

Im Tirzu Report 5774

**Politicization
in the Legal Clinics
at the University
of Haifa**



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Table of Contents

Summary	5
Introduction	8
Who do the Clinics Represent in Court?	9
Are Those Represented Truly “Voiceless”?	10
Who are the Clinic Heads?	12
Which Organizations Partner for the Clinics’ Activities?	13
Conflict of Interest between the Clinics and the University	14
Content of the Legal Cases	15
1. The Clinic for Prisoners’ Rights and Reentry	15
2. The Clinic for Human Rights in Society	16
3. The Clinic for the Rights of the Arab-Palestinian Minority	17
Student Instruction - One Version in Hebrew, Another in English	19
Conclusion	22
Recommendations	23
Appendices	25
Appendix A – Screen Shots	26
Appendix B – List of Organizations:	29
Appendix C – Examples of Appeals and Legal Activities	38
Appendix D – Student Council of the Faculty of Law, Meeting Records	44

1. שירות בתי הסוהר
2. משרד החינוך

הודעה מוסכמת מיום

עביר בכר
דנה בריסקמן

פסק-דין

כי גובשה ביניהם
במדינה בתנאים
אחרים

Summary:

“Give the voiceless a voice. This is the essence of what the clinics offer law and social change”. The legal clinics of the Faculty of Law in the University of Haifa chose these impressive words to begin the summary of their charter. This report will cover the activities of the legal clinics and will study if they truly promote their stated goal, or if they are used to promote other activities, which are not worth of an academic framework.

The study began following a string of harsh complaints received by ‘Im Tirzu’ from students that felt taken advantage of and hurt. To get down to the root of the issue, hundreds of documents, appeals and verdicts were reviewed. In addition, the journalistic coverage of the clinics as well as the clinics own publications were reviewed.

The data in the report leads to a harsh conclusion: the law clinics at the University of Haifa are abusing their intended purpose. Instead of “giving the voiceless a voice”, the clinics have become branches of post-Zionist and anti-Zionist organizations, who strive to promote the delegitimization of Israel around the world. The most prominent of these organizations is ‘Adalah’, but among the organizations one can also list ‘Taayush’, ‘Karameh’, ‘Mossawa’, ‘Physicians for Human Rights’, and the ‘Association for Civil Rights in Israel’.

Many of these organizations are funded by the non-Israeli organization the ‘New Israel Fund’, and its operational branch ‘Shatil’, as well as funds supplied by foreign governments. At the head of these clinics stand individuals who belong to these same organizations, and are occasionally even employed by them directly. Moreover, the clinics don’t only function as stamps of approval for these organization, but also act as a financial pipeline for monetary expenses, as a human resources section, and as an administrative base for their legal activities.

An examination of the legal activities of the clinics reveals a branched system of appeals and claims, the vast majority of which are derived from an anti-Zionist perception. For instance, the Clinic for Prisoners’ Rights and

Reentry has a large concentration of aid for Israeli-Arab security prisoners that have committed heinous acts of terrorism and espionage; the Clinic for Human Rights in Society is revealed as a dual-purpose system that works on the one hand to curtail Jewish building in Acre on the one hand and to strengthen Arab citizens in the city and fund the upkeep of their houses by the state on the other hand. Similarly, a parallel clinic ran a campaign in favor of an illegal Arab settlement and against the development of an adjacent Jewish settlement. There is also the Clinic for Arab-Palestinian minority Rights, which fights the confidentiality of security investigations and the security checking procedures at the airport. All under academic cover and with academic funding.

The research also shows problematic management in the field of disclosure towards students and the Israeli public. The internet website which is meant to supply a complete picture of the clinics' activities makes sure to downplay the parts of the clinics in the anti-Zionist activities, creating the impression that they are motivated purely by social goals. A more thorough investigation reveals significant differences between the Hebrew version of the website and the English version, which is aimed mainly at donors. For instance, the English website raises issues such as "Promoting minority rights on the national front" and "Arab minority rights with regards to land and property", which do not appear on the Hebrew website.

During registration for the clinics, students are given lacking information, which harms their ability to fully understand what type of system they are joining. Students who register in order to earn academic credits find themselves captive in a mechanism that promotes distinct political values. For instance, students in the clinics are forced to represent a murdering terrorist or assist a serial rapist, when above them looms the academic authority of the authoritarian and experienced clinic head, facing the student making his first professional steps. All these transform the clinics from a social and educational project to a rampant, one-sided and political indoctrination mechanism. The clinics represent an academia that is debate-free and bereft of all pluralism or thinking alternatives, wherein the student that is seeking academic recognition must at times act in complete opposition to his own conscience.

In addition to promoting anti-Israeli nationalistic goals, a previous report¹ shows that an initiative to open a clinic that would protect the legal rights of Israelis facing lawsuits accusing them of being "war criminals" was blocked. The reason for the denial was that the issue was "political and controversial".

In conclusion, the data shows that the clinics in their current configuration most definitely do not "give the voiceless a voice". In reality, they promote an anti-Zionist agenda, assist radical nationalistic organizations and elements

that fight (even violently) against Israel as a Jewish democratic state. The clinics attempt to hide their misconduct from the public, which harms the students by taking advantage of their innocence.

The results of the report are harsh. We expect the oversight authorities to rethink the legitimacy of the activity in the University of Haifa's legal clinics, and that in the nature of protecting the students and their basic right, to increase the oversight over the rest of the clinics. We will discuss this at greater lengths in the Recommendations chapter.



Introduction:

Legal clinics are practical workshops within the framework of the Faculty of Law, whose goal is to allow students to experience legal activities even before they finish their studies. With time, the clinics evolved into an academic tool that harnesses the students for social goals. The clinics are run by experts who belong to the university faculty or social organizations who are interested in receiving aid. Students register for the clinic and act according to the instructions of the clinic head, and in return receive university credits. Every law faculty in Israel has a clinics program. This report focuses on the program at the University of Haifa.

On their internet website, the clinics vow to “Give the voiceless a voice”. The purpose of this report is to study the activities of the clinics and the correlation between their stated intent and their actions.

To determine the true nature of the clinics, we studied several research questions: Who head the clinics, what organizations work alongside the clinics, who the clinics represent, and whether those being represented truly are “voiceless”. Special emphasis was placed on the question of what are the projects being promoted by the clinics and whether they can be associated with a concise ideological agenda. Finally, we asked how the clinics represent themselves to the public, and whether there is a match between their displayed public image and their true activities.

Who do the Clinics Represent in Court?

An examination of the people represented by the clinics reveals a reliable picture of the purpose of the clinics' activities. During the preparation of the report, use was made of legal databases allowing access to the cases the clinics were involved in. The case list shows an obvious and unequivocally clear trend.

Out of over 20 legal cases the clinics have run since 2009, only two dealt with Jews. In the rest of the cases, the clinics represented Arabs against the state (in one case the person being represented wasn't even an Israeli citizen). The situation in the Clinic for Prisoners' Rights and Reentry is particularly severe. In Israel today there are over 10,000 prisoners, out of which a mere 132 (approximately one percent) are Israeli Arab security prisoners. Out of 10 cases handled by the Clinic for Prisoners' Rights and Reentry, eighty (80 percent) assisted security prisoners, the large part of whom are terrorist murderers. Here is a breakdown of the cases handled by the Clinic for Prisoners' Rights and Reentry:

1. Walid Daka, a security prisoner convicted² of being a member of a squad that kidnapped and murdered the soldier Moshe Tamam³ (See Appendix C1).
2. Salah Saeed, a security prisoner that participated in a terrorist shooting which resulted in the death of IDF soldier Yair Turgeman⁴ (See Appendix C2 and C5).
3. Karim Younes, a security prisoner convicted of murdering IDF soldier Avraham Brumberg⁵ (See Appendix C2).
4. Raed Salahot, a security prisoner convicted of attempted murder, as well as aiding the enemy in time of war; and shooting at a police station⁶ (See Appendix C2 and C5).
5. Fouad Sultani, a security prisoner convicted of spying for Hezbollah⁷ (See Appendix C2).
6. Alaa Al Bazian, a security prisoner convicted of shooting at civilians.⁸
7. Ahmed al Haieb, a security prisoner convicted of spying for Hezbollah.⁹
8. Ismail Tarabin, a Palestinian from Gaza who was arrested after illegal residence in Israel. In this case the clinic represents a person who isn't even an Israeli citizen.¹⁰
9. Mahmoud Magadba, a criminal prisoner convicted of a series of brutal rapes.¹¹
10. Muayad Bushnak, a criminal prisoner convicted of fraud.¹²

Are Those Represented Truly “Voiceless”?

“Give the voiceless a voice. This is the essence of what the clinics offer law and social change”. So the legal clinics describe their activities on their internet website. But instead of “giving the voiceless a voice”, the clinics chose to provide a megaphone to anti-Zionist elements with access to the media and the legal system that is unrivaled by that of the regular citizen. The people represented by the clinics are given a favorable review by a newspaper with a large circulation. The choice to deal specifically with these cases directly affects the populations and sectors that need the assistance the most. Below are listed some of the more prominent cases:

- Security prisoner Walid Daka had a relationship with Gideon Levi and author Sami Michael and was the subject of a column in Ha'aretz.¹³ An article written by Gideon Levi presented a 1,500 word letter Walid Daka wrote to his “friend” (according to Levi) Azmi Bishara. Daka, convicted of murdering a soldier, is described by Levi as “A former painter, who worked in Tel Aviv and Eilat, who plastered the walls of the Sonesta Taba, was imprisoned at the age of 24, and is already 44 years old”. Gideon Levi says that he had already met Daka in 2001 and had a relationship with him by post. In addition, in one of the appeals the clinic filed it was written that “The appellant (Daka) and the author Michael have forged over the years a friendly relationship, and he has even enjoyed several visits from him”. Is this the “voiceless” person that needs the clinic to shout for him?
- Security prisoner Alaa Al Bazian who was also represented by the clinic for prisoners’ rights also appears in the article. The spy Bazian is described by Levi as “The blind prisoner, Alaa Al Bazian, who isn’t allowed to touch his family”.
- Serial rapist Mahmoud Magadba, who was represented by the clinic has become a serial appellant.¹⁴ Five years ago the Israel Prison Service was able to list approximately 120 legal proceedings that Magadba filed

against them. It seems as if Magadba is the last person who can fit the criteria of “Voiceless and without access to the legal system”.

- ❑ Karim Younes was the subject of a ‘Ha’aretz’ article.¹⁵
- ❑ Ahmed al Haieb was the subject of a ‘Ha’aretz’ article.¹⁶
- ❑ Muayad Bushnak was the subject of a ‘Ha’aretz’ article bearing the headline: “Israel Prison Service is Preventing me from Marrying my Love - a Palestinian Prisoner”.¹⁷
- ❑ The illegal settlement Dar Elhanoun which receives aid from the clinic for Arab-Palestinian minority rights boasts a website with no less than nine ‘Ha’aretz’ articles.¹⁸ In addition, the settlement gets exposure in websites such as ‘The Occupation Magazine’¹⁹, ‘The Arab Center for Alternative Planning’²⁰, ‘Adalah’²¹ and more.
- ❑ The struggle against building a neighborhood by Jewish entrepreneurs in Acre was revealed in ‘Ha’aretz’ before the Clinic for Human Rights in Society joined it²². The headline of the article, “Public Land in Acre Marketed for Jews Only”, was proven false in court.



Who are the Clinic Heads?

The most significant factor in the clinic is the person who heads it. He has the capability to shape the overall picture that is received from the various projects he is responsible for. Usually the clinic heads remain in their position for years, and therefore have the ability to promote long-term goals and maintain a stream of activities even when students are replaced. The obvious advantage the clinic head has over the inexperienced students makes him an influential and authoritative figure. The autonomy enjoyed by the clinic head grants him the freedom to promote an agenda without suffering from institutional criticism.

Therefore there is great importance to examining the background of the clinic heads. It is particularly important to enquire as to conflicts of interest that may be created between the university, under whose auspices the clinic operates, and other organization, with whom the clinic head may be connected. Close examination shows that four out of the eight clinics in the program are run by attorneys with clear affiliation to radical, anti-Zionist organizations. In several of the cases, the clinic staff works directly for those same organizations:

1. The head of the Clinic for Prisoners' Rights and Reentry, Attorney Abir Bacher, is a senior attorney at Adalah²³, represents Adalah at anti-Zionist incitement and persecution conventions²⁴ and files appeals on behalf of the organization. She also cooperated in the authorship of a book, along with Anat Matar, that praises Palestinian terrorist murderers.²⁵
2. The three founders of the Clinic for the Rights of the Arab-Palestinian Minority, Attorney Durgam Saif, Dr. Yosef Jabareen and Dr. Ilan Saban are graduates of the New Israel Fund's jurist's program²⁶. Attorney Saif represents the Karameh organization²⁷ and Dr. Jabareen is head of the "Dirasat" Center²⁸, which recently headed the "Israel Apartheid Week" events in Nazareth.²⁹
3. The Legal Feminism Clinic staff includes Attorney Revital Kishinevsky and Attorney Sana Ibn Bari¹, who also work at Itach-Maaki³⁰. The head of the Clinic of Law and Maritime Resources Policy is Nadia Mogilevsky, who works at the Association for Distributive Justice.³¹

* It is worth mentioning that Attorney Ibn Bari is employed as the "Attorney, Beer Sheva branch"

Which Organizations Partner for the Clinics' Activities?

In addition to clinic heads' direct affiliation with anti-Zionist organizations, the clinics themselves run many projects in cooperation with various organizations. An examination of the clinics' collaborations reveals a close-knit circle of organizations representing the Arab line of thought, which objects to the existence of the State of Israel as a Jewish state. Following is a sample list of the collaborations:

- The Clinic for Prisoners' Rights and Reentry has filed a number of appeals on behalf of security prisoners, along with the Adalah organization³² (See Appendix C2, C3, and C6). One appeal³³ was filed in cooperation with the Committee for Palestinian Prisoners. The clinic is also connected³⁴ to the Association for Civil Rights in Israel. In addition to the above, the clinic also acted in cooperation with the organization 'Physicians for Human Rights'³⁵ (See Appendix C3).
- The Clinic for Human Rights in Society worked in cooperation with the Association for Civil Rights in Israel and the Al-Yatar organization³⁶ (See Appendix C4). A different project on the subject of housing was run in cooperation with the Association for Distributive Justice. Within the collaboration's framework, the EU funded "Jiran" rights center was opened³⁷, for the purpose of exercising the rights of and assisting the citizens of the Old City in Acre. The clinic is a part of the Coalition for Affordable Housing³⁸ (a political body), along with Shatil (the operational branch of the New Israel Fund), Itach-Maaki, the Association for Distributive Justice and more. As a member of the Coalition for Affordable Housing the clinic objected to the criteria of military service, national service or reserves military service in order to receive housing benefits.³⁹
- The Clinic for Law and Social Change, in collaboration with the Mossawa⁴⁰ organization filed an appeal against the Second Television and Radio Authority, demanding to substantially increase the relative portion of Arabic content to be aired on television channels.



- The Clinic for the Rights of the Arab-Palestinian Minority⁴¹ also ran a number of projects with the Association for Civil Rights in Israel (the struggle against profiling in security checks, inquiries into the events of Yom Kippur 5768 and assistance for Dar Elhanoun)⁴². The clinic cooperates with the organizations Adalah (struggle against evidence confidentiality in security cases), 'Taayush' (Assistance for the illegal settlement Dar Elhanoun), 'Karameh' (lowering the minimum age for allied health professions studies), and Dirasat (forming a bill for an Arabic Educational Council). The design of the Clinic for the Rights of the Arab-Palestinian Minority's website integrates pictures "courtesy of Activistills".

Conflict of Interest between the Clinics and the University

The legal clinics operate under the auspices of the University of Haifa, and the university provides the clinics with administrative resources, access to courts, free manpower and above all, the respected visage of an academic institute. However, examination shows that there is a clear conflict of interest between the clinics and the university. Below are several issues, which would demand a closer examination of the legal clinics by the university:

- The Faculty of Law made the headlines when during their graduation ceremony, the organizers chose to avoid playing the national anthem to "avoid offending the Arab public"⁴³. The Clinic for the Rights of the Arab-Palestinian Minority ran a project whose goal was to solidify the status of the national anthem among Arabs⁴⁴. Ilan Saban, the clinic head recently took a stand against the university's policy and in favor of holding "Nakba Day" events under the auspices of the university.⁴⁵
- The 'Adalah' organization, which has become the dominant element in the legal clinics, is an anti-Zionist entity, and there exists between the organization and the university a clear conflict of interests. In certain cases the differences of opinion have resulted in lawsuits by 'Adalah' against the university⁴⁶, and even accusations of discrimination against Arabs⁴⁷. 'Adalah' works to encourage political protests by Arab students on campus and has even represented them in court against the university⁴⁸.

Content of the Legal Cases

What do the legal cases handled by the legal clinics deal with? Up until now, “circumstantial evidence” was shown to prove the existence of an anti-Zionist system under the auspices of the University of Haifa. The clinic heads’ organizational affiliation, the people they choose to represent, the vast collaborations between the legal clinics and radical organizations, and more;

But the most important is yet to come: a thorough investigation of the contents of the legal cases the clinics have taken upon themselves, the issues they deal with and the positions that arise from these cases. It is especially important to examine long-term trends and complimentary activities that arise from a number of different cases.

1. The Clinic for Prisoners’ Rights and Reentry

- ▣ The Clinic for Prisoners’ Rights and Reentry has adopted ‘Adalah’s’ agenda, placed the University of Haifa’s logo on the banner, and with this new stamp of “approval” promotes a viewpoint that negates the Jewish-democratic nature of the State of Israel. As was mentioned earlier, the vast majority of those represented are nationalist murderers (by their own hands or by proxy). The following is a list of subjects the clinic has dealt with:
 - An appeal on behalf of the spy Ahmed al Haieb to allow conjugal visits between him and his wife.
 - An appeal on behalf of Ismail Tarabin, the illegal resident from Gaza, who demanded to be transferred to a prison in the south of Israel, where he would be more easily accessible to family visits.
 - An appeal on behalf of security prisoners (Karim Younes, Salah Saeed, Raed Salahot and Fouad Sultani) who are convicted of murder and other acts of terror, to allow them to study at the Open University.
 - An appeal on behalf of the terrorist Walid Daka, to receive reading books from his family.

- An appeal on behalf of the terrorist Alaa Al Bazian, to allow visits by his niece for humanitarian reasons.
- An appeal on behalf of serial rapist Mahmoud Magadba, to provide him with festive meals on Islamic holidays; in the appeal it was written “Even if the respondent (the prison) hands out baklava on Muslim holidays, this does not fulfill its obligations to act evenly and consistently during the meals themselves and not only desserts”. In addition, appeals were filed to compensate Magadba for not being given sufficient stamps, an appeal to the Supreme Court demanding that he be allowed to file appeals in conjunction with other prisoners (to save on expenses) and a demand to avoid charging his account for legal expenses on cases that were decreed against him.
- An appeal on behalf of criminal prisoner Muayad Bushnak, demanding that he be allowed to marry a Palestinian prisoner serving a 15 year sentence.

2. The Clinic for Human Rights in Society

- The legal cases the Clinic for Human Rights in Society has chosen clarify the clinic’s agenda. All the legal proceedings the clinic deals with involve the city of Acre, a mixed city with constant friction between the Jewish and Arab citizens. On the one hand, the clinic fights against Jewish entrepreneurs interested in building in the city and drawing new Jewish populaces to the city, and on the other hand, the clinic works to strengthen the Arab settlement, preventing Arab apartment evictions and forcing the state to maintain the apartments they live in.
- The clinic compiled a report on the subject, in which it wrote “We call for a calculation to be made with regards to the participation percentages residents of developmental authorities must pay with regards to required maintenance on their properties. This recalculation is especially required in light of the fact that Arab residents comprise approximately 80% of all the residents in the developmental authority... current legal groundwork allows for the beginning of a gentrification process”. Both facets aim towards a single goal: harming the Jewish settlement in Acre
- Following is a list of legal proceedings the clinic has managed:
 - An appeal to the Supreme Court to immediately stop sale of assets in Acre to private factors and to designate developmental authority assets for “Social purposes, including public housing”.
 - An appeal against the Israel Land Administration, the Ministry of Housing and Construction, the Association for Construction of a Religious Neighborhood and the Association for Community

Development, Acre. The appeal demands to nullify a tender won by the associations, since they “Discriminate against Arabs”. The court ruled no discrimination was proven.

- A suit to prevent the eviction of Khatib Wafa, an Amidar resident that did not open registered mail she received, which contained demands for payment.
 - Protection of Amidar resident Abdo Madi, who was sued to force participation in maintenance and upkeep costs of an apartment he resides in.
 - Protection of an Amidar resident, against the Amidar housing firm regarding her debt.
 - Protection of Amidar resident Faiz Suidan who was sued to allow Amidar to perform renovations in his apartment and force him to participate in the costs.
- In its former incarnation, the Clinic for Human Rights in Society was called the “Clinic for Law and Social Change”. In the aforementioned period, the clinic filed an appeal to the Supreme Court against the Second Television and Radio Authority, demanding an increase in the investment in Arab creators and content that integrates the Arab populace. The appeal and verdict were accepted in 2005.

3. The Clinic for the Rights of the Arab-Palestinian Minority

- The Clinic for the Rights of the Arab-Palestinian Minority’s name itself can tell us about its agenda. As we saw earlier, the name could have fit any of the other clinics reviewed, and indeed, there is a great deal of overlap between the clinics. Listed are the clinic’s main projects:
- Confidential information / confidential evidence used by the State. The purpose of the project was to limit the possibilities of classifying evidence in cases of a security nature, a confidentiality that “Obstructs appeals by human rights organizations” (so the clinic’s document claimed). The project is directly related to the Clinic for Prisoners’ Rights and Reentry’s agenda, in which security prisoners are the main “clients”.
 - Eliminating communal settlements’ acceptance boards, in order to allow Arabs from Rahat to move to Givat Bar. The project is a direct continuation of the struggle against Jewish settlement in Acre, promoted by the Clinic for Human Rights in Society.
 - An inquiry on the subject of the events in Acre on Yom Kippur 5768 (2008).



- Dar Elhanoun. Assisting an illegal settlement against the founding of a Jewish settlement based on Nahal lands. Another attack on Jewish settlement in favor of an Arab village.
- Preparing a position paper calling for Arabs to be allowed not to stand during the playing of the national anthem.
- A struggle against tagging (profiling) Arab citizens at the airports.
- A memo on the subject of “appropriate representation” of Arab minorities in the Israeli employment market.
- Working with the “Follow-up Committee on Education” in order to formalize a bill for the Arab Educational Council (“Dirasat”).
- Rights of blind Arabs.

Student Instruction - One Version in Hebrew, Another in English

The clinics' Hebrew and English websites are aimed at two different target audiences. The Hebrew website is intended for students looking to participate in the various clinics, Israeli donors and the public who want to get an impression of the clinics' activities. The English website is directed for an overseas audience, particularly donors. Seeing as how both pages represent the same organization, it is expected that the content would be identical. For that reason it is interesting to examine the differences between the two websites. In addition, it is interesting to examine the clinics' direct approach to donors.

The comparison we made reveals a wide discrepancy between the English version of the website and the Hebrew version. The Hebrew version deals with general issues: Aid for disadvantaged populaces, treating a wide range of populaces, the writing of reports and similar matters. The English version of the website presents an entirely different picture: "Arab minority rights on issues of land and property" captures a large place in the description. Here are several significant examples:

- ▣ The Hebrew homepage⁴⁹ of the Clinic for Human Rights in Society mainly discusses locating the needs of various disadvantaged populaces and "Action for social correction". In comparison, the English website⁵⁰ writes:

Special emphasis is placed on the needs of the Arab Minority in general and specifically in the area of public housing. Jewish and Arabic students deal with issues of discrimination on the basis of nationality, the difficulties of attaining legal standing in Israel and promoting the minorities' rights on a national level.

Why doesn't the "special emphasis placed on the needs of the Arab Minority" appear in the Hebrew description?



- The Clinic for Human Rights in Society (whose previous name was the Clinic for Law and Social Change) approached donors in the United States⁵¹ and in England⁵². In the clinic's description in English, it says:

The University of Haifa's Legal Clinics of Law and Social Change assist Israeli Arab citizens on issues of land and property rights. The clinics also serve to enact changes in Israeli legislation with regards to Israeli Arab civil and political rights; cultural, social and economic rights; religious rights; women's rights; and prisoner's rights.

It is amazing how the wording is similar to 'Adalah's' stated goals⁵³:

Adalah's main goals are to achieve equal individual and collective rights for the Arab minority in Israel in different fields including land rights; civil and political rights; cultural, social and economic rights; religious rights; women's rights; and prisoner's rights.

The English website⁵⁴ for the Clinic for the Rights of the Arab-Palestinian Minority also boasts pure 'Adalah'-type goals:

The clinic is planned to assist Human Rights organizations in their attempts to achieve equal individual and collective rights for the Arab minority in Israel in different fields including land rights, civil and political rights, cultural, social, and economic rights, religious rights, women's rights; and prisoners' rights. This special setting will be an opportunity for Arabic and Jewish students to truly collaborate while forming a micro cosmos of coexistence.

More from the website of the Clinic for the Rights of the Arab-Palestinian Minority:

In the Haifa Region there is most intensive activity of the Israeli Arab civil society and all of the prominent NGOs dealing with these issues are located in our vicinity.

The Hebrew website⁵⁵ does not even contain a fraction of the above, and the Israeli reader will find sterile phrasing, such as "We conduct open debate, where every person and his opinions, and all participants contribute to the dialogue, where the goal is for the dialogue to be honest and in-depth. The main emphasis in the debate is the academic-legal aspect".

- On the English website⁵⁶ of the Clinic for Prisoners' Rights and Reentry we find the following text:

Given the fact that 45% of the prisoners originate in the Israeli Arab minority, a much higher rate than their 20% percentage in the general population, the Clinic hopes to also make a concrete contribution in investigating the idiosyncratic difficulties of these released prisoners.

As well as:

A great emphasis will be placed on exploring policy issues to fulfill the special needs of different groups of prisoners: men and women, adults and youngsters, Jews and Arabs.

This in contrast to the Hebrew page⁵⁷, which discusses prisoners in general terms and makes no mention of nationalism.



Conclusion

Throughout the study, hundreds of documents were examined, including internet pages, legal correspondence, newspaper articles, academic publications and reference books. In addition, a review was made of information sources destined for donors and internet websites of the clinics' partners. The wide coverage of the sources provided a wide picture, even in cases where the clinics' public reports downplayed parts of their activities and blurred the underlying agenda.

The report reveals a disturbing picture. Clinics that were destined to serve the "voiceless" have become branches of radical, anti-Zionist organizations. It turns out that the connections between the clinics and these organizations in many cases is a result of direct employment of clinic staff as an integral part in these organizations. The clinics and the students participating in them are improperly taken advantage of in order to represent, among others, murdering terrorists and serial rapists.

The legal cases the clinics chose for themselves present complimentary layers in the Arab national struggle against Zionism: damaging the status of the national anthem, placing special emphasis on assisting Arab-Israeli security prisoners and undermining the Jewish settlement in Acre and Iron while simultaneously strengthening the Arab settlement in the same places.

Recommendations:

In the state the clinics are run today, it seems that they clearly suffer from a distinct, one-sided political trend, out of which arises that there is an exclusion of students with differing viewpoints, which are not expressed and are not represented in the clinics today. First and foremost the harm done is to the student's rights to equal opportunities in legal experience, and many of the students are for all intents and purposes discriminated against.

We call upon the University of Haifa and the Ministry of Education to conduct a thorough inspection regarding the severe effects the clinical activities have on the students, the university and on Israeli society, forming recommendations that will lead to the solving of the issues revealed in this report.

1. The University of Haifa, the Council for Higher Education in Israel, the Committee for Budget and Planning and the Ministry of Education must conduct an in-depth investigation, until reaching the bottom of these issues.
2. The criteria for opening clinics should be the students' academic curiosity, rather than the lecturers' or the funding organizations' political interests. According to student testimony, a survey was run approximately two years ago, whose goal was to determine which clinics the students desired on campus. The survey was shelved, due to the fact that it showed that students want the exact opposite of what they are getting – less political and more civil-commercial issues⁵⁸ (See Appendix D).
3. Foreign funding of clinics must be stopped. Today, the majority of funding for the running of the clinics comes from anti-Israeli political organizations who receive their funding from foreign governmental bodies. Aside from being anti-democratic and a clear interference in Israel's internal matters and against the voter's desires, this funding leads to a quasi-privatization of academia and improper usage of students'

abilities and the university's name, all to cater to the interests of the highest bidder.

4. Cooperation must be halted with non-governmental political organizations whose funding comes from foreign governments and consistently represent the interests of one party, when in many cases the students may not even be fully aware of the political interests and trends behind this or that activity. In the State of Israel there exist many organizations which promote social issues and do not represent one side or another, let alone just one side. Many social organizations are free of political activity, have small budgets, do not receive large amounts of funding from European countries and there is no doubt that aiding those small organizations that are short on resources and free of political agendas will truly fit the criteria of "Giving the voiceless a voice".
5. At the very least, the Faculty of Law and the legal clinics must be forced to operate under full transparency and full disclosure. It is the students' right to know ahead of time in a clear and concise manner about collaborations, such as the collaboration with the 'Adalah' organization which assists terrorists.
6. An aid mechanism must be designed, intended for students who feel they have been harmed based on their viewpoints within the faculty. This will aid in solving problems in cases where the student becomes involved against his will in a situation he does not want to be involved in. There is need for an objective mechanism to treat these issues.
7. The elements in charge must reach a normative decision throughout which academia will be forbidden to collaborate with organizations that do not recognize the State of Israel as a Jewish, democratic state and actively seek to abolish this identity, work to prosecute IDF soldiers and superiors in international tribunals, call for boycotts, pulling of investments or sanctions against the State of Israel or its citizens, support armed struggle by enemy states or terror organizations against the State of Israel and those that have committed acts of terror.
8. The university must reach a decision that will forbid collaboration with any organization that does not recognize the State of Israel and which has absolved itself from the State of Israel entirely.



-Appendices-

Appendix A – Screen Shots

The website of the Clinic for Human Rights in Society:

הפקולטה למשפטים

חיפוש באתר זה

English למידה מרחוק מחקר בוגרים וידידים מועמדים אקדמיה בקהילה אירועים ונסים תוכניות לימוד סגל דף הבית

זכויות אדם בחברה

הקליניקה לזכויות אדם בחברה

בישראל הפערים בין עניים ועשירים הם מן הגדולים בעולם, ופער זה מתבטא גם בגישות למערכת המשפט. שוויון בפני החוק, אחד מן הערכים הבסיסיים בישראל, אינם מתגשם הלכה למעשה. בין היתר משום שלעיתים קרובות מיצוי זכויות כרוך בצורך במשאבים כספיים לקבלת סיוע משפטי ממשפטים. ארגוני זכויות אדם וקליניקות אוניברסיטאיות ננסים לתרום לצמצום פער זה. הפעילות בקליניקה תפגיש את הסטודנטים עם בעיות חברתיות ומשפטיות ממוטות, והיא תאפשר לעמוד (חלקית) על יחסי הגומלין ביניהן. הסטודנטים בקליניקה מאתרים צרכים של אוכלוסיות מחולשות שנותן ופועלים לתיקון חברתי ברמת הסיוע הפרטי וברמה המערכתית לשם שינוי מדיניות. הפעילות מתבצעת בעכו, בשיתוף האגודה לצדק חוקתי והעמותה לפיתוח קהילתי בעכו. ובחיפה בשיתוף עמותת "ידר" ופריקט "התרת שרשרת העוני" ושותפים נוספים.

הסטודנטים, בליווי עורך דין, עוסקים בשילוב של פעילות משפטית, פארא-משפטית ואקדמית-מחקרית. במישור הפרטי מדובר במימוש זכויות מול רשויות, פניה לערכאות וניהול מגעים עם גורמים מסודיים. לפעמים התרומה היא קהילתית. מפגשים עם אוכלוסיות מסימות, הרצאות, חלוקת חומר וכדומה. הפעילות המערכתית לשינוי מדיניות במקום בו מדרש שינוי כזה מתבטאת בעיתות עקרוניות, הצעות חוק, דפי עמדה ועוד. הקליניקה בוחנת את המשפט ואת יכולתו לשמש ככלי לשינוי חברתי, אך גם משמשת שחקן פעיל בשטח המשפט, תוך הכנסת קולות חדשים לשיח המשפטי.

לצירת קשר למידע נוסף: עו"ד שרון הורנשטיין
sharonh@univ.haifa.ac.il

*עד שנת הלימודים תשס"ח קליניקה זו נקראה: הקליניקה למשפט ושינוי חברתי

Faculty Of Law

Home Faculty & Staff Programs Events Community Outreach Prospective Students Alumni & Friends Research Remote Learning נגישות

Human Rights

Human Rights in Society

This project is a joint venture of the University of Haifa Law Faculty, and two Non Governmental Organizations: The Social Rights Center of the Association for Community Development in Acre and The Israeli Association for Distributive Justice. In addition to these two organizations the clinic is also based in two additional hospitals: The social clinic serves as a result of social interests; the social rights center and the center for the mentally disabled had a growing need for legal aid and the Law Faculty was interested in establishing a clinical legal program oriented towards social action. The program deals with a variety of social rights issues. Special emphasis is put on the empowerment of disadvantaged groups, including a special project focusing on the mentally disabled. The clinic handles cases in debtor-creditor law, social security, elderly rights and advocates poverty issues in the local and national sphere. It also handles cases of discrimination on the basis of nationality, gender, sexual orientation and disability. In these areas there are significant power disparities between employers and employees, debtors and creditors, welfare recipients and the social security system which prevents the weaker faction from adequate realization of its legal rights. The program works on three different levels: Individual Legal Aid, Community Advocacy and Social Action through Policy Change. Law students are exposed to social injustice and, at the same time, are provided with varied opportunities for concrete intervention through exercise of the law. It also provides a unique opportunity for Arab and Jewish students to collaborate and reach out to minority communities.

Poverty Law and Community Lawyering – The clinic provides a wide variety of services to low income people in Haifa and Acre in issues such as housing, labor-law, government benefits, legal status and debtor-creditor law. The services provided include legal advice and information on obtaining rights and benefits, legal representation, public legal education, and community organizing. The students engage in a wide spectrum of non-legal strategies in reaching out to the community, in collaboration with social workers and community organizers. A few impact-lawyering petitions were filed this last year, in an attempt to reform the public-housing procedures.

Mentally Disabled – The clinic provides legal aid to patients in psychiatric institutions both in general issues of disadvantaged groups and in issues particular to the mentally ill population, such as representation in psychiatric commitment hearings and appeals to the District Court on its decisions. This program gives the students an insight on the idiosyncratic difficulties of the mentally disabled population, as well as helps dispel common stereotypes. Students participating in this project attend the hospital on a weekly basis and conduct private consultation meetings with patients in the different wards as well as with the hospital staff. In addition to providing individual legal aid and conducting on going consultations sessions with the hospital staff, the clinic organized a symposium on the subject of guardianship. Among the issues dealt with are questions concerning the legality of commitment procedures, the need for compulsory confinement and treatment, prediction of dangerousness in patients about to be released, appointment of guardianship, the extent of a guardian's influence and authority in compulsory confinements and treatments, the question of informed consent and more. The latest achievement of the project was obtained when the legal clinic filed an appeal over a psychiatric board decision and received a landmark ruling holding that the district courts are authorized to limit the term of criminal compulsory commitment, after which, civil commitment proceedings should be instituted if necessary.

Civil Rights and Minorities – Special emphasis is placed on the needs of the Arab Minority (general and specifically in the area of public housing). Jewish and Arab students deal with issues of discrimination on the basis of nationality, the difficulties of attaining legal standing in Israel and promoting the minorities' rights on a national level. Issues of discrimination are also dealt with in an attempt to assist the Ethiopian Immigrant Community in its adjustment to its new environment.

For Further Information, contact us at: Adv. Orly Avir / orly@research.haifa.ac.il

*Until the Academic year 2007-2008, the clinic was called: The Clinic of Law and Social Change.

Website of the Clinic for Prisoners' Rights and Reentry:



זכויות ושיקום אסירים



הקליניקה לזכויות ושיקום אסירים

קליניקה ייחודית מסוגה בארץ, המהווה הדמנת להכיר מקרוב את עולמם הייחודי של אסירים משוחררים וכאבי מאסרם מזוויות משפטיות, סוציולוגיות, חברתיות וקרימינולוגיות שונות. תוך בחינה ביקורתית של מערכת שיקום האסירים במדינה ומידת היעילות שלה במניעת חזרתו של האסיר לבית הכלא ושינוי המחודש במערכת החברתית המקובלת. השהייה במאסר הנה חוויה ייחודית בעלת עוצמה רבה שמטפיעה על האסיר בכל תחומי חייו. שיקומו של האסיר נעו, בין היתר, לסייע לו להתמודד עם אותם קשיים ולמנוע את התמכרותו למאסר וחזרה אליו (רצדיביזם). טיפול ראוי באסירים עם התאמה לצרכיו הייחודיים של כל אסיר, הן במהלך שהייתם בבית הכלא והן לאחר שחרורם ממס, יסייע רבות בהכנה נכונה של האסיר לחיים מחוץ לבית הכלא. עבודתם המעשית של הסטודנטים תתמקד בתרגום הבעיות המערכתיות למציאות משפטית במטרה לתרום לשינוי ושיפור המדיניות הקיימת. העבודה המשפטית תעשה בליווי עורכת דין ותכלול עריכת מחקר משפטי לרבות השוואתי, מפגש עם בעלי העניין, ניסוח הצעות חוק ופירוח עמדה, כתיבת מסמכי בדין ומגוון רחב של מסמכים משפטיים.

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- גלריית תמונות <
- פרויקטים <
- דוחות ופרסומים <
- מצגות סטודנטים <



Prisoners Rights and Reentry

- > About Us
- > Clinic Staff
- > Projects
- > Legal Activity
- > Picture Gallery
- > More on this issue...

Prisoners Rights and Reentry

The Faculty is initiating a new clinic which is planned to deal with the issue of Rehabilitation of Prisoners. According to the Israeli Prisoner Rehabilitation Authority The recidivism in Israeli jails is not as high as in the western world (out of all the released prisoners only 59% are re-incarcerated within a year, as opposed to 75% in the western world). Yet much more is needed to be done in order to enable the integration of released prisoners into the society. The common factors which account for the recidivism to jails is the lack of sufficient budgets for rehabilitation programs and the urgent need for more personal support inside the community. The clinic's challenge is to reveal the legal issues that contribute to this phenomenon, such as the probation committees, decisions regarding vacations for prisoners, electrical monitoring and more.

Given the fact that 45% of the prisoners originate in the Israeli Arab minority, a much higher rate than their 20% percentage in the general population, the Clinic hopes to also make a concrete contribution in investigating the idiosyncratic difficulties of these released prisoners. Although women prisoners are only 2% of the jail population in Israel, they raise unique difficulties which should be dealt with such as the issue of incarcerated mothers.

The clinic will work closely with the "Prisoners Rehabilitation Association" and will engage in legal and para-legal support to released prisoners and prisoners on parole or in their probation period. A great emphasis will be placed on exploring policy issues to fulfil the special needs of different groups of prisoners: men and women, adults and youngsters, Jews and Arabs.

There is an academic collaboration with the Swiss university of Fribourg, and specifically prof. Nicolas Queiroz, who serves as a clinical mentor to this clinic.

For Further Information, contact Adv. Abir Bachar | abeer.baker@gmail.com

Prisoners' Rights and Rehabilitation Clinic



Website of the Clinic for the Rights of the Arab-Palestinian Minority:

זכויות המיעוט הערבי-פלסטיני



סמינר קליני

הקליניקה החלה את דרכה בשנת 2007. היא ייסדה על ידי עוה"ד דורעאם סייף, ד"ר יוסף ג'בארין וד"ר אילן סבן, פעלה שלושה מחזורים, יצאה להפסקה, וחזרה עתה, בשנת 2013, לפעילות.



מטרתה היא ללבן – אקדמית ומקצועית-פרקטית – סוגיות משפטיות מרכזיות הנוגעות לשטח מנוון של החברה הישראלית, זאת בשלוש דרכים: עבודה עם ארגוני זכויות אדם בתיקים שונים; דיונים קבוצתיים בכיתה; וכתבת סמינר מחקר.



בכיתה וכן בצוותי העבודה אנחנו מקיימים דיון פתוח, שבו כל אדם ודעותיו, וכל משתתף תורם לדילוג שהשאפה היא שיהא כן ומעמיק. עיקר הדגש בדיון הוא על הצד האקדמי-משפטי. אנחנו מנסים להבין כיצד המשפט הישראלי משמש כלי כפול: ביטוי למדיניות הציבורית של המדינה וזרועותיה כלפי המיעוט הערבי-פלסטיני (על הדינמיקה המופיעה במדיניות זו מעת לעת), וכלי לשינוי חברתי (שאותו מבקשים לגייס ארגוני זכויות אדם המתעניינים במיעוט זה). חשובה לנו ההבהרה הבאה:



אחד הרעיונות החשובים של הקליניקה הוא שפעולות בגדרה נשענות על הסכמות חלקיות להבדיל מהסכמות מלאות, וכי פעולה משותפת ביחס למוסכמה אינה מכשירה או מעלימה את שאיננו מוסכמים. כך למשל, קיימת מחלוקת עמוקה בין אזרחים יהודים וערבים ביחס לאופייה הלאומי של ישראל. זו מציאות מתמשכת וקשה לפיצוח. הקליניקה פועלת בתוך "התווך" המשותף שבצל המחלוקת: הסכמה על תחומי הדרה וקיפוח שגם ערכיה של מדינה יהודית דמוקרטית דוחים, וחיפוש אחר דרכים משפטיות לצמצם את אותם תחומים.

על בסיס תפיסה זו בוחרת הקליניקה תיקים שונים של ארגונים שונים – עדאלה, האגודה לזכויות האזרח וארגונים נוספים – ובהם היא מסייעת במחקר ובחשיבה משפטית לעורכי הדין המובילים את אותם תיקים. עסקנו בעבר ובמשך לעוסק, בין היתר, בישיבות בלתי מוכרים, הפליה בחינוך, פרקטיקות של תינוק/פרופילינג, ראיות חסויות, ניתוח הצעות חוק בעלות פוטנציאל פוגעני קשה, מצוקתם של אנשים בעלי מוגבלות בחברה הערבית, וכן נשים ערביות וגברים ערבים בשוק התעסוקה.

ליצירת קשר למידע נוסף:
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התמונות באדיבות אורן זיו/
אקטיביסטילס

Arab Minority's Rights

- > About Us
- > Clinic Staff
- > Annual Reports
- > Legal Activity
- > Picture Gallery

Legal Clinics of Law and Social Change at the University of Haifa

In the Haifa Region there is most intensive activity of the Israeli Arab civil society and all of the prominent NGOs dealing with these issues are located in our vicinity. In addition to that, our faculty has the highest rate of Arabic students in the country. Therefore we have both the ability and the need to establish a clinic which will be able to contribute to the civil society and develop the legal discourse in the topic of the Arab minority's rights. The clinic is planned to assist Human Rights organizations in their attempts to achieve equal individual and collective rights for the Arab minority in Israel in different fields including land rights, civil and political rights, cultural, social, and economic rights, religious rights, women's rights; and prisoners' rights. This special setting will be an opportunity for Arabic and Jewish students to truly collaborate while forming a micro cosmos of co-existence.

For Further Information, contact us at:
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Appendix B – List of Organizations:

‘Adalah’

Significant donors: The New Israel Fund (\$1,576,642 during the years 2006-2010), the Ford Foundation, the European Union, Christian Aid, NDC.⁵⁹

Significant activities:

- ▶ Formulating a democratic constitution, “replacing the state’s Jewish foundations with a “democratic, bi-national and multi-cultural” framework. Jewish immigration will be approved for “Humanitarian reasons”.⁶⁰
- ▶ Research in collaboration with the radical Palestinian organization Al-Haq, which accuses Israel of Apartheid and racial oppression.⁶¹
- ▶ Accusing Israel of war crimes in front of the Goldstone Committee – ‘Adalah’ was quoted many times in the Goldstone Report.⁶²
- ▶ Serving legal opinions against Israeli superiors to Spanish courts, in support of the “legal warfare” lawsuit filed by the Palestinian Center for Human Rights.⁶³

‘Taayush’

Significant donors: No information is available regarding funding sources

From the organization’s definition: “Palestinians and Israelis struggle together against the Occupation and for full civil equality, in hundreds of direct and non-violent activities since the year 2000... Taayush activists assist Palestinians in their struggle for their rights, to end the occupation and for full civil equality.”⁶⁴

Significant activities:⁶⁵

- ▶ The organization supported campaigns calling for boycotts against Israel, withdrawal of investments from Israel and sanctions against Israel.
- ▶ Emphasis on demonizing language – “Apartheid Wall”, and the like. Resistance to “The blockage and siege walls surrounding the Palestinians in the occupied West Bank and Gaza Strip”.
- ▶ Presenting Israel as an “Armed fortress in the heart of the Middle East”.

‘Mossawa’

Founded by the New Israel Fund’s Shatil organization.

Significant donors: The New Israel Fund (\$823,267 during the years 2006-2010), the European Union Sweden (through the Diakonia fund), Britain, Germany, the Moriah Fund, the Open Society Institute fund and the Abraham Fund.



Significant activities:

- ▶ Tagging bills that provide benefits to those who serve the country as “Racial legislation”.⁶⁶
- ▶ Calling on the Norwegian people to boycott Israel, in a letter where it accused several Israeli and international companies of “supplying equipment designed specifically for tracking and suppressing the Palestinian population by limiting movement and collective punishment”.⁶⁷
- ▶ Formulating a constitution negating Israel’s character as a Jewish state, and based upon the foundation that “The State of Israel was built upon the ruins of the Palestinian people, for whom this event was a national tragedy – the Nakba”.⁶⁸
- ▶ Protest rally against the IDF: The occupation army commits brutal and continuous war crimes against the Palestinian people in Gaza”.⁶⁹

Physicians for Human Rights (PHR-Israel)

Significant donors⁷⁰: The New Israel Fund (\$983,666 between the years 2006-2010), the Ford Foundation, the European Union, NDC, Sweden (through the Diakonia fund), the Oxfam fund, Christian Aid, and the Office of the United Nations High Commissioner for Refugees (UNHCR).

Significant activities:

- ▶ PHR-Israel have provided joint sponsorship to a poster exhibition presented one year after Operation “Cast Lead”, which was titled “Childhood under Fire”. The paintings included images portraying Israeli soldiers intentionally firing on civilians.⁷¹
- ▶ As a result of the organization’s radical political agenda, the Israeli Medical Association ceased cooperation with PHR-Israel in 2009.⁷²
- ▶ Involvement in the Goldstone Report: On June 8th, 2009, the Goldstone Committee published a “Call for Providing Information”, which invited all interested organizations or individuals to present before the committee information or documents that would assist in its investigation. Appendix C of the Goldstone Report lists the organizations and people that answered the call. Among the organizations was PHR-Israel.⁷³
- ▶ The president of the World Medical Association criticized PHR-Israel for being “A radical political group disguised as a medical organization”.⁷⁴ As a result of the organization’s radical political agenda, the Israeli Medical Association ceased cooperative activities with PHR-Israel.⁷⁵

The Association for Civil Rights in Israel

Significant donors: The New Israel Fund (\$4,055,819 between the years 2006-2010), the Ford Foundation, Britain, Norway, Holland, Spain, Belgium, Sweden (through the Diakonia fund), the European Union and the Christian Aid fund.⁷⁶

Significant activities:

- ▶ In December 2009, the Association filed an appeal referring to Road 443 as “The Apartheid Road”. Chief Supreme Court Justice Dorit Beinisch rebuked the organization for using the term “Apartheid”.⁷⁷
- ▶ Campaign against the unification of Jerusalem, claiming that Israel illegally annexed Jerusalem.⁷⁸
- ▶ The Association opined that “The proposal to define the State of Israel as a “Jewish state” in a binding article in any constitution is troublesome, both on the principal and the practical levels”.⁷⁹
- ▶ Involvement in the Goldstone Report: The ACRI was among the organizations that answered the Goldstone Committee’s call for information.⁸⁰
- ▶ The Association has been a part of a letter written to the Israeli Attorney General, a letter accusing the IDF of war crimes: ‘The organizations sent another letter, but this time the Attorney General did not answer’. The letter included accusations of war crimes: “The state’s armed forces are suspect in involvement in severe violations of international law (from which rises the suspicion of responsibility for engaging in war crimes).⁸¹
- ▶ The Association for “Civil Rights” acts against employers who seek a criteria of service in the IDF as a precondition to being hired. According to them, IDF service as a job acceptance criteria is a clear sign of discrimination equivalent to the Apartheid regime in South Africa.⁸²

Israeli Committee for the Palestinian Prisoners

Founder and Chairwoman: Dr. Anat Matar, senior lecturer in the Department of Philosophy at Tel Aviv University, radical left-wing activist who acts against the State of Israel’s policies in the Israeli-Palestinian conflict and is in favor of boycotting Israel.

Organization’s goal: To provide legal and propagandist aid to security prisoners, whom the organization calls “Political prisoners”.⁸³

Significant activities:

- ▶ In October 2011 as part of the Gilad Shalit deal, Anat Matar celebrated the release of an Israeli-Arab prisoner who was convicted of attempting to murder IDF soldiers. When asked about her support for him she explained that “The bus the grenade was thrown at was carrying soldiers and not civilians. It is legitimate for a people under occupation to fight that occupation”. She further argued, “The context included the fact that soldiers are soldiers, meaning that Gilad Shalit did not shoot Bamba, and the bus the grenade was thrown at was carrying soldiers and not civilians”.⁸⁴
- ▶ Formed the Israeli Committee for the Palestinian Prisoners along with Sanaa Salame-Daka. As part of the Committee’s activities and in cooperation with ‘Adalah’ and the Hebrew University’s Minerva Center, a convention was held on January 8, 2007 T Tel Aviv University, on the topic of “Security or Political Prisoners?”⁸⁵. The convention’s lectures served as the basis for a series of articles on Palestinian prisoners that were published in 2011.⁸⁶
- ▶ Dr. Anat Matar was listed among the signers of an open letter to the Museum of Science, Boston, where they called the Technion a “University preparing tools of murder”, and condemned the Museum’s decision to display an exhibition of Israeli inventions, with the reasoning that the exhibition is a propaganda tool to distract people from “Israel’s war crimes”.⁸⁷
- ▶ Dr. Anat Matar founded the Refusers’ Parents Forum, along with the parents of five refusers. Her son, Hagai Matar, who collected the Shministim Letter in 2001, was tried in military court for refusing to enlist in the IDF for political reasons. He was imprisoned for approximately two years.⁸⁸

Activistills

From the Organization’s Definition: The collective was founded at the end of 2005 by a group of stills photographers who deal with documentary photography, out of a belief in the power of image as a protest tool and a lever to create change through social awareness. The members of the group see themselves as “An integral part of the struggle”, and not as photographers who document events from the side.

“A part of the struggle against all forms of oppression, racism and violation of the basic right to freedom. We are a part of the popular struggle against the Israeli occupation, and are active on issues of women’s rights, immigration, asylum seekers, social justice, the blockade of Gaza and housing rights in Israel”.⁸⁹

Significant activities:

- ▶ The group is active in Israel and the Palestinian Authority, and focuses on social and political documentation, and produces projects, publications and street exhibitions, “On subjects which for the most part are not a part of the daily agenda”.
- ▶ The group documents the protest activities of various groups and organizations in Israel and the Palestinian Authority, as part of the common struggle against the occupation.
- ▶ The group’s members displayed a street exhibition titled “Forty Years Since Victory”, which presents, according to them, the reality forty years later, as seen in four of the cities captured by Israel – Jerusalem, Hebron, Bethlehem and Gaza, a protest exhibition against Jerusalem Day.⁹⁰
- ▶ The cooperative’s members, in collaboration with Nayef Hashlamoun, a Palestinian photographer who resides in Hebron, held an exhibition in Jerusalem, “Hebron as a Microcosm of the Occupation”. During the hanging of the exhibition, nine people were taken in for questioning.⁹¹
- ▶ Activists members work as independent photographers and are in constant contact with agencies, internet websites and print journalism in various countries.

Association for Distributive Justice

Association Head: Dr. Alexander (Sandy) Kedar, a lecturer and researcher at the University of Haifa’s Faculty of Law.

From the Organization’s Definition: “The Association for Distributive Justice works to promote fair, transparent and equal management and distribution of land and environmental resources in Israel, out of the vast social importance of these resources... the uniqueness of the Association for Distributive Justice is expressed in that it is the only organization that deals solely with issues of land in Israel, and is also the only organization that works in this field from the viewpoint of social-justice according to the principles of distributive justice. Moreover, the organization takes upon itself to deal with cases that “fall between the chairs”, where a crime is committed without a specific victim who can protest – cases where the general public are the victim.”⁹²

Significant donors: The New Israel Fund, the Goldman fund, the Ford Foundation, the Goldman Fund, the Sheli Fund.

Significant activities:

- ▶ Objection to the criteria of military service, national service or reserves military service in order to receive housing benefits.⁹³
- ▶ In November 2012, the Association for Distributive Justice and the Association of Civil Rights in Israel, in the name of the Coalition for Affordable Housing, filed an Amicus Curiae brief, during a debate over four appeals filed against the criteria for affordable housing set by the Israel Land Administration in the rental track (Decision 1248) and the purchase track “Occupant Price (Decision 1249). In the brief they stated, among others, that “Preferring military veterans and reserve soldiers is not appropriate for tenders for affordable housing. In practice, preferring those that serve in the military or the reserves will be a precondition, and will lead to the exclusion of those that were released from service, such as the Arab populace or people with disabilities.”⁹⁴
- ▶ This organization, which claims to work for the promotion of a fair, transparent and equal management and distribution of land and environmental resources in Israel – is in fact an organization that struggles against agricultural settlement in Israel, and only against that. The organization’s internet website is saturated with publications against agricultural settlement by Kibbutzim and collective settlements all across Israel, with nearly no mention of any other factors.⁹⁵

Itach-Maaki

From the Organization’s Definition: The Itach-Maaki organization was founded in 2001 by a group of female jurists in order to promote social justice for women. Itach focuses on activity in favor of the female populace from the economically and socially disadvantaged facets of society.⁹⁶

Significant donors: The New Israel Fund, the Abraham Fund, the Jacob and Hilda Blaustein Foundation, and others.

Significant activities:

- ▶ Protesting against the investigation of the “New Profile” movement, which preaches refusing to serve in the IDF. Activists stated that “We firmly stand for our right to protest and the militarism and aggression in Israeli society, and express revulsion at the silencing attempts. We view with anxiety the attack on the civil rights and freedoms of Palestinians and Jews in Israel, which have increased since the attack on Gaza in January of this year.”⁹⁷
- ▶ Approaching the United Nations Security Council, with the claim that “Israel is violating Resolution 1325, which obligates that women be integrated into the state’s government institutions.”⁹⁸

- ▶ Involvement in the Goldstone Report: In the body of the report, the “Itach” organization is listed as a reference for the Committee’s claims and findings.⁹⁹
- ▶ On May 19 2011, the Itach-Maaki organization, along with the Association for Civil Rights in Israel, approached MK Dudu Rotem, Chairman of the Knesset Constitution, Law and Justice Committee, with a political letter where they complained about the preference of military and national service veterans for jobs in the public sector.¹⁰⁰
- ▶ In January 2012, a number of radical left-wing organizations stated in the press their objections to the Attorney General’s decision that preferring military veterans for affordable housing is legal. Itach-Maaki is among the organizations that signed the letter under the auspices of “Sharakah-Partnership”. In the letter they stated that Weinstein’s decision is “Broad-daylight racism”.¹⁰¹

Al-Yatar

From the Organization’s Definition: An organization for the cultural and social development of Acre. The organization works to promote the Arab-Palestinian identity of the city.

Significant donors: The New Israel Fund, Al Quds - Capital of Culture, ‘Ittijah’, A.M. Qattan Foundation.

Significant activities:

- ▶ Al-Jazeera’s website hosted a number of articles that referred to the violent confrontations in Acre. These articles described the events as the peak of a continuing campaign of antagonism on the part of Acre’s Jewish citizens, presenting the city’s Arabs as the victims. In an article titled “The Arab’s Kristallnacht”, Sami Huari, the head of Al-Yatar in Acre was quoted as saying “The sights in Acre reminded many of the pictures of Kristallnacht, when the German Jews were subjected to Nazi attacks”, and expressed his fear that “Another massacre would be committed against the Palestinians in Acre”.¹⁰²
- ▶ Appealing against marketing apartments in Acre to only religious Jews. According to Sami Huari, the head of the organization, “The discriminatory marketing of apartments in Acre’s new neighborhood is just one example of many of the discrimination against the Arab citizens in housing in Acre: longtime Arab citizens of Old Acre are evicted, and they are blocked from living honorably in other neighborhoods; in many cities in the city there are acceptance boards, which don’t allow Arabs to purchase apartments. This creates a severe feeling of discrimination, that we are Class B citizens”.¹⁰³

- ▶ The organization has been running a campaign for Arab citizens of Acre “Who feel that they are being replaced for prestigious tourism projects”, according to the organization’s claims.¹⁰⁴

Karameh

CEO: Attorney Durgam Saif (a graduate of the New Israel Fund’s jurist’s program)¹⁰⁵, the CEO of the Karameh organization and the head of the Clinic for the Rights of the Arab-Palestinian Minority at the University of Haifa.

From the Organization’s Definition: No information

Significant donors: No information

Significant activities:

- ▶ Filing a lawsuit against the universities, demanding that age limitations be removed in certain subjects and fields where an age limit existed.¹⁰⁶
- ▶ Filing an appeal to the Supreme Court demanding that a safe access road be built to the “El-Atrash” and “Neve Dekalim” schools in the Negev. The appeal included claims of discrimination, abandonment of the safety of students of both schools, and a severe and unreasonable harm to their right to education.¹⁰⁷
- ▶ An appeal to the Tel Aviv Administrative Court, stating that the city of Ramle should allow the registration of children living in Dahmash to educational institutes within Ramle.¹⁰⁸

Dirasat, the Arab Center for Law and Policy

From the Organization’s Definition: An Arab center for law and policy, that works “Out of the desire to face the many challenges which face the Arab populace in the coming decades, and out of the desire to enhance the abilities of the Arab populace in this struggle... focuses on formulating a worthy strategy for the Arab-Palestinian society in Israel, mainly by preparing position papers, writing and advertising applied research, holding symposiums and conventions and empowering the decision-makers and professionals in the society.¹⁰⁹

Significant donors: The Ford Foundation, the New Israel Fund, the European Union, the Heinrich Böll Foundation, the Rosa Luxemburg Foundation, the United Nations Development Programme, the United States Embassy.

Significant activities:

- ▶ Publishing a report on the state of the Arab education system in Israel.¹¹⁰
- ▶ In March 2003, the center's chairman, Dr. Yosef Jabareen, appeared on the program of the "Israel Apartheid Week" convention held in Nazareth, as someone who would speak about "Racism within the Green Line".¹¹¹
- ▶ Publishing a legal position paper on the subject of "The housing crisis and demolishing of buildings in Arab society in Israel: current obstacles and recommendations for change".¹¹²

Coalition for Affordable Housing

From the Organization's Definition: "The housing crisis in Israel is getting worse. Growing facets of society are finding it hard to withstand the burden of housing costs. This situation has severe repercussions on the equality in Israeli society. We, a coalition of social and academic organizations have decided to act to change the situation".¹¹³

Coalition member organizations: The Association for Civil Rights in Israel, the Association for Distributive Justice, Bimkom, Shatil, Workshop for Social Sustainability, the Hebrew University, Sikkuy: The Association for the Advancement of Civic Equality in Israel, the Clinic for Human Rights in Society at the University of Haifa, the Arab Center for Alternative Planning, the Movement for Decent Living, Itach-Maaki: Women Lawyers for Social Justice.

Significant activities:

- ▶ The "Coalition for Affordable Housing", which incorporates a string of organizations, the majority of whom have received aid from the New Israel Fund, objected to the criterion of military service to receive affordable housing, and approached the Prime Minister on this matter. In lining out its position, the coalition expressed objection to the criterion of military and national service and argued that "Those who serve should not be awarded at the expense of others".¹¹⁴
- ▶ In January, 2012, the "Coalition" released the following comment. Attorney Gil Gan-Mor, head of the Right to Housing section of the Association for Civil Rights in Israel, and a member of the Coalition for Affordable Housing, argued that "It is legitimate for the state to reward discharged soldiers, but in projects where the number of housing units is limited and their goal is to help disadvantaged populaces with housing, priority should not be given based on a criteria of military service, rather eligibility should be determined based on income and necessity. The

criteria of military service is not relevant, and in practice will lead to the exclusion of entire population groups such as Arabs, ultra-Orthodox and people with disabilities from housing projects subsidized by the state, going against a long string of Supreme Court verdicts on the matter.¹¹⁵

- In November 2012, the Association for Distributive Justice and the Association of Civil Rights in Israel, on behalf of the Coalition for Affordable Housing, filed an Amicus Curiae brief, during a debate over four appeals filed against the criteria for affordable housing set by the Israel Land Administration in the rental track (Decision 1248) and the purchase track “Occupant Price (Decision 1249). In the brief they stated, among others, that “Preferring military veterans and reserve soldiers is not appropriate for tenders for affordable housing. In practice, preferring those that serve in the military or the reserves will be a precondition, and will lead to the exclusion of those that were released from service, such as the Arab populace or people with disabilities”.¹¹⁶

Appendix C – Examples of Appeals and Legal Activities

C1

Prisoner’s Petition Appeal Request 439/09

Nazareth County Court

1. Walid Daka, ID number 05697747
(Prisoner at Gilboa Prison)

2. Adalah: The Legal Center for Arab Minority Rights in Israel

3. Committee for Palestinian Prisoners (Registered Committee)

4. The Clinic for Prisoners’ Rights and Reentry: Faculty of Law at the University of Haifa

Via attorney Abir Bacher and/or Hassan Jabareen and/or Orna Kohn and/or Suhad Bishara and/or Morad El-Sana and/or Adel Badir and/or Sausan Zahar and/or Fatmeh El-Ajou and/or Rana Abed-Asali **From**

Adalah: The Legal Center for Arab Minority Rights in Israel, Jaffa 94, P.O.B. 8921 Haifa 31090; Tel: 04-9501610; Fax: 04-9503140; Cell (emergency): 0503025502

Appellant

-Against-

Israel Prison Service

Via Northern District Attorney



برنامج حقوق وتأهيل السجناء

חקליניקה לזכויות ושיקום אסירים

6.3.11

The Clinic for Prisoners' Rights and Reentry

To
Attorney Gila Shviro
Legal Counsel Department
Israel Prison Service
Ramle, 72100

And by fax: 08-9193840

To
Deputy Commissioner Eilat Dakar
Commander, Gilboa Prison
Israel Prison Service
Doar Na Gilboa, 10900

And by Fax: 08-9193680

Greetings,

Urgent!

Subject: The illegal refusal to allow prisoner Walid Daka to receive the two books "Forbidden Language" and "Women's Prison"

Continuing the many inquiries the undersigned has previously had regarding the arbitrary policies of bringing books into the prison, and before we are forced as a matter of principle to approach the courts on this matter, we request your immediate involvement on the discussed matter, as follows:

1. On 24.2.11 miss Sanaa Daka wished to bring her partner, prisoner Walid Daka, two reference books at his request: The first is Dr. Tomer Einat's book "Forbidden Language" (Schocken Publishing House, 2005). This book examines the life between prison walls through observing the language of prisoners that have been deemed criminal, this following research performed by the book's author over years between prisons throughout the country. The second book my client requested is Dr. Gila Chen and Dr. Tomer Einat's "Women's prison" (Resling Publishing House, 2010) which was recently published. This book describes

Supreme Court of Israel, Jerusalem**Request to Appeal to the Supreme Court 2459/12****Request to Appeal to the Supreme Court 2539/12****Request to Appeal to the Supreme Court 4063/12**

Determined: 24.12.12

1. Salah Saeed**2. Raed Salahot**

Filed by their counsel, Attorney Abir Bacher

From the Clinic for Prisoners' Rights and Reentry: Faculty of Law at the University of Haifa, Mt. Carmel, Haifa.

Tel.: 04-8249978 or 04-9815327; Cell: 050-3025502;

Fax: 072-2449452; email: abeer.baker@gmail.com

Applicants Requesting to Appeal to the Supreme Court 2459/12**Rawi Fouad Sultani**

Filed by his counsel, Attorney Rima Ayoub, et al

From Adalah: The Legal Center for Arab Minority Rights in Israel

Jaffa 94, P.O.B. 8921 Haifa 31090;

Tel: 04-9501610; Fax: 04-9503140

Applicant Requesting to Appeal to the Supreme Court 2539/12**Muhammad Karim Younes**

Filed by his counsel, Attorney Anne Suciu, et al

From the Association for Civil Rights in Israel

Nahalat Binyamin 75, Tel Aviv 65154

Tel: 03-5608185; Fax: 03-5608165

Applicant Requesting to Appeal to the Supreme Court 4063/12**-Against-****1. Israel Prison Service****2. The State of Israel**

C3

Supreme Court of Israel, Jerusalem

Supreme Court of Israel Case 1482/08 - T

Before: The Honorable Registrar Geula Levin
Appellants: 1. Adalah: The Legal Center for Arab Minority Rights in Israel.
2. Physicians for Human Rights - Israel
3. The Clinic for Prisoners' Rights and Reentry: Faculty of Law at the University of Haifa

Against

Respondents: 1. Israel Prison Service
2. Israel Ministry of Public Security

Request to File a Revised Notice

C4

Haifa District Court in its capacity as Administrative Court

April 23, 2012

Administrative Appeal 25573-03-12 the Association for Civil Rights in Israel, et al, against the Israel Land Administration, et al.

Before the Honorable Judge Ron Shapira

Appellants: 1. Association for Civil Rights in Israel
2. Al-Yatar Association for Social and cultural Promotion
3. The Clinic for Human Rights in Society

Against

Respondents: 1. Israel Land Administration
2. Israel Ministry of Housing and Construction
3. Association for Construction of a Religious Neighborhood
4. Association for the development of Acre and its Buildings

Verdict summary:

* We're dealing with a theoretical appeal, and under the circumstances it cannot be determined if throughout the proceedings or its results there was a flaw that justifies intervention on the annulment of the tender or the annulment of the victory won by respondents 3 and 4 in the tender to build and market apartments in Acre. Moreover, note that dismissal of this appeal does not release respondents 1 and 2 of their obligation to oversee the actions of respondents 3 and 4 in a manner that will ensure prevention of discrimination or harming the rights of any who wish to join the housing initiative.

Supreme Court of Israel, Jerusalem

Request to Appeal to the Supreme Court 2459/12

1. Salah Saeed**2. Raed Salahot**

Filed by their counsel, Attorney Abir Bacher **from the Clinic for Prisoners' Rights and Reentry - Faculty of Law at the University of Haifa, Mt. Carmel, Haifa.**

Tel.: 04-8249978 or 04-9815327; Cell: 050-3025502;

Fax: 072-2449452; email: abeer.baker@gmail.com

Applicants

-Against-

1) Israel Prison Service**2) The State of Israel**

By their representatives from the State Attorney in the Ministry of Justice, Jerusalem. Telephone: 02-6466450; Fax: 02-646701

Respondents

Application for Leave to Appeal

Application is hereby filed for leave to appeal the verdict of the Nazareth District Court in its capacity as Administrative Court regarding Prisoner's Appeal **27387/09/11** and Prisoner's Petition Appeal Request **8955/11/11**, handed down on 7/03/12 served in full to the undersigned on 12/03/12 by the Honorable Judge Yonatan Avraham, as follows:

Request Summary

1. Requesters are prisoners classified as security prisoner, whose appeals before the lower court to allow them to continue their studies through the framework of the Open University were rejected by the lower court. The requesters filed separate appeals before the lower court, however, the discussion regarding their issue was combined due to the complete identicalness in the requested remedies in their appeals, which went beyond their personal issue and were relevant to all security prisoners who had their studies through the framework of the Open University halted as sanctions over the continued captivity of the soldier Gilad Shalit. Therefore this request is filed by the two requesters through one procedure.

Attached hereto is the decision of the lower court as an appendix marked **A/1**.

Supreme Court of Israel in its capacity as the High Court of Justice**High Court of Justice Case 3595/08**

Before: The Honorable Dorit Beinisch

Appellants: **1. Adalah: The Legal Center for Arab Minority Rights in Israel.**
2. The Clinic for Prisoners' Rights and Reentry

Against

Respondents: **1. Israeli Prison Services**
2. Israeli Ministry of Education

Agreed announcement from 22.9.2010 from both sides

Representing the Appellants: **Attorney Abir Bacher**

Representing the Respondents: **Attorney Dana Briskman**

Verdict

Both sides announced that an agreement was reached according to which the respondents would work to integrate the Arabic language at the State's prison facilities on the conditions outlined in the joint announcement from 22.9.2010, attached and marked with the letter "A", and is an integral part of this verdict.

Under these conditions, the appeal will be stricken with the agreement of the appellants.

- ▣ Respondent attorney Dana Briskman is a graduate of the New Israel Fund's Legal program. Attorney Abir Bacher, as stated, is a senior attorney at 'Adalah', an organization supported by the New Israel Fund.

Appendix D – Student Council of the Faculty of Law, Meeting Records

D1:

Council Meeting, 6.1.12

Being discussed:

1. Chairman's opening words.
2. Presenting the various committees in the faculty + referring to yearly events.
3. Clinic committee - survey run among students
4. Work procedures.
5. Agreement with Machshavot

Present:

Shiri, Meir Yarom, Shai, Sivan, Yonatan, Stav, Noa, Tamar, Eliran, Ilana and Yossi Sabag from the Union (Total: 10 + 1 guest).

Update by Chairman Shai: On Sunday there was a bill regarding increasing the length of internships to two years. I consulted with Yossi and we decided to act against it.

Ilana: What is their purpose behind increasing internship length?

Shiri: The agreement was that the Council forum would support this move, on the condition that it came with other moves to improve interns' conditions. Only if there really is debate and improvement.

Shai: The bill is a maneuver and probably won't even reach the debate phase. Students should "Buzz".

Yonatan: Why are we fighting in the Knesset and not in the Bar Association? In the Knesset we don't really have power, and we can show the Bar Association that we know what they are doing and can act against it.

Shai: This year is going to be a year of building, we have a lot of work to make the council a more significant body, like what has happened to similar councils in Tel Aviv and Jerusalem.

Noa Organizational Deputy Chair: The Organizations committee gathered on last Wednesday. Members: Myself, Sivan, Hila, Ilana and Mor. The idea was to delegate the authorities of the deputy chair and that it should be a place of fertile discussion, ideas and entrepreneurship. We set for ourselves three main goals: Holding more social initiatives, organizational operation of the council and a format that would serve as a base for coming years. There are 4 main events: The annual fundraiser (probably the end of March), an academic convention (Gil Solomon is coordinating) and the council newspaper (Noa from Year 2 is the editor) - Hila is in charge of managing it. Third, there is also the Food Professor event, which Sivan is responsible for. We will receive a faculty schedule from Lily and will follow it and see which events we want to involve ourselves in and participate as the Council.

Shiri: There are all kinds of conclusions we need to draw from last year, so we'll sit on that together.

Noa: Mainly we need to increase student attendance.

Shai: It is important that once a week an email be sent between the council members to see that things are moving and that everyone is dealing with their projects.

Stav: I think we should think first about the annual event and the Food Professor, and if we should hold them. There aren't many students in the faculty, and many of us donate to various organizations (Perach, Council, Union, One-on-One, etc.). I think we should talk with an organization to provide a scholarship. The question is, why take money from students "under the guise" of a social event, and donate money, which is pretty material for an organization that is not a part of the faculty and doesn't contribute to the students in any form.

Shiri: I don't agree. The students aren't funding something, rather they're being offered added value. In return for the money they get a party, a raffle and faculty cohesion. I don't think the price is high. There is a cohesive party, lecturers spend a lot of money on tickets (and not because they show up). In the end the students to get something.

Stav: In addition, we need to think of the organization that should at least be in the city or connected somehow to the students.

Shiri: You're right, and really, that's what we did last year and we switched organization, from an organization of doctors that operate overseas to Lev Chash, which is an organization from Haifa.

Yonatan: I think the question is one of money. It's important that there be an event, and I agree with what Shiri said, but we also need to talk about money and whether it will eventually go to a specific organization or will serve the students here in the faculty.

Shai: Formulate a position regarding the annual events, pass on an orderly document and meetings on the subject will be held.

Tamar Academic Deputy Chair: Academic committee, we need to think about additional initiatives. Student committee - they're debating exceptional test dates, this week they discussed overlap between courses that students can't enjoy. Scholarship committee - A council representative has yet to sit there, as soon as there is full information we will make sure to send a council representative. Teaching committee - Gil Solomon is running a course change and course selection format that will mesh for students in common fields.

Shai: Academic committee - it's important that whoever sits on the committee meets once a week at the office with the committee members from the council, to discuss relevant topics.

Stav: Clinic committee - Is supposed to meet twice a year, the purpose is to formulate a procedure regarding the choice of new clinics and updating the clinics work procedures with regards to elements from outside the faculty. Most clinics today are social clinics that work with political and social institutions, and there is a desire to change that. Today there exist in the faculty only 7 clinics, and there is a desire to add more clinics, Stav presents the results of the survey - 187 students answered the survey. The survey had 3 questions, Stav presents charts and statistical data with regards to the answers for each of the survey's questions. The conclusions arising from the results show that the students want experience in practical legal work. Furthermore the most aren't interested in being a part of any of the existing clinics, and in the question about new clinics, the clinics dealing with commercial areas stood out, such as business initiatives and consumer's rights.

Yonatan: Pleasantly surprised from the amount of responders, in my opinion the survey is good for the council, and we must formulate a position on the council level with regards to what Stav said about the various clinics.

Meir Audit Committee: Before presenting the survey, another survey must be run on HighLearn with more accurate data, available only to the students.

Yossi Sabag: HighLearn isn't an efficient tool for surveys, we can print up the survey and distribute it again among the students.

Shai: Meir is talking about the ethical side of a more reliable survey before we can assume a council-wide position regarding the faculty staff. Stav will present a more detailed position paper, and we'll use that to put out another survey among the council members on the Facebook group, and upon which we'll formulate the council's position.

Shai: Talks about ILSA, the Israeli group whose goal is to unify all the students among the law faculties around the country with regards to work overseas as part of ELSA.

Contract with Machshavot - wants to keep the contract even though it is not optimal but assists us at the moment with funding the newspaper.

Council's website - we have two website editors, on 17.1 they will present a website sitting on a free domain. We will have to enter the content as the council. The aspiration is to upload it to a domain that costs money, and we will have to send it up to Tamara, with the foundation's assistance.

Last Faculty Council meeting - Yossi was present along with Shai, we discussed the procedure with regards to reserves service - a position was presented by us with objects to the procedure which harms the students.

Council budgets - an orderly documents must be presented to Tamara for any sum.

Noa: Do you think we need a budget for each year? Year 1 students, year 2, etc...

Yonatan: There is no need for a budget for each year among the students.

Shai: In order to promote our transparency, we'll take upon ourselves the end of semester event. There is need for strong marketing, both by the Speaker and per representative. We're talking about a test of power for the council that will afford us more legitimacy. Turn to Yossi - other councils in the country have full, high quality cooperation between the council and the union. This is why Yossi is here because we want to do a specific format between both organizations (a regulation change).

Yossi: I came because it's important for me to be here. The reason is just like Shai said - cooperation. Past tensions aren't interesting, and most people here are already without past tensions, and therefore there's no reason it shouldn't only get better. "Take advantage" of me as the union until we can achieve that formally, regarding everything - be it rooms, the student house, academic conventions and more. In any case, I'm always available.

Shai: Next topic - work procedures with the Secretary-General: Any issue that is relevant to the council will be managed on the Gmail diary, for transparency and visibility purposes. Work procedures with the Speaker: He really is doing good work. If any actions were done that you want to publish, go through the Speaker. Exams period: the council as a body will go into a short freeze, the Organizational committee will go down a bit,

but we do need to be strong on the academic front. There's going to be a procedure of scanning tests, and so Tamar, you're responsible for there to be a forum where questions and problems can be raised.

Sivan: We need to think of how we can get rid of the matter of publishing grades with ID numbers, which harms privacy. Maybe sending a private email with the grade that will include a graph saying where your grade is relative to the other exam takers.

Shai: Next topic - Sunday and Monday I'll have reception hours.

Yonatan: Next topic - I think the committees themselves should also have some sort of record they can send to all members. On the topic of the Machshavot contract - several things need to be addressed. First, regarding accepting the contract - was there a council vote? **Shiri** - yes. Yonatan - it says the contract is for 3 years, and that's very limiting. **Shiri:** That's an error in the contract! It needs to be fixed. **Yonatan:** One of the decisions is that the contract be sent to all students. Another issue - exclusivity: a problematic subject, because we grant intellectual exclusivity to all services they provide, such as the placement program. **Shiri:** The placement program isn't in the contract. **Yonatan:** Then that needs to be cleared up in the contract and be expressed in the contract. In addition, I don't understand what this contract gives? There aren't any prices, for instance. **Shiri:** That's not true, there are scholarships, vouchers, lottery packages. For two years we haven't been selling Machshavot, and we have no commitment aside from providing them with coordinators, ten emails, and reference in the speech. The contract is based on both parties' good will and obligates us to hardly anything.

Yonatan: What bothers me is the spirit that rises from the agreement towards the students.

Shai: You probably don't have the updated agreement.

Shiri: A meeting will be held with the Machshavot representative about these issues, in principle, she doesn't have any objection to the things we said that formulate the council's wishes.

Meeting closed at 12:00

Appendix: Results of the survey, run on Facebook, on the council's position regarding opening a clinic in the commercial field.

Date: Tue, 10 Jan 2012 23:08:03 +020

Subject: Re: Results of the vote on the council's position on a clinics discussion

From: yaromeir@gmail.com

To: stav.haddar@gmail.com

CC: eyosef02@campus.haifa.ac.il

Approved, of course

Eliran - I'd appreciate it if you could save this email + the picture of the vote.

Thanks,

Meir

Council Comptroller

2012/1/10 Stav Haddar stav.haddar@gmail.com

Eliran,

I'm passing along the results of the survey we ran on Facebook about the council's position regarding the debate in the Clinics committee tomorrow.

In total, 10 representatives voted, all in favor. Added are screenshots of the voters.

Voted in favor:

1. Yonatan Orpeli
2. Shay Madrar
3. Noa Schweitzer
4. Sivan Shachar
5. Shiri Noymen
6. Amit Granot
7. Tamar Mastbaum
8. Eliran Yosef
9. Maayan Laor
10. Stav Haddar

According to my count that is the majority of the candidates. I request that Meir confirm the vote and that it be filed in the relevant location in the records.

For good measure I am adding Meir as a recipient to this email.



Stav Haddar



שלום לחברי המועצה, כפי שסיכמנו בישיבת המועצה ביום שישי האחרון, להלן עמדת המועצה לישיבת ועדת הקליניקות שתתקיים השבוע. אבקשם לאשרה עד מחר בערב. "לאור הצורך והרצון של סטודנטים בקליניקות מסחריות ולאור העובדה שאחוז גבוה מהסטודנטים לא מוצאים עצמם במבחר הקליניקות הקיים המועצה מאמינה שבשלב הזה יש לקדם ראשית קליניקה בעלת אופי מסחרי לפני כל קליניקה אחרת"

- בעד
- נגד
- נמנע



Noa Schweitzer
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Stav Haddar

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Council Meeting, 23.4

Meeting Schedule -

Rephrasing and vote regarding changing the regulations which discusses when council meetings will be held.

Chairman's summary regarding meeting the Dean and conduct during exams.

Updates by Chair of the Academic committee

Updates by Chair of the Organizational committee

Newspaper updates

Present: Noa, Tamar, Stav, Yonatan, Sivan, Mor, Ilana, Shai, Eliran.

Chairman Shai - A change needs to be made in the regulations - with regards to how often the council will meet, but there aren't enough of us present, so we'll do it another time. As a general rule, the regulations need to be changed that will suit the council as it is today, and later on changing it into an organization.

Last Tuesday Tamar and I (Shai) had a meeting with Niva - the subjects that came up were - conduct during the exams period, deviation from adjustment by approval of the Dean, the ethics work, I'll update regarding ILSA: Any element that is a member of ILSA must transfer funds to the organization's fund. Alex the ILSA coordinator asked for the money but the faculty refused. Niva claimed that the faculty as a public body can't pay membership fees to an organization. However, we can present ILSA's activities and ask for the money. In addition, there are two conventions planned for later on - and the council is taking part in them.

Yonatan: I understood the council has a budget of 3000ILS

Shai: That's not true. I know no such thing like that about the budget. If we need money, the faculty will try to help, but there is no defined budget.

Yonatan: The faculty's attitude bothers me - present us with something and we'll decide whether to budget it or not. We as a council need to get a defined budget from the faculty and do with it what we want. We are the only council that doesn't have a budget, no?

Shai: That's not accurate, because many of the councils receive money through the union they are affiliated with. And I agree that it could have been that at the beginning of the year we should have raised this demand. **Next** - regarding the conduct during exams, we sent out a letter to the faculty council, but that same council didn't have time to discuss things.

Tamar Academic Deputy Chair: We approached the Dean's office, regarding the conduct during exams we presented her with individual cases, for example the Order of Operations. The Dean's office replied that they are not responsible for rooms and conduct during exams, and what needs to be done is to author a letter that the Dean's office will cosign, which will be sent to the Exams Department. With regards to lecturer's presence during exams there was the Junior Staff strike and teacher's assistants weren't present, which is what caused the problem, we're talking about an exceptional issue. In addition, we asked that in the future both the lecturer and the teacher's assistant be present during the exam. These demands will be raised at the faculty council and brought forth for approval.

Shai: The problems with the exams were the conduct of the examiners, the logistics and the presence of the lecturers and teacher's assistants. We'll ask what we do about the test that suffered from all three of these problems? This happened in Order of Operations. The Dean's office said there is ample reason to approach Oren Gezel, the course lecturer, in order to return the adjustment.

Tamar: In the Conflict Resolution course, regarding the unusual adjustment, she mentioned that the staff are veterans at these courses and they identified the appropriate level needed for adjustment, if at all. We asked her to publish the reason and that there be transparency for the students so they can know the reasoning behind cancelling the adjustment.

Regarding the Ethics course - Whoever doesn't know, Year 3 were given in Ethics an individual research paper, whose scale does not fit a course of only 2 credits, that was worth 15% of the grade. There was an uproar on behalf of the students and the lecturer was approached, but with no luck. A letter was written to the Dean's office by the union, the Rector's response was that we were dealing with academic freedom, and the Dean's office also responded that this doesn't violate the lecturer's academic freedom, and that despite the debate on the matter, our arguments weren't accepted.

Yonatan: The Ethics story doesn't only affect Year 3, but will impact on lower years as well. The point is that there is a lecturer here changing the rules of the game for all students. That is long-term damage. I think there isn't much we can do, but in my opinion, the council should be heard on this issue. All the students agree on this and we as the council should publish a harsh, uncompromising letter on the issue.

Tamar: In the next Teaching committee we will present the survey regarding the elective courses students asked for and our recommendations.

Shai: Our survey came up in the faculty council, and Reichmann said they would use our survey when choosing the courses for next year.

Legal English: Shai - The Teaching committee referred in the past to the format of the course and it was decided to split the course into 4 groups. We received 2 inquiries. One referred to the reserves service, that guys in reserves would have to prepare summaries for all the verdicts - we raised that to Noya and it was cancelled, but she suggested we formulate a mechanism that would allow students who missed classes to make up the studied material. Another inquiry was about the course in its entirety, its being taught and its format. We will publish a letter that Yossi Sabag will join regarding the course.

Organizational Committee

Noa Organization Deputy Chair - 3.5 there is an event celebrating a decade for the clinics, there is a nice program and everyone is invited to raise this before the years.

Another issue which came up right now with Lily - the Food Professor most likely won't be held this year. This is a very busy year from an organizational aspect, since the faculty is celebrating 20 years.

Annual event - Pool Party! **Mor Updates:** Space in Neshar wants 30 ILS per person - it's a huge, new place and it's very pretty. Thursday they can't close off the place, but they can close off an area for us, it's a huge place so that's not a problem. Another option is to do it on Sunday at the cost of 40 ILS. Another option is in Neve Sha'anana. The faculty can help.

Noa: There will also be union budgeting once we present the demand. The faculty will also provide a budget. The planned date is on 21.6. **Newspaper:** All articles were passed on, it was sent to graphic design and the moment it is ready Machshavot will print it for us.

Yonatan: Another thing I think we need to improve is the matter of transparency. **Meeting records** - Need to be distributed. **Gal Project** - Asaf Nahmias is the coordinator and met with the project's CEO. There still is the paper on the clinic review we haven't published, after the faculty ignored the same survey. **Another issue** - Teacher's assistants need to upload the lecturer's material to HighLearn, such as uploading verdicts, for example. Another thing, I think we need to publish a position paper regarding the fact that undergraduate students are teacher's assistants in courses.

Stav: That's also a budgetary matter - that's the response you'll get from the faculty.

Tamar: I was already approached on the issue.

Shai: I agree with you that it's problematic and that a position paper needs to be published.

Shai: Another issue: I ask that suggestions be turned into deeds. There are many suggestions thrown about, but Noa, Tamar and I are very busy, all you have to do is act.

Some topics:

Because the website is a bit slow I asked the editors to open a Facebook website because it's important to show what the council does, and this will help position the council. There is a Facebook page we will soon unveil. We can also make Admins, for instance, one from each year who can upload things. If someone has ideas about the Facebook page, this is the time.

We're holding a Year 2 evening. All other years are welcome to as well.

I'm working with Yossi on an **enrichment convention with regards to practices aimed at Year 2**. There will be an attorney from the Supreme Court section, an attorney from the Public Defender's office, an attorney from an office in Tel Aviv, and Sassy Gez may also show up.

Council website - Niva said she would help with the funding. The website is really advancing and is excellent. I'm trying to upload practical things, for instance a link to the unified referral notebook. Upload a council schedule. In addition, upload

Mentor program - Something that works in the United States, where graduates mentor students. I told the site editor to have the site ready by June.

External matters: Nothing new regarding the reform in the internship field because we're waiting for conclusions any minute. There is a new spirit in the Bar Association, which is very in favor of cooperating with the Councils Forum. Another matter, a suggestion was made to make available to the students lecturers the lawyers at the Bar Association have (lawyers pay for them and they are a form of symposium).

Unemployment for interns - At the moment an intern learning for the Bar exam doesn't receive unemployment pay - there is a specific clause which removes lawyers and accountants from eligibility to sign for unemployment. There is an appeal in the works. The disadvantage is that once they say "No", it's over. Another option is through the Knesset. We will hold a discussion on this in the Councils Forum.

Ping pong tournament: Held at the University, organized by Emanuel Danieli. We're also

working on a soccer tournament and a faculty-wide poker tournament.

A new spring semester representative was elected - Chemi Dagan. We'll probably attach him to the Organizational committee.

Decade for the clinics event: Noa referred to this. Ronit the clinics coordinator asked if we're able to go through the classes. I said no.

Yonatan: I think we shouldn't even send an announcement by email. There was a lot of work related to the clinics and the faculty just ignored the entire thing. For instance the desire to open commercial clinics and in contrast, not to open a clinic for Arab minority rights.

Shai: If we're disagreeing with the council, I accept that and we won't announce it. If anyone does want to help promote the event they're invited to.

Last topic: The clinics survey. Stav, what do you think is our next move.

Stav: The answer I was given twice is that there is no lecture suitable to open new clinics. And we're talking about a very small clinic. Regarding the decision to reopen Saban's clinic - the clinic for Arab minority rights. He was offered to turn it into a workshop and not a clinic. It would be a very small clinic without a head. No attempt was made to respond to our requests and inquiries.

Shai: I think we need to publish a letter from you to Niva regarding the clinics, expressing our discontent regarding the fact that the conclusions from the survey that was held among the students, demanding to open a new clinic, such as a commercial clinic, were not implemented.

Yonatan: I don't think we need to send it to Niva. Because she'll just object and tell you not to publish.

Shai: I think we still should send.

Meeting closed at 20:05

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