israel spraying herbicides inside Gaza violates int'l law, rights groups say](#), +972 Magazine, 9 January 2019
- [Israeli spraying of herbicide near Gaza harming Palestinian crops](#), The Guardian, 19 July 2019
- [Israeli Army Not Spraying Harmful Herbicides at Gaza Border for First Time in Five Years](#), Haaretz, 20 July 2019
- [Israel stops spraying herbicides near Gaza for first time in 5 years](#), JPost, 23 July 2019
- [Danger from above: Gaza farmers struggle to save crops from Israeli planes](#), Middle East Eye, 7 September 2019

#### **Petition against the cutting of benefits to Palestinian families of stone-throwing minors**

(Follow-up) Adalah followed up on its 2016 petition to the SCT, filed with HaMoked, Addameer and DCI-Palestine, against a 2015 law that authorizes the cutting of social benefits to Palestinian families whose children have been imprisoned for throwing stones. The SCT issued an order to show cause in January 2017; Adalah submitted additional arguments in June 2018, and a hearing on the case was held on 3 July 2018. In November 2018, the state announced its intention to amend the law after admitting that it was unclear and difficult to implement. This lack of clarity was one of the main arguments raised by Adalah in its petition. The state announced that the law would be amended to enable the denial of benefits only when a judge in the criminal case explicitly states that the minor committed a "terror offense". Even if amended, the law will remain constitutionally flawed, since

social benefits would continue to be used as a tool to punish not just the convicted minor but also his/her parents, and because the law's implementation entails selective, targeted punishment of Palestinian minors and their families. The state further argued that the case should be suspended since the Knesset would initiate new legislation to correct defects in the vague wording of the law.

In January 2019, Adalah responded to the court, arguing that there was no need to suspend deliberations on the case given the fact that any such new legislation is at an initial stage and may be made irrelevant by the forthcoming general elections; furthermore, amendments to the law aimed merely at correcting its vague language would not deal with the constitutional problems in the law concerning its discriminatory aspects, regarding which the court issued its order to show cause. The state responded in February 2019 that, in light of the elections, the court should suspend all proceedings in the case and allow the state to provide an update regarding new legislation by the end of July 2019. Adalah opposed this request. The case remains pending. [Press Release](#)

### **III. INTERNATIONAL ADVOCACY**

#### **Key Outcomes**

#### **International human rights bodies issue strong conclusions and recommendations to Israel on violations of Palestinians' rights**

**1. The March 2019 report of the UN Commission of Inquiry (COI) into the 2018 protests found that Israel's use of live ammunition against the civilian protestors in the Great March of Return was illegal**, and that the Israeli government had not meaningfully investigated and prosecuted Israeli commanders and soldiers – and even expressed doubts over Israel's willingness to do so. The report is a document of major significance, drafted by an international team of legal experts appointed by the UN with strong and specific condemnations of Israel's conduct and policies that provide support and endorsement of arguments made by Adalah and other HROs and development agencies. Adalah submitted all documents concerning its legal work on the Great March of Return with Al Mezan from March-May 2018, and wrote and submitted a 25-page legal report to the COI in 2018, highlighting Israel's inaction and persistent unwillingness to conduct genuine investigations. Adalah participated in the UN Human Rights Council session in Geneva in March 2019, during which the COI's report was discussed, and delivered an oral statement to the UN. Much of Adalah's legal analysis and recommendations was adopted by the COI in the report. Adalah also wrote to the Israeli AG demanding the implementation of the COI's recommendations. [Press Release](#)

**2. The UN CERD Committee issued its concluding observations, including all of Adalah's key concerns.** The UN Committee for the Elimination of Racial Discrimination (CERD), which reviews states' compliance with the International Convention for the Elimination of All Forms of Racial Discrimination (ICERD), issued its COs on Israel on 12 December 2019. CERD issued several strongly critical COs regarding violations committed by Israel against Palestinian citizens of Israel and the Palestinian population of the OPT, including about the Jewish Nation-State Basic Law and its discrimination against non-Jewish people throughout Israel and the OPT; legislation that discriminates against Palestinians living anywhere in the territories under its effective control; segregation between Jewish and non-Jewish communities and any such policies or practices which severely and disproportionately affect the Palestinian population in Israel proper and in the OPT; and the need for Israel to ensure equal treatment for all persons on the territories under its effective control and subject to its jurisdiction. Adalah's key concerns, documented in our advocacy reports and during our presentations before CERD in Geneva during its review of Israel in early December 2019, are included in all four of the issues that CERD identified as being of "particular importance"



(section 55 of the COs): the Jewish Nation-State Law (para. 14); discriminatory laws (para. 16); segregation between Jewish and non-Jewish communities (para. 23); and racist hate speech and hate crimes (para. 27 a). [Press Release](#)

**3. A UN body - for the first time – called on Israel to amend or cancel the Jewish Nation-State Law (JNSL) in order to comply with its international human rights obligations.** The UN Committee on Economic, Social and Cultural Rights (UN CESCR) released its latest concluding observations on Israel on 18 October 2019, which includes a list of concerns, recommendations, and actions that Israel must take in order to comply with its obligations towards Palestinians in Israel and in the OPT (*inter alia*) in the field of economic, social and cultural rights. The CESCR raised deep concerns about the discriminatory effect of the JNSL on the non-Jewish population of Israel/Palestine, including their rights of self-determination, non-discrimination, and cultural rights. It recommended restoring the official status of the Arabic language in Israel, and called on Israel to respond to its concerns regarding aggravation of already-existing ethnic segregation. Among its many concluding observations on the Bedouin, the CESCR criticized Israel's policy of forcible evicting the Bedouin from their ancestral land, sub-standard living standards and lack of basic infrastructure in Bedouin towns and villages, high school drop-out rates, and the rising incidence of poverty and high income inequality among Arab families including Bedouin. Adalah and the Negev Coexistence Forum (NCF) submitted two joint reports to the CESCR focusing on Israel's violations, primarily concerning the JNSL and the rights of Bedouin citizens of Israel living in the Naqab, in January and September 2019. Adalah and NCF additionally gave presentations to the pre-sessional Working Group of the Committee in Geneva on the issues raised in the joint report. An Adalah Attorney spoke at the NGOs briefing to CESCR's review of Israel in Geneva, 30 September 2019, emphasizing Israel's policy of forced displacement against the Bedouin. [Press Release](#)

## **Selected Advocacy Initiatives**

### **United Nations**

In May 2019, **six UN Special Rapporteurs (SRs) issued a joint letter to Israel raising serious concerns about the government's plans to forcibly displace 36,000 Bedouin citizens of Israel living in the Naqab**, among other Bedouin-related issues. The letter was signed by the SRs on cultural rights, adequate housing, human rights defenders, internally-displaced persons, minority issues, and racism and racial discrimination. The letter followed international advocacy conducted by Adalah and the Negev Coexistence Forum (NCF), as well as the Human Rights Defenders' Fund (HRDF) in March 2019, when Adalah and NCF held meetings with and delivered documents to several of the SRs and/or their representatives in Geneva regarding Israel's mass eviction plans of the Bedouin in the Naqab/Negev. The organizations additionally provided materials on these points to the SRs and their assistants. The letter indicates that international human rights experts give credence to our arguments concerning this issue. [The letter of the Special Rapporteurs](#)

In March, Adalah's International Advocacy (IA) Coordinator Soheir Asaad participated in an advocacy mission to Geneva, Switzerland organized by the EUROMED Rights Network. She **delivered an oral statement to the UN Human Rights Council on the subjects of the lack accountability and the Great March of Return (Gaza)** and held meetings with EU member states' representatives concerning the adoption of a new General Assembly resolution on the subject of accountability. She additionally spoke about the subject shrinking space for civil society organizations operating in Israel/the OPT.

In October, the Director of Adalah's Land and Planning Rights Unit, Attorney Suhad Bishara, **travelled to Ireland** and met with the Department of Foreign Affairs, members of parliament, and various other political actors to discuss the Jewish Nation-State Law and other annexation-related issues (Christian Aid-Ireland organized this advocacy mission). She further participated in a closed seminar

at the Irish Centre for Human Rights, National University of Ireland, Galway, having been invited by the UN as part of a group of international legal experts to discuss the issue of annexation.

### **US Advocacy**

In January, Adalah International Advocacy (IA) Coordinator Soheir Asaad participated in a **delegation to Washington, DC** organized by the Adalah Justice Project (AJP) and the US Campaign for Palestinian Rights to advocate against the JNSL and to raise awareness of the proposed annexation laws. Adalah met with the new progressive women members of the US Congress, including Representatives Ilhan Omar and Rashida Tlaib, and participated in advocacy coordination meetings with US-based partners. [Facebook 1](#) / [Facebook 2](#) In November, Adalah's IA Coordinator, Amjad Iraqi, also participated in a **delegation to Washington, DC** organized by AJP and the US Campaign for Palestinian Rights, where they met with congressional staff and progressive members of the US Congress. Amjad raised key concerns of Adalah regarding Palestinian citizens' rights at these meetings.

### **EU, European Advocacy**

In January, Adalah's General Director (GD) Dr. Hassan Jabareen and International Advocacy (IA) Director Rina Rosenberg (Jabareen) participated in a **delegation to Paris**, organized by CCFD and FIDH, to raise awareness and advocate against the JNSL. They met with the Foreign Affairs Ministry, the Ambassador for Human Rights, French CSOs, and gave talks to university and LLM students at the Sorbonne and the University of Nanterre, respectively. [Facebook Sorbonne](#) / [Facebook French HR Defenders](#)

In February, Adalah's IA Director **travelled to Brussels for meetings with EU representatives** (EEAS Israel, Palestine and MEPP) and Susanna Terstal, EU Special Representative for the MEPP to discuss key concerns regarding the JNS Law and annexation laws. She also held meetings with partner networks, EuroMed Rights, CIDSE, and ACTAlliance, and other Brussels-based CSOs to further coordinate European advocacy strategy.

In March, IA Coordinator Soheir Asaad participated in an advocacy mission to Bern and to Geneva, Switzerland organized by the **EUROMED Rights Network**. In Bern, the delegation held meetings with members of the parliament, CSOs, SDC, SwissPeace, and the Forum for Human Rights in Israel/Palestine. She delivered an oral statement to the UN Human Rights Council on the subjects of the lack accountability and the Great March of Return (Gaza) and advocated to European states concerning the adoption of a new UN General Assembly resolution on the subject of accountability. She additionally spoke about the subject shrinking space for CSOs operating in Israel/the OPT.

In March 2019, Adalah and NCF, together with PHR-I and ASSAF, participated in an NGO consultation briefing organized by the **EU Delegation in Israel and held in its offices in Tel Aviv, on the reports that the groups submitted to the UN Committee on Economic, Social and Cultural Rights**. Each of the NGOs gave a presentation on the main ESCR issues that brought before the Committee, followed by a Q&A. Adalah shared our concerns regarding Israel's lack of compliance with the ESCR Covenant regarding the Bedouin in the Naqab. The briefing was attended by representatives of the EU and several EU Member States based in Israel.

In October, Adalah's IA Coordinator participated in an **advocacy mission organized by EUROMED Rights to Brussels for meetings at the European Parliament with the EU's European External Action Service (EEAS)**. Her advocacy focused on the OPT from the perspective of the implications of the Jewish Nation-State Law for Jewish settlement on Palestinian land and on the Palestinians' right to self-determination, and more generally on the mechanisms of annexation used by Israel.

## **Embassy briefings**

Highlights of briefings provided by Adalah to embassy and consulate staff over the course of 2019 include:

**January:** A meeting held with representatives of the German Embassy in Adalah's offices to discuss the Jewish Nation-State Law.

**April:** Attending an expert roundtable meeting in Jerusalem with eight other NGOs hosted by the British Consulate General in Jerusalem and the British Embassy in Tel Aviv on Children in Detention to inform their strategy. Adalah presented on several legal cases including stone-throwing and the denial of social benefits; administrative early release; and violations of the Youth Law by Israeli police and its effects on Palestinian minors in Israel and EJ.

**May:** Adalah General Director Hassan Jabareen gave a talk about the Israeli SCT and OPT cases, and the JNS Law at an Iftar dinner meeting hosted by the British Consulate General in Jerusalem and the Community Action Center-Al-Quds University for the president of Supreme Court of the United Kingdom, Baroness Brenda Hale of Richmond (the first woman top judge in the UK).

**May:** Spanish Ambassador Manuel Gomen-Acebo, Political Affairs Counsellor Ricardo Anino, and Honorary Consul in Haifa and the North Wadie Abunassar visited Adalah to learn about our legal work promoting the rights of Palestinians. Adalah was represented by DGD Sawsan Zaher, IA Director Rina Rosenberg, and IA Coordinator Soheir Asaad. [Facebook](#)

Adalah also held meetings with the EU Ambassador and Head of Operations from EU Delegation in Tel Aviv, the US State Department, and the ambassadors of Australia, the Netherlands, France, and Sweden, at which a range of issues affecting the rights of Palestinians in Israel/OPT were discussed.

## **Study tours in the Naqab**

In 2019, Adalah organized 25 tours in the Naqab. The audience of the tours varied, and include students, solidarity groups, diplomats, and staff of international organizations. The tours were coordinated and led by Marwan Abu Frieih, Adalah's Naqab Office Coordinator and Field Researcher, together with other Adalah staff, depending on the focus of the tour. Highlights of study tours given by Adalah in the Naqab include the following:

**Tour for diplomats:** On 16 January 2019, NCF and Adalah led a tour with 15 diplomats from the EU, Slovenia, Poland, Germany, UK, Swiss, Canada, Ireland and Christian Aid took place. This tour focused on women's rights and women's employment. The tour started with an overview from Umm Batīn. Then the group met Kifaya at Tal 'Arād and Sidreh. Then we had lunch at Sidreh and had a discussion with Amal Al Nasasrah about the role of women in the Bedouin society. The group then met with Sana Ibn Bari to talk about the legal status and activism of women.

**Tour for members of international organizations:** On 26 June 2019, Adalah and NCF led a tour for 11 members of international organizations based in Jerusalem and the West Bank. This tour allowed participants to witness Israel's displacement policies in the Naqab first-hand, speak with Bedouin citizens about their struggle, and engage with fellow organizations on strategies to defend Bedouin communities. The tour included a presentation of the Naqab and Israeli policy and Law, visiting an unrecognized village, and sites of displacement, including via the Ramat Beka special industrial zone and Road 6.

## **Participation in conferences and workshops abroad**

Highlights of this work over the course of 2019 included:

- On 27 April 2019, senior attorney Suhad Bishara spoke at a Middle East Monitor (MEMO)-organized conference on '[Present Absentees: Palestinian Citizens of Israel & the Nation-State Law](#)' held in London. See [Program](#)
- In May 2019, Adalah's coordinator of the Land and Planning Unit Myssana Morany participated in an international seminar *A Sense of Belonging in the City: The role of NGOs in promoting inclusive cities*, co-organised by the municipality of Amsterdam, T.M.C. Asser Institute and NieuwWij in Amsterdam.
- In May, General Director Dr. Hassan Jabareen presented at the prestigious 10<sup>th</sup> Annual Edward Said Memorial Lecture in London organized by the Qattan Foundation. See [Program](#)
- In May, Adalah's Deputy General Director Sawsan Zaher attended an NGO conference in Belgrade, Serbia regarding the new A11 Initiative for Economic and Social Rights.
- In June, General Director Dr. Hassan Jabareen participated in a workshop convened by the Open Society Justice Initiative on strategic litigation in Berlin, Germany.
- In June, Adalah's Deputy General Director Sawsan Zaher spoke on the JNS Law at a conference in the French Senate on the subject of "For equality and democratic freedoms in Israel", organized by I-REMMO. See [Program](#)
- In June, Adalah's Deputy General Director Sawsan Zaher attended an AFSC-organized conference on counter-terror laws and NGOs in South Africa. She presented on how Israel uses these laws to limit freedom of expression rights, particularly of social media users.
- In July, General Director Dr. Hassan Jabareen spoke at the 7<sup>th</sup> Global Minority Rights Summer School convened by the Tom Lantos Institute, the National University of Public Service (Budapest), and Middlesex University London in Budapest, Hungary. The theme of this summer school was "The Economic Rights of Minorities: Land, Labor, and Development". See [Program](#)
- In July, General Director Dr. Hassan Jabareen delivered a paper at a conference on "The Condition of Democracy", at the University of Potsdam, Berlin. See [Program](#)
- In September, General Director Dr. Hassan Jabareen spoke at events to mark the retirement of Prof. Herman Schwartz at the American University, Washington College of Law in Washington, DC. See news from the [Symposium](#)
- From 1-6 December, the Coordinator of Adalah's Naqab Office, Marwan Abu Frieih, attended the Open Society Foundation's 5th Legal Empowerment Leadership Course, in Budapest, Hungary. See [Program](#)

## **Networking events**

### *EuroMed Rights*

- In May, Adalah's IA Director participated in the EuroMed Rights PIP Working Group meeting held in Brussels; she is also the facilitator of the WG. She presented at a session on "Israel's political landscape after the 2019 elections" on the impact of formal annexation (re: laws and legal tools of annexation, discourse of annexation) for the WG's strategies and approach.
- In June, the coordinators of the PIP WG travelled to Israel/OPT for meetings with local partners, including Adalah, and CSOs, and with EU representatives in Jerusalem and Tel Aviv. Adalah assisted with and accompanied EuroMed to several meetings.

- In November, Adalah's IA Director participated in a EUROMED Rights workshop in Madrid on the topic of "What role can Spain play in promoting accountability and justice in Israel/Palestine," together with a meeting of the PIP Working Group.

**Majalat:** In May, Adalah's Office Manager attended a *Majalat* Workshop on Governance workshop on the subject of shrinking space for civil society in Lecce, Italy. Fathiyya gave a presentation on the situation of civil society with regard to shrinking space in the case of Palestine and Israel. See [Program](#) On 2-3 December 2019, she attended the Brussels Civil Society Forum II held by Majalat in Brussels, together with 180 representatives of 130 CSOs, mostly from the MENA region. The themes of the forum included good governance, the rule of law, security and countering violence, and included an exchange with EU officials. See [Program](#)

**Adalah Justice Project (AJP):** In July-August, Adalah's IA Coordinator, Soheir Asaad, attended a four-day convening for Palestinian groups in the US and in Palestine at Pocantico in New York, US, organized by AJP. The programme of events included identifying possibly avenues for joint work and opportunities for pro-Palestinian advocacy in the run-up to the 2020 US elections. In November, Adalah's IA Coordinator, Amjad Iraqi, participating in a follow-up convening organized by the US Campaign, Dream Defenders, AJP, and the Center for Constitutional Rights at the Highlander Research and Education Center in New Market, Tennessee. This convening focused on cross-movement strategy to advance Palestinian self-determination. These events were supported by OSF.

**FIDH:** From 21-25 October 2019, Adalah's Office Manager Fathiyya Hussein attended the 40th FIDH World Congress held in Taipei, Taiwan together with representatives of 184 member organizations from more than 120 countries. The Congress focused on the "Reclaiming the Universality of Human Rights," under the title "Our rights, our fights, our future". During the congress, Adalah was presented and confirmed as a full member of the FIDH. Ms. Hussein participated in meetings focused on issues of shrinking space. See [Program](#)

**ESCR-Net:** From 5-8 November 2019, Adalah's IA Coordinator, Soheir Asaad, participated in the ESCR-Net Strategic Litigation Working Group Strategy meeting, and a meeting with assistants to UN Special Rapporteur on Housing in Kampala, Uganda. participants, spent three days critically evaluating the initiatives of the working group in recent years and deliberating on the direction and content of future work. See [Program](#)

#### **IV. LEGAL EDUCATION**

##### **Direct training of legal apprentices and law students**

Adalah trained three legal apprentices (stagiaires) and law students: Mr. Wesam Sharaf and Mr. Mahran Amarah of Haifa University, and Ms. Adan Tatour of Tel Aviv University. All stagiaires worked closely under the supervision of the General Director and senior lawyers, on a combination of cases, including on behalf of Palestinian citizens of Israel and residents of the OPT.

**Three interns from abroad worked with Adalah:** Jonathan Adler, a postgraduate fellow from Yale University, Joshua Eisen of the University of Toronto, and Katharina Kruger of the Sorbonne University, Paris. We are extremely grateful for their valuable work with Adalah.

##### **Adalah's 14th Annual Palestinian Law Students' Conference**

Adalah held the conference over three days on 12-14 September 2019 in Beit Sahour, near the West Bank city of Bethlehem. The camp brought together Palestinian students from Israeli and Palestinian universities in a very rare opportunity for Palestinian students from Israel and the West Bank to convene in a legal, academic context. Sixty students from Palestinian and Israeli universities participated in the camp, the theme of which was Israel's ongoing, self-declared "State of

Emergency”, under which it has operating since 1948. A series of panels and workshops highlighted different aspects of this state of emergency and the ways in which this situation works to violate the human rights of Palestinians, both citizens of Israel and people living under Occupation. The camp also included a tour of the divided West Bank city of Hebron.

See [Adalah’s Newsletter on the Camp](#), which includes the program, photos and students’ feedback

#### *Feedback from the law students*

- **Marah Maghamsi, Nazareth | 1st year law student, Haifa University:** “The concepts discussed in the panels and workshops were very rich and stimulating. The camp encouraged us as students to approach our course of study and curricula in a more critical eye and to be more engaged.”
- **Murad Demaidi, Nablus | 2018 graduate, An-Najah National University:** “Palestinians lack platforms that bring us together. Adalah was able to give us this platform. It provided us with a safe space where our voices can be heard. Adalah’s camp isn’t just a project, it’s a family.”
- **Lama Moaddi, Maghar | 1st year law student, Tel Aviv University:** “The visit to Hebron was an eye opener for me. Even though I thought I was familiar with the situation there on paper, it was a completely different experience to actually be there and visit the city. Meeting students from the West Bank was the highlight of the camp for me. We learned so much from each other!”
- **Duaa Abbas, Haifa, | 3rd year law student, Tel Aviv University:** “I felt very empowered and inspired to be in an inclusive Palestinian environment where all the participants are politically aware and engaged in studying the Palestinian cause.”

#### **Professional Legal Training**

Adalah organized a short course, as part of an EU-funded project, consisting of four training sessions for 15 Bedouin lawyers and advanced law students (including two women) in the Naqab, in close cooperation with the NCF and the Union of Arab Lawyers in the Naqab, and Huquq. The course title was “The Right to Land and Housing in the Naqab”, covering relevant aspects of the law, the planning regime, and international advocacy. The sessions were held in June and July 2019 in Be’er Sheva. The themes of the sessions were as follows: See the [Program](#) (Arabic)

- 18 June 2019: “The Kaminitz Law and Analysis of the Planning Regime”, led by Architect Dafna Saporta of Bimkom: Planners for Planning Rights and Adalah Attorney Myssana Morany, Coordinator of Adalah’s Land and Planning Unit.
- 25 June 2019: “The Jewish Nation-State Law – A general perspective and implications for the Naqab”, led by Adalah’s General Director, Attorney Hassan Jabareen.
- 2 July 2019: “Forcible displacement and recognition of villages in the Naqab”, led by Attorney Dr. Morad al-Sana’, founder and co-director of the Al Huquq Center, and Attorney Morany.
- 16 July 2019: “International advocacy on the right to land before the UN”, led by Adalah Attorney Soheir Asaad and Amir Abo Qweder of NCF.

#### *Feedback from participants in the legal training*

Adalah conducted post-training interviews with five of the participants (inc. one woman) in the training course, who rated the overall quality of the training at an average score of 7.8 out of 10. The participants were asked (among other questions): (1) In what ways was the training of benefit to you? and (2) Did the training help you professionally? All five of the interviewees stated that they had benefited from the training and three stated that they would use what they had learned in their future legal work. Their specific responses included the following:

- (Participant 1) “I learned a lot from the theoretical data presented in the two sessions. [The first] session was very interactive and allowed all the lawyers present to participate in the lively discussion held, which allowed us to develop a better understanding of the subject. ...”
- (Participant 2) “The discussion that followed the panels was my favourite part about the workshop. I learned a lot from the diverse set of opinions that the participants raised. Also, the

methodology by which the theoretical material was presented was very clear and easy to follow. It started from very basic concepts and slowly built toward more complex explanations and examples. ...”

- (Participant 3) “My favourite part of the training was [Adalah General Director] Hassan Jabareen’s lecture on the Jewish Nation State Law. It was very interactive and the discussion that followed it was at a very deep and sophisticated level. I also learned a lot from the lecture on forced displacement and the unrecognized Bedouin villages. ...”
- (Participant 4) “I learned a lot about the pressing issues in the Naqab through the training. I was a little embarrassed as someone who grew up in the Naqab that I was not aware of the specifics of what’s happening here. I didn’t really know anything about the Kaminitz Law, and I learned a great deal about it during the session. The session was very informative and stimulating as the speakers who delivered it were very knowledgeable. In addition, I was very happy to see lawyers who don’t usually participate in this kind of workshops attending the training.”
- (Participant 5) “The large quantity of information presented during the workshops, coupled with the speakers’ professional work experience, helped me to gain a better grasp of the concepts discussed. The best thing in my opinion was the interaction and the lively discussion that took place during the workshops. It was very good that the speakers didn’t rely on dry theoretical material in delivering the workshops. The workshops gave us various tools that we can use as lawyers in complex legal cases.”
- (Participant 1) “The sessions were of great help to me as a lawyer, especially Jabareen’s session on the Jewish Nation State Law. Through the discussion during the workshop I heard many arguments about the Nation State Law and we tackled it from many different angles. I am now well equipped with the necessary terminology and facts and I can continue to advance it through my legal work.”
- (Participant 4) “The training enabled me to become up to date on the most pressing cases in the Naqab. I’m now able to navigate the complex reality of the Naqab with the right professional legal terminology.”
- (Participant 5) “I now have the legal terminology to tackle a lot of the cases discussed during the training. I can use it in my practice as a lawyer.”

### Visiting delegations

Adalah hosted 25 visiting delegations in Adalah’s offices in Haifa over the course of 2019. These included the following:

- A 20-person delegation from Harvard University, US, on 10 January 2019
- A 17-person delegation from the University of Oxford, UK, on 23 March 2019
- 21 members of the Dream Defenders Delegation (US) on 23 August 2019
- A group of French officials and journalists on 31 October 2019
- Students from the University of Fulda, Germany on 21 November 2019

### Position papers

Adalah published three position papers during 2019, which it promoted widely on its website and social media sites.

- **The Illegality of Jewish Nation-State Law’s Article 7: Promoting Jewish Settlement as a National Value.** Released in March 2019, this paper details the implications of Article 7 of The Basic Law: Israel – The Nation State of the Jewish People, on land and housing policy in the 1967 Occupied Territories and inside Israel. Adalah’s used the paper extensively as an advocacy tool on missions before the UN and EU. [The position paper](#)

- **The State of Israel’s Use of the Principle of “Good Faith” to Confiscate Private Palestinian Land in the Occupied West Bank – in “Bad Faith”** : This position paper, released in December 2019, details Israel’s use of the ‘good faith’ exception from contract law to confiscate private Palestinian land in the Occupied West Bank. [The position paper](#)
- **The Illegality of Israel’s Plan to Transfer Palestinian Bedouin Citizens of the State into ‘Refugee Displacement Camps’ in the Naqab (Negev)**. This position paper released on human rights day in December 2019, details how the State of Israel is taking the first steps towards establishing ‘refugee displacement camps’ designed to house tens of thousands of Palestinian Bedouin citizens of the state. [The position paper](#)

## **Media and Social Media Outreach**

Adalah produced wrote and distributed **66 press releases** on its work in English, **91** in Arabic, and **70** in Hebrew in 2019. Adalah’s work was featured on hundreds of news websites and newspapers, mainly through favorable coverage of our messages, creating greater visibility for Palestinian rights issues in the media. Adalah staff and board members also appeared on TV and radio.

2019 was a very successful year for Adalah’s media outreach work, due to several high-profile cases that we worked on. About six cases / issues were covered heavily both in Israel/OPT and abroad, including the (1) Israeli national elections in April and September (disqualifications, cameras law, incitement by Netanyahu and other politicians against Arab voters); (2) Afula public park and the municipality’s unsuccessful attempt to ban Arab citizens; (3) Salwa Copty, a Palestinian woman who after dozens of years was finally able to visit the grave of her father in a Palestinian destroyed village, now a closed military base; (4) The return of boats to Gaza fishermen, seized by the Israeli navy; (5) the Gaza crop-spraying case; and (6) Israel’s announcement that it reconsider the enforcement of criminal laws against Palestinians for picking Zatar, Akoub and Maramiya, staples of Palestinian cuisine. Highlights of media coverage are noted throughout the report.

### **Heightened profile in local Hebrew-language media**

Adalah gained a higher profile in the local Hebrew media, including coverage on primetime television and radio, for its cases, including via Hebrew-language producers, journalists and editors who have not traditionally covered them. Examples of cases that were covered on Israeli TV are the za’atar/’akoub case, the case about the ban on entry of non-residents into a public park in Afula, and the Salwa Qopty case. Much of this coverage was also relatively sympathetic to Adalah’s perspective.

The Hebrew media has always been a very challenging environment for Adalah to operate in, and has been becoming more hostile over time. It is challenging for Adalah to achieve positive or even neutral coverage of our cases in most publications. This increased exposure allows for a wider audience in the Hebrew speaking community to hear Adalah’s perspective.

In late 2018, in an attempt to make greater inroads into the Hebrew media, Adalah hired a new Hebrew media coordinator who has a deep understanding and extensive experience of the media landscape in Israel, and who takes a strategic approach to pitching stories to a wide range of journalists. The coordinator is highly responsive to the editorial priorities of the various media outlets, as well as drawing on universal and human-interest themes within the cases (non-confrontational approach, engaging in common themes), and highlighting cases with striking visual elements that are attractive for TV/video. With these new approaches, in 2019 Adalah was able to achieve good coverage in the prime-time Hebrew media, and in various mediums: radio, TV, web video. This increased exposure allows for a wider audience in the Hebrew speaking community to hear Adalah’s perspective. Examples of primetime coverage on leading radio station *Kan Bet* (the radio station with the highest listenership in Israel, with approx. 1.67 million daily listeners):



- Coverage of the phosphates mine case (Al-Fur'a) on *Kan Bet*:  
<https://player.fm/series/kan-bet/bmshrd-lhgnt-hsbybh-mrv-lnv-shlkhyvt-lyd-mkrh-pvsptym-zh-kmv-lgvr-lyd-mpyyh>
- Coverage of the “admissions committees” case on *Kan Bet*:  
<https://omny.fm/shows/this-morning/19-6-2019?t=39m3s>

A further example is a video story published by *Ynet* (Hebrew) on cases concerning the lack of access to schools in the Naqab: <https://www.ynet.co.il/articles/0,7340,L-5602131,00.html>  
[Among the widest read websites in Hebrew in the country]

## **Social Media Content**

### *Infographics*

Adalah produced almost 20 infographics for distribution on social media channels, dealing with a number of issues including:

- [12,000 Bedouin kids in southern Israel face life-threatening danger just trying to get to school](#), October 2019
- [Adalah demands accountability for the deaths of Palestinian citizens](#), October 2019
- [Salwa Copty](#), August 2019
- [Segregation between Arabs and Jews](#), June 2019
- [Israeli snipers illegally shot civilians](#), March 2019

### *Commemorating International Days*

- International Human Rights Day with a [report](#), December 2019
- Nakba Day with a [photo](#), May 2019
- Palestinian Prisoners' Day with an [infographic](#), April 2019
- Land Day with an [infographic](#), March 2019

## **Website, Facebook/Twitter/Instagram**

During the reporting period, Adalah frequently updated its [trilingual websites](#) and maintained and updated its two Facebook and Twitter pages (Arabic and Hebrew; and English) as well as a new Instagram account launched in 2018.

Website statistics (2019): 89,883 visitors, up from 89,000 in 2018

Adalah was also active on social media, including using a broad range of visual materials, which helped to increase awareness of Palestinian human rights issues among a wide audience, and especially youth.

- Adalah's English [Facebook page and Arabic/Hebrew Facebook page](#) together attracted 23,552 followers, up from just over 23,000 in 2018.
- Twitter, all languages, 10,600, up from 10,000 (2018): [Arabic and Hebrew account](#), [English account](#)
- Instagram, launched an account in 2018: 908 (June 2019), up from 637 followers (2018)

## **Newsletters**

Adalah produced 8 newsletters, which were distributed to thousands of subscribers to our mailing lists, and various listservs and via Facebook.

- [Why Gaza's March of Return began on Land Day, March 2019](#)
- [The Israeli elections are over. Now what?, April 2019](#)
- [71st Nakba Day: We resist through law, May 2019](#)

- We're taking the city of Afula to court, July 2019
- We took Afula to court - and won!, July 2019
- 14th Adalah Law Students Camp, September 2019
- International Day of Solidarity with the Palestinian People, November 2019
- What do bread and herbs have to do with justice for Palestinians?, December 2019

## **V. INSTITUTIONAL DEVELOPMENT**

### **Staff Capacity-Building**

*ICC-conducive framing of legal work:* Adalah has begun a process of further conceptualizing some of its legal work in relevant subject areas within the framework of the Rome Statute and ICC caselaw. In this regard, Adalah staff received a training session on the issue of forcible transfer and conducted an ICC-training needs assessment (2 April).

*Media trainings, information security:* Adalah's media department staff attended digital media conferences/trainings hosted by NGOs, and organized media trainings for Adalah staff. Three trainings were held for staff during the reporting period: for Adalah lawyers', interviewing skills for hostile Hebrew media; for all staff, photography using our mobile phones; and for international advocacy and media staff, media messaging. In addition, Adalah staff also participated in a half-day session on information security for our office computers and mobile phones.

### **Project Monitoring and Evaluation**

Adalah employed the following PME procedures in 2019:

(i) Ongoing monitoring meetings: Project staff held periodic monitoring meetings about the project work and progress towards project goals, and incorporated relevant changes into the organization's overall and department-based work plans.

(ii) Financial monitoring: Adalah's finance team carried out monthly reviews of the organization's finances and expenditures, including monitoring of the project budget. An external financial audit was conducted of 2018, and the report was distributed to donors.

(iii) Evaluation: Adalah carried out a semi-annual evaluation of the project in August 2019, and a full-year evaluation in January 2020, the findings and conclusions of which are incorporated into the current narrative report.

(iv) Feedback from beneficiaries/rights holders: See above: Adalah's 14<sup>th</sup> Annual Palestinian Law Students Conference, feedback from the students and Professional Legal Training for Bedouin Lawyers in the Naqab, feedback from participants.

### **Financial Management and Fundraising**

*Strategic resource development process:* An external evaluation conducted in 2018 recommended that Adalah take measures to further ensure its long-term financial sustainability. In March 2019, Adalah began a process that will enable us to take a more strategic approach to expanding and diversifying our donor base. The principal aim is to put Adalah in a better position to substantially expand its resources in 2020 and beyond, with the infrastructure, staff and capacity-building required for the financial viability of Adalah's future, as traditional sources of institutional grants and funding are decreasing. Adalah is working with an external consultant to guide and facilitate the process of producing a new fundraising strategy and work plan. During the reporting period, we conducted an assessment of our fundraising over the last three years, including mapping out our current and potential assets, assessing trends in funding to Adalah from various sources in recent years, and holding discussions with various internal and external stakeholders to benefit from their perspectives

and insights. The process continued during the second half of 2019 with workshops for Adalah's management team on strategic fundraising, and with the drafting of a fundraising work plan for the organization for the last quarter of 2019 and the first quarter of 2020. In addition, the process resulted in the drafting of a job specification for a new staff member for the fundraising team, based on current and anticipated future needs, in the position of resource development associate, and post that was successfully filled in February 2020.

During the second half of 2019, Adalah secured two major gifts from private individual donors, in the amount of \$100,000 each for the 2019-2021 period. Adalah invested greater efforts into this area of fundraising, and will continue to do so in 2020 and beyond as part of the ongoing strategic resource development process.

### **Assessment of Risks**

**1. RISK: Shrinking space for HROs:** Adalah and other HROs in Israel and the OPT are facing what is, in our view, an unprecedented external threat to their funding. Adalah's budget is smaller, requiring staff and program cuts.

Comment: During 2019, the main aspect of shrinking space that Adalah faced was shortages in funding due to a contracting donor pool. Several donors will end their contributions to Adalah in 2020. In response, Adalah worked intensively on strategies for diversifying its donor base (see Institutional Development, above, about our ongoing strategic RD process).

*Note:* In March 2020, the coronavirus pandemic has emerged to present an unprecedented threat to funding for Adalah and most HR NGOs in the world. Adalah has postponed carefully-laid plans for fundraising from individuals in the US and in the UK due to this global public health crisis. We expect to be dealing with the ramifications of this new threat to our funding in 2020 and 2021.

**2. RISK: Erosion of the rule of law:** The Supreme Court consistently fails to rule in many cases, forcing the parties to negotiate settlements, which then do not have the power of judicial decisions. When it does issue decisions, they give the widest scope to governmental authority and the rulings are unfavorable to human rights.

Comment: This risk materialized in part in 2019 in particular as a result of repeated round of national elections and the protracted functioning of the caretaker executive branch that is governing the state in the absence of a coalition. A major result has been blockages in the legal system, and delays in decisions on major cases before the Supreme Court.

*Note:* In March 2020, the caretaker government is taking decisions for which it does not have statutory authority and without adequate oversight re: the coronavirus pandemic.

**3. RISK: Mass home demolitions and forced displacement of the Bedouin in the Naqab:** Should the government implement these plans, Adalah would need to direct all resources to countering this threat, which could delay the achievement of its strategic objectives, possibly for a prolonged period of time.

Comment: The government continued to pursue its policy of forcibly displacing and urbanizing Bedouin citizens in the Naqab and concentrating them on a limited amount of land in a small number of government-recognized townships and villages in 2019. New plans announced in 2019 are plans to forcibly displace 36,000 Bedouin from the unrecognized villages, and to transfer many of them to refugee displacement camps (see above for more details). The government is also incorporating forced displacement measures into land plans, legislation, and zoning policies, in less visible manner that is more complex to trace and challenge. However, 2019 did not witness a mass evacuation campaign, as the government continued to evict residents in a piecemeal manner, on a house-by-

house basis, frequently coercing people to demolish their own homes under threat of prohibitive fees imposed for state-executed demolitions.

**4. RISK: Enactment and implementation of “Annexation Laws” (OPT):** The Israeli government/Knesset is currently considering a long list of proposed bills to annex settlements (e.g., “daughters of Jerusalem” and the wider West Bank), legalize more settlements/outposts built on private Palestinian land, among other measures. Each of these steps makes the viability of a Palestinian state less feasible, and further entrenches an apartheid regime in Israel/Palestine.

Comment: During the year, mass annexations based on legislation did not take place, in part due to ongoing political deadlock in Israel. It did proceed via other means, however, on a smaller scale more likely to fly under the radar, including by the publication of open bids offering “state land” in the West Bank by the Israel Land Authority (ILA), and "good faith" land confiscations (see above for details of Adalah’s position paper on this subject). However, the state’s intention to annex and expand the settlements and the US administration’s support for this project became clearer and more explicit than ever (as noted above in “Context”).

Note: A major issue for the Israeli government in 2020 is whether and to what extent to go forward with aspects of the Trump Plan, in advance of the November 2020 elections in the US, given the needed emphasis on emergency health and economic issues raised by the coronavirus.

**Adalah Staff 2019**

Name	Position	Full or Part-time	Relevant Professional Background
<b>MANAGEMENT TEAM</b>			
Dr. Hassan Jabareen, Advocate	General/Legal Director, Founder of Adalah	Full-Time	PhD in Law. 27 years of Supreme Court litigation; Adjunct Lecturer, TAU, Haifa Law Faculty
Sawsan Zaher, Advocate	Deputy General Director, Senior Attorney	Full-Time	LLM, BA in Law; 20 years of legal experience
Suhad Bishara, Advocate	Director of Land and Planning Unit, Senior Attorney	Part-Time	Candidate for PhD in Law, LLM and BA in Law; 23 years of legal experience <i>Based in London</i>
Ghassan Kharouba, CPA	Finance Director	Part-Time	Certified Public Accountant for 30 years
Fathiyya Hussein	Office Manager	Full-Time	30 years of experience as an administrator
Mati Milstein	Director of Media and Public Relations Department	Full-Time	20 years of experience as a photojournalist
Rina Rosenberg (Jabareen), Esq.	International Advocacy (IA) Director, Co-Founder of Adalah	Full-Time	Qualified attorney NY (US), LLM, JD in Law; 25 years of experience in IA and fundraising
<b>LEGAL DEPARTMENT</b>			
Fady Khoury	Attorney, Civil and Political Rights Unit	Part-Time (school breaks)	LLB in Law Haifa Univ; clerked for Isr Sup Ct Justice Salim Joubran. LL.M., Harvard Law School. <i>Based in Boston</i>
Rabea Eghbariah	Attorney, Civil and Political Rights Unit	Part-Time	LLB in Law TAU and BS computer science from Haifa Univ. Clerk in the national

			public defender's (PD) office and worked for the PD in Sup. CT cases dept. <i>Left Adalah in 8.2019 for LLM at Harvard Law School, based in Boston</i>
Maria Zahran	Freedom of Expression Coordinator	Part-Time	LL.B. from Haifa University
Myssana Morany	Attorney and Coordinator, Land and Planning Unit	Full-Time	LL.B and LL.M Faculty of Law Haifa Univ; Legal apprentice, legislation and legal advice unit, Attorney General's Office Jerusalem.
Nareman Shehadeh-Zoabi	Attorney, ESCR Unit	Full-Time	LLB in Law and BA in psychology Hebrew Univ. legal internship in the Haifa district criminal prosec. office. <i>Maternity leave from 11.2019</i>
Sari Arraf	Attorney, ESCR Unit	Full-Time	LLB Haifa Univ, legal apprentice, State Prosec. Office; MA in HR Sciences Po; researcher at the Geneva Academy for IHL and HR
Wesam Sharaf	Legal Apprentice	Full-time	LLB Haifa Univ; ICRC int'l law competition,
Marwan Abu Freih	Naqab Office Coordinator, Field researcher	Full-time	Social activist and law student, College of Law and Business R. Gan
Adan Tatour	Law student	Part-Time	4 <sup>th</sup> year student, TAU law school
<b>INTERNATIONAL ADVOCACY AND MEDIA DEPARTMENTS</b>			
Katie Hesketh	Publications Coordinator	Part-Time	Worked as Public Policy Unit Asst for CAFOD -UK; MSc in Int'l Relations from LSE and BA in Arabic and ME from Durham Univ.
Soheir Asaad	Int'l Advocacy Coordinator	Full-Time	LLB, Hebrew Univ.; LL.M. Univ. of Notre Dame focus on int'l HR. Former parliam. assistant.
Amjad Iraqi	Advocacy Coordinator	Part-Time	BA Univ. of Toronto; MA Public Policy, Kings College. <i>Left Adalah in 11.2019, with +972 mag.</i>
Rami Haider	Arabic Media Coordinator	Full-Time	BA in Arabic and political science from TAU; worked for 5 yrs journalist, online and TV
Ari Remez	Hebrew Media Coordinator	Part-Time	Political activist; media and campaign coordinator for "Shutafut-Sharakah"
<b>FINANCE AND ADMINISTRATION</b>			
Basheer Al-Saleh	Accountant	Part-Time	BA in Economics and Accounting; worked for 15 years in private accounting offices.
Shireen Zmorrod	Administrative Assistant	Full-time	Degree in accounting; worked with insurance companies.
Alia	Housekeeper	Part-time	

## **Board of Directors – 2019**

<b>Name</b>	<b>Position in Adalah</b>	<b>Occupation/Affiliation</b>
Prof. Mahmoud Yazbak	Chairman	Lecturer in Middle East History in the Faculty of Humanities at Haifa University
Dr. Eman Abu Hanna-Nahas	Member	Head of the Department of Education at the Teacher's College in Haifa
Khalid Dagash	Member	Advocate, private law firm, Haifa
Abdel Aziz Ibrahim	Member	Advocate and CPA, private firm
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Dr. Mansour Nasasra	Member	Lecturer in the Dept. of Politics & Government at Ben Gurion University
Nasim Shaqr	Member	Advocate, private law firm, Yaffa

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